WHITEWATER TOWNSHIP PLANNING COMMISSION REGULAR MEETING

October 7, 2026 7:00 pm

Whitewater Township Hall 5777 Vinton Road, Williamsburg, MI 49690

Phone: 231-267-5141 / Fax: 231-267-9020

Click this link to view the meeting live: https://www.youtube.com/@whitewatertownship/live

At this time, the PC invites everyone to silence their electronic devices

Whitewater Township will provide necessary reasonable auxiliary aids and services to individuals with disabilities upon reasonable advance notice. Contact the Township Clerk at clerk@whitewatertownshipmi.gov at least 5 days in advance of the meeting.

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Microphone check**
4. **Roll Call of PC Members**
5. **Set/Adjust Meeting Agenda**
6. **Declaration of Conflict of Interest pertinent to agenda items**
7. **Public Comment – In house: Any person shall be permitted to address a meeting of the PC. Public comments shall be carried out in accordance with the following rules and procedures.**
    a. There are two opportunities for public comment: now and at the end of the meeting.
    b. Comments shall be directed to the PC with questions directed to the Chair.
    c. Any person wishing to address the PC shall speak from the lectern and state his/her name and address.
    d. Persons may address the PC on matters that are relevant to Township planning and zoning issues.
    e. No person shall be allowed to speak more than once on the same matter, excluding the time needed to answer a PC member's questions.
    f. Public comment shall be limited to 3 minutes per person.
    g. In order to avoid unscheduled debates, the PC generally will not comment or respond to public comment. Silence or non-response from the PC should not be interpreted as disinterest.

8. Public Hearing ZOA 2026-02 Amendments to Article 2, §2.01-Definitions, Article 4, §4.10-Agricultural A-1, Article 5 – Supplemental Development Standards and Provisions new § 5.16 Wineries, Microbreweries, and Micro-distilleries
    a. Open public hearing/ state time.
    b. Request those attending sign attendance sheet.
    c. State date of public hearing notice publication and newspaper published in.
    d. State purpose of public hearing.
    e. Brief Introductory Presentation (Zoning Admin. Planner, Applicant/Agent, etc.).
    f. Read any written comments received.
    g. Receive public comment.
    h. Close public hearing/state time.

Questions shall be addressed through the Chair during the public hearing. PC discussion and action shall take place after the public hearing is closed. Action may also take place at a subsequent PC meeting.

9. **Approval of Minutes of Previous Meeting:** Regular Meeting September 9, 2026
10. **Correspondence**
    a. Rachel Steele email 9.10.26 and 9.8.26

b. Schulte 9.14.26

11. Reports/Presentations/Announcements/Comments

a. Zoning Administrator
b. Planning Commission Chair
c. Township Board Representative
d. ZBA Representative
e. ROWG
f. Additional Items

12. Unfinished Business

a. Amendment to Article 20 – Zoning Board of Appeals
b. Amendments to Article 21, §21.03: Procedures and §21.08-21.11: Moratorium by Resolution
c. Proposed STR regulation discussion

13. New Business

a. Changes to Bundle 2 - Aamodt
b. Land Division Act presentation - Mielnik
c. Budget Review

14. Next Meeting Agenda:

a. 10/19/2026 Special Meeting at 6pm – Bundle 2
b. 11/4/2026 Regular Meeting – Continue proposed STR Regulation discussion
c. 11/12/2026 Joint Meeting Town Board and PC – Proposed STR Regulation presentation/discussion

15. Public Comment – In house: Any person shall be permitted to address a meeting of the PC. Public comments shall be carried out in accordance with the rules and procedures as stated at the first public comment period.

16. PC Discussion/Comments

17. Continuing Education:

a. reminder – MSU Extension Citizen Planner training to be completed by new members

18. Adjournment

T. C. RECORD-EAGLE, INC.
DEPT 1415
PO BOX 4268
HOUSTON TX 77210-4268
(231)946-2000
Fax (231)946-8273

ORDER CONFIRMATION

Salesperson: ALYSSA HEIDER — Printed at 09/15/26 08:30 by aheid-tc

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Acct #: 2055 — Ad #: 639139 — Status: New

WHITEWATER TOWNSHIP CLERK
P.O. BOX 159
WILLIAMSBURG MI 49690

Start: 09/22/2026 — Stop: 09/22/2026
Times Ord: 1 — Times Run: ***
STDAD 3.00 X 6.58 — Words: 400
Total STDAD 19.74
Class: 147 LEGALS
Rate: LEGAL — Cost: 176.85
Affidavits: 1

Contact:
Phone: (231)267-5141
Fax#:
Email: clerk@whitewatertownshipmi.g
Agency:

Ad Descrpt: LEGAL NOTICE WHITEWATER T
Given by: *
P.O. #:
Created: aheid 09/14/26 14:22
Last Changed: aheid 09/15/26 08:30

PUB	ZONE	EDT	TP	RUN DATES
RE	A	97	S	09/22
IN	AIN	97	S	09/22

AUTHORIZATION

Thank you for advertising in the Record-Eagle, our related publications and online properties. If you are advertising with the Record-Eagle classifieds, your ad will begin running on the start date noted above.

Please be sure to check your ad on the first day it appears. Although we are happy to make corrections at any time, the Record-Eagle is only responsible for the first day's incorrect insertions. Also, we reserve the right to edit or reclassify your ad to better serve buyers and sellers.

No refunds or rebates will be issued if you cancel your ad prior to the stop date.

We appreciate your business.

(CONTINUED ON NEXT PAGE)

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HOUSTON TX 77210-4268
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ORDER CONFIRMATION (CONTINUED)

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Acct #: 2055 Ad #: 639139 Status: New

LEGAL NOTICE

WHITEWATER TOWNSHIP
PLANNING COMMISSION
NOTICE OF PUBLIC HEARING

The Whitewater Township Planning Commission will conduct a public hearing at a regular meeting on **October 7, 2026, at 7:00 PM**, at the Whitewater Township Hall, 5777 Vinton Road, Williamsburg, Michigan.

The purpose of the public hearing is to receive public comments on proposed ZOA - 2026-02 amendments to the zoning ordinance pertaining to wineries, microbreweries, and micro-distilleries:

- Amendment to *Article 2, Section 2.01 - Definitions.* Definitions will be added to support the amendments to Article 4 and Article 5 (see below).
- Amendment to *Article 4, Section 4.10 - Agricultural A-1 - Intent.* Wineries, microbreweries, and micro-distilleries will be added as a use permitted by special use permit in the A-1 agricultural zoning district. This will reference the use specific regulations of Article 5 (see below).
- Amendment to *Article 5 - Supplemental Development Standards and Provisions.* A new section (Section 5.16 Wineries, Microbreweries, and Micro-distilleries) will be added for specific use regulations for wineries, microbreweries, and micro-distilleries, including regulations for tasting rooms and events. Additional regulations are provided for lot size, setback, screening, location buffer, noise, parking, and other site regulations.

All are welcome to attend and will be heard concerning the proposed amendments. Amendments are available for public viewing at the Whitewater Township Hall, 5777 Vinton Road, Williamsburg, MI 49690, during regular office hours and/or the Township website: WWW.WhitewaterTownshipMI.gov.

Written comments will be received until 5:00 p.m. on the day of the meeting and should be addressed to the Whitewater Township, Attn: ZONING, P.O. Box 159, Williamsburg, MI 49690 or emailed to zoning@WhitewaterTownshipMi.gov.

Whitewater Township does not discriminate on the basis of disability in the admission to, access to, treatment in, or employment in, its programs or activities. The Clerk has been designated to coordinate compliance with the non-discrimination requirements contained in Section 35.107 of the Department of Justice regulations. Information concerning the provisions of the Americans with Disabilities Act, and the rights provided thereunder, are available from the ADA Coordinator.

If you are planning to attend and you have a disability requiring any special assistance at the meeting and/or if you have any concerns, please immediately notify the ADA Coordinator/Clerk, (231)267-5141 x24.

This notice is posted in compliance with Public Act 267 of 1976 as amended (Open Meetings Act), MCLA 41.72a (2) and (3), and with the Americans with Disabilities Act (ADA).

September 22, 2026 – 1T 639139

AFFIDAVIT OF PUBLICATION

KRISTIE WOLGAMOTT
HOMETOWN PUBLICATIONS LLC

being duly sworn, says that she is the publisher of the *Elk Rapids News*, a a newspaper printed, published and circulated in said county and otherwise qualified according to Supreme Court Rule; that annexed hereto is a printed copy of a notice which was published in said newspaper on the following date, or dates, to wit:

Whitewater Township, 20___
Notice of Public, 20___
Hearing, 20___
Proposed ZOA-2026-02, 20___
, 20___
on September 17, 2026
, 20___

Subscribed and sworn to before me
this 17 day of September A.D. 2026

NICHOLAS JAY RANGER
Notary Public - State of Michigan
County of Antrim
My Commission Expires Oct 13, 2028
Acting in the County of Antrim

Notary Public,

My commission expires: October 13, 2028

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- Amendment to Article 4, Section 4.10 – Agricultural A-1 – Intent. Wineries, microbreweries, and micro-distilleries will be added as a use permitted by special use permit in the A-1 agricultural zoning district. This will reference the use specific regulations of Article 5 (see below).
- Amendment to Article 5 – Supplemental Development Standards and Provisions. A new section (Section 5.16 Wineries, Microbreweries, and Micro-distilleries) will be added for specific use regulations for wineries, microbreweries, and micro-distilleries, including regulations for tasting rooms and events. Additional regulations are provided for lot size, setback, screening, location buffer, noise, parking, and other site regulations.

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memorandum

DATE: September 14, 2026

TO: Whitewater Township Planning Commission

FROM: Andy Aamodt, Giffels Webster

SUBJECT: Bundle 1.F. Wineries Memo and Amendment

Introduction

At the May 6 meeting, we provided an audit of the drafted wineries ordinance amendment, starting our role with the wineries amendment task.

Amendment History

- **2025-2026** – The Planning Commission developed a draft of the wineries ordinance. This work culminated in a draft ordinance dated 3/10/2026. After this, the Planning Commission then asked us (Giffels Webster) to audit the draft ordinance.
- **May 6, 2026** – The Planning Commission discussed our wineries ordinance audit. Planning Commission then suggested we rewrite the ordinance based on some of the larger suggested changes, and that we present it at an upcoming meeting. Substantial points of Planning Commission discussion included the following suggestions/direction:
    - Create a more realistic maximum building coverage standard based on percentage of lot coverage.
    - Be more prescriptive in what kind of accessory uses are permitted in the 100 foot setback.
    - Agreement that provisions to ensure the winery's food service and retail portion don't turn into full scale restaurants and grocery stores would be important. However, Planning Commission seemed favorable towards the promotional activities' allowance to have full service food events, which the Planning Commission articulated that the Michigan Liquor Control Commission limits to three a month. An all-day full-service restaurant should not be allowed.
- **July 1, 2026 –** The Planning Commission discussed the draft ordinance amendment, focusing on the following areas:
    - Desire to prohibit split-zoned lots from being a winery with tasting room. The lot should be entirely zoned A-1 agricultural.

- Desire to consider all contiguous properties as part of one site/ownership to be recognized as one “zoning lot” to base the broader building coverage calculation on.
- There should be a more descriptive list of what “brand promotional events” could mean. Additionally, there was some discussion about the Michigan Liquor Control Commission’s regulation on brand promotional events.
- There was discussion about blanket occupancy caps and how this threshold could be inconsistently applied.
- Desire to not move forward with the “Large Events Permits” draft general code ordinance and permit process. Instead, the desire was to allow an administrative review zoning process for special/flexible events where outdoor tents, equipment, overflow parking, etc. can be approved by the Zoning Administrator and the Fire Department. With this, however, there was a desire to require more static or permanency in the manner the site design/layout for flexible areas should be approved. For example, on a winery with tasting room’s initial site plan review, an area for special event temporary tents should be laid out clearly so that the Zoning Administrator/Fire Department special event permitting is in alignment with what had been approved and where it was approved for.
- A Planning Commissioner asked how standalone “tasting rooms” would be permitted in other districts. It would be reasonable to permit tasting rooms (also known as a variety of terms, including “tap rooms” or “tap houses” – a place that might serve beverages produced off premises) in certain districts. Planning Commission should consider if these standalone tasting rooms for wine, cider, spirits, or beer, should be permitted C-1 and perhaps in V-1 as well. It may also be worth considering if micro-breweries and micro-distilleries – which don’t grow their grains/barley/wheat/hops/etc. on the premises but may still brew or distill on the premises – should be permitted in C-1 and perhaps V-1.

- **August 5, 2026** – To ensure we are taking due care in reviewing this language, we revisited the same draft language as was previously presented at the July 1 meeting. This August meeting discussion centered around the following key points:
  - Planning Commission’s consensus on events was that a tiered approach should be taken rather than occupancy thresholds.
  - Catering allowances should be made more clear.
  - Two Planning Commissioners brought up they are also confused about the “brand promotional events” terminology and how it relates to the food service allowances. Research has been conducted and it seems like the brand promotional events pertain to advertising events where a salesperson or vendor representative of a brand can come sell/advertise products at another facility (in this case, the subject winery/microbrewery/micro-distillery). Brand promotional events are regulated by MCL 436.1609-436.1610 of the Michigan Liquor Control Code (Public Act 58 of 1998), the Michigan Liquor Control Commission’s Administrative Rules, and the October 27, 1999 Michigan Liquor Control Commission’s Administrative Order. None of these regulations include a guarantee or preemption that food service should be tied to brand promotional events, therefore I believe food service/ full service meals can be regulated. We make clear that brand promotional events are permitted, but that full service meals do not need to be attached to these.
  - A key consideration in this draft is the inclusion of “**wineries, microbreweries, and micro-distilleries**.” Based on the definitions in the previous drafts, it is my

understanding that the intent was to include all three of such uses (and cideries – which appear to have always been under “wineries” based on the definition) in these regulations. Because these uses are rather similar in nature, it is sensible to include the three similarly so that the regulations are not seen to be exclusionary towards any such use.

    - We provide a draft Special Event Permits Ordinance and draft Noise Ordinance attached to this memo as well. The draft Noise Ordinance was shared with the wineries audit in May. The Special Event Permits Ordinance came from our audit recommending this strategy to govern large events, as well as comments MSU Extension made on the draft ordinance as well. It is our thought that it will be easier to regulate these through a general code ordinance where the applicant seeks a permit through the Township Board on an individual basis. As outlined above, the Planning Commission was less favorable towards the large events permit during discussion at the July meeting. However, at the August meeting, after deliberating on the merits of “tiers,” Planning Commission saw a potential benefit to this ordinance again for “Tier 2” usage.

- **September 9, 2026** – The Planning Commission reviewed the changes and had robust discussion over the “Tier 2” event types. The focus was primarily over how they would be permitted and whether the Township was giving wineries an opportunity to have large events that other businesses/property owners could not enjoy. The following changes were requested:
    - Add in a minimum zoning lot size of 20-acres. This is intended to preserve agricultural land.
    - For Tier One events, remove the size limit for tents but keep the delineated areas.
    - Remove sound standards as the updated noise ordinance addresses this.
    - Remove all of Tier Two event types and hold the special events ordinance for Tier Two. Concerns over giving wineries different permissions than other uses/businesses in the township.
    - Note: because events will no longer be tiered, we are deleting the references and naming convention of “tier” and instead just calling everything “events.”

Next Steps

We revised the text from the September meeting. A public hearing will be held at the October 7, 2026 Planning Commission meeting. If satisfied with the proposed amendment after the public hearing, the Planning Commission may move the proposed amendment to the Township Board.

Items for Consideration in a Later Text Amendment

If Planning Commission desires more continued flexibility for agricultural lands, a broader agri-tourism ordinance could be an item to work on in a later text amendment. This could include the implementation of “tiered activities,” which was discussed at several meetings.

Proposed Zoning Text Amendments

*Please note: text that was updated from the September 9, 2026 discussions is symbolized in blue underline. Some deleted text is symbolized in ~~strikethrough~~ when relevant. Giffels Webster annotations are provided in **green bold.***

SECTION 2.01 – DEFINITIONS

Cidery: A state-licensed facility – see Winery.

Lot, Zoning: A single tract of land, not separated by a public or private road right-of-way, at the time of applying for a zoning permit, is designated by its owner or developer as a tract to be used, developed, or built upon as a unit, under single ownership or control and which tract satisfies the applicable requirements of this Ordinance in every respect and is entirely located within a singular zoning district on the zoning map. A zoning lot may, therefore, not coincide with a lot of record, but may include one (1) or more lots of record.

Micro-brewery: A state-licensed small-scale beer-making facility that uses agricultural products (grains, hops, fruits, honey, or other farm ingredients) where the production of beer; beer and/or other fermented malt beverages are brewed, processed, and sold at wholesale or retail to the public with or without the use of a tasting room or taproom facility.

Micro-distillery: A state-licensed facility where agricultural products (grains, fruits, sugar, or other fermentable materials) are fermented and then distilled to produce spirits (e.g., whiskey, vodka, rum, brandy); distilled spirits are bottled, processed, and sold at wholesale or retail to the public with or without the use of a tasting room or on-site retail facility.

Tasting Room: A room located on the same parcel as a winery, micro-brewery, or micro-distillery where a) tasting of wine, fruit wines, and nonalcoholic fruit juices takes place and b) the retail sales of winery products, incidental merchandise, and incidental retail sales of non-food items and packaged food items are allowed as provided herein.

Winery: A state-licensed facility where agricultural fruit production is maintained; wine and/or cider is processed; and sold at wholesale or retail to the public with or without the use of a wine tasting room. All further references to wineries shall also include cideries, micro-breweries, and micro-distilleries.

SECTION 4.10 – AGRICULTURAL A-1 – INTENT

A. A-1 Agricultural Use Regulations: Uses Permitted By Special Use Permit
   2. Wineries, microbreweries, and micro-distilleries, subject to Section 5.16

SECTION 5.16 – WINERIES, MICROBREWERIES, AND MICRO-DISTILLERIES

A. **Intent.** It is the intent of this section to encourage the growing of crops and production of wine, beer, and distilled spirits as an integral component of the rural and agricultural ambiance of Whitewater Township, and to maintain the viability of farming through the value-added processing and direct sales of wine, beer, distilled spirits, and related beverages made from locally grown crops. It is also the intent of this section to preserve agricultural lands while promoting the growth of agritourism as economic development, as set forth by the Master Plan by allowing construction of a winery, micro-brewery, or micro-distillery with a tasting room, with events and gatherings, and with retail sale of winery, microbrewery, or micro-distillery products, in the Agricultural A-1 district subject to this Ordinance.

B. **Permitted Uses.** Wineries, micro-breweries, and micro-distilleries with tasting rooms are permitted on a zoning lot entirely located within the A-1 agricultural district; split-zoned lots or zoning lots consisting of different zoning districts shall not be permitted. The use shall be subject to approval of a special use permit in accordance with Article 13 of this Ordinance. Site plan review in accordance with Article 12 of this Ordinance is required, and the Planning Commission shall find that the site plan complies with the requirements of this section before approving any site plan.

C. **Requirements for All Wineries, Micro-breweries, and Micro-distilleries with Tasting Rooms**. All wineries, micro-breweries, and micro-distilleries with tasting rooms shall comply with the following requirements.

1) The use shall be licensed by all applicable state and federal regulatory authorities.

2) A minimum lot or zoning lot size of 20 acres is required.

3) The total building coverage for all buildings on the zoning lot shall not exceed more than five percent (5%) of the total area of the zoning lot in which the use is located.

4) **Setbacks**.

   a. All new principal or accessory buildings, and accessory structures including decks, patios, and all outdoor seating areas, shall be set back at least 100 feet from any lot line. Principal or accessory buildings in existence prior to the effective date of the amendment that created this section that do not meet this setback requirement may also be used for winery, micro-brewery, or micro-distillery purposes, subject to the provision of additional landscaping and buffering features being required by the Planning Commission. Such additional landscaping and buffering features may include plant material, mounding, or other decorative landscape elements that serve to abate potential noise impacts and light spillover along property line(s). The Planning Commission shall consider Article 10 of this Ordinance when making such determination.

   b. All accessory uses and parking areas shall be set back at least 100 feet from any lot line.

5) **Sales of food, beverages, and merchandise**. Retail sales of food and beverages produced consisting of at least fifty-five percent (55%) of agricultural products grown on the premises, and incidental merchandise associated with the tasting room and/or farm are permitted. The sale of general retail consumer goods is prohibited.

6) **Food service**. Food service is permitted, subject to the following requirements:

   a. Food prepared by the tasting room shall be restricted to hors d'oeuvres, seasonal small plates, soups, and snacks.

   b. Food service shall be completed by 10:00 pm.

   c. All necessary permits for food service shall be obtained.

   d. Catering service is permitted in conjunction with a permitted event in accordance with Subsection D.

7) **Parking**

   a. Parking for the winery, micro-brewery, or micro-distillery processing and production areas shall comply with the requirements of Section 9.07 for 'industrial or manufacturing establishment, research and testing labs.'

   b. Parking for tasting room areas shall comply with the requirements of 9.07 for 'restaurants, taverns, bars, nightclubs.'

   c. Parking for retail areas shall comply with the requirements of 9.07 for 'supermarket, self service food or beverage shop.'

8) **Noise**. Noise shall comply with the requirements of the Township Noise Ordinance #XXXX

9) **Location Buffer**. To preserve the rural character of the Township, prevent the concentration of similar commercial uses, minimize traffic on lightly travelled roads, and minimize noise and land-use conflicts, wineries, micro-breweries, or micro-distilleries with tasting rooms shall be subject to the following buffering requirements.

   a. No winery, micro-brewery, or micro-distillery with a tasting room shall be established within one (1) mile of another such winery, micro-brewery, or micro-distillery with a tasting room, measured in a straight line from property line to property line.

   b. A waiver or reduction from the buffer requirement in C.8.a. may be granted by the Planning Commission upon finding of all of the following criteria are met:

      i. Road capacity is sufficient and traffic impacts on rural roads are minimized.

      ii. Potential cumulative impacts from events, noise, and lighting are mitigated.

      iii. The property and use is compatible with surrounding agricultural and residential uses.

      iv. The property and use preserves rural character and scenic viewsheds.

D. Events. Events are permitted in conjunction with a winery, micro-brewery, or micro-distillery tasting room, and shall be defined and regulated as follows:

1) **Intent.** To protect the health and safety of event goers, and the surrounding community, as well as to mitigate traffic, noise, and other nuisance factors, the Township regulates events in conjunction with a winery, micro-brewery, or micro-distillery tasting rooms ~~with a tiered approach. "Tier 1" events are generally recognized to be lower in land use intensity, with layout of facilities or activities generally following the original site plan and/or special use permit approval and no additional nuisance factors anticipated. "Tier 2" events are generally recognized to be broader in scale and may incorporate more intensive accessory land uses or activities, or may involve more variable space or temporary layouts in addition to what had been previously documented in the original site plan review and/or special use permit approval~~.

2) ~~General~~ Requirements for all events:

   a. Events unrelated to the principal use of the winery, micro-brewery, or micro-distillery shall not be held on the premises unless granted the ability to hold events by way of site plan review and special use permit approval. As part of the site plan review process, the Fire Department may restrict maximum occupancy for all future events. The event shall follow the layout of the approved site plan and special use permit, with all accessory uses and activities, even those temporary in nature, taking place in the delineated areas on the plan. **(This final sentence was moved from the former *3) Requirements for Tier 1 Events* below.)**

   b. A maximum of four events per any 30-day period shall be permitted.

   c. The event shall not include overnight sleeping accommodations for attendees.

   d. Event operations shall occur only between the hours of 10:00 am and 10:00 pm.

   e. Parking for Events. If the tasting room is closed to the public for the duration of the event, the event shall provide the amount of parking as required in Section 9.07 for 'restaurants, taverns, bars, nightclubs' or 'dance and union halls, civic clubs, fraternal orders, conference rooms, exhibit halls, ball rooms or any similar type of use,' whichever is greater. However, if the tasting room remains open to the public during the event, the event shall provide the aggregate of the parking required for both the tasting room and the event.

   f. Brand promotional events, subject to the Michigan liquor control code and administrative rules/orders, are permitted, but there shall be no more than three such events per month.

g. Tents or temporary structures shall be located within the delineated area as specified on the approved plan. (**Moved from the former *3) Requirements for Tier 1 Events* below.)**

h. Food trucks are permitted within delineated area as specified on the approved plan. (**Moved from the former *3) Requirements for Tier 1 Events* below.)**

3) ~~Requirements for Tier 1 Events.~~

a. ~~A Tier 1 event shall follow the layout of the approved site plan and special use permit, with all accessory uses and activities, even those temporary in nature, taking place in the delineated areas on the plan.~~

b. ~~Tents or temporary structures shall not exceed 100 square feet in area and shall be located within the delineated area as specified on the approved plan.~~

c. ~~Food trucks are permitted within delineated area as specified on the approved plan.~~

d. ~~Amplified sound is not permitted outdoors.~~

e. ~~The minimum lot area for a tasting room holding a Tier 1 event is 10 acres.~~

4) ~~Requirements for Tier 2 Events.~~

a. ~~In addition to the Tier 1 events above, any event incorporating any of the following accessory uses or activities shall be a Tier 2 event, and shall be subject to a Special Event Permit in Special Events Ordinance XXXX.~~

i. ~~Tents or temporary structures greater than 100 square feet.~~

ii. ~~Overflow parking. Overflow parking shall comply with the dimensional requirements of zoning ordinance section XXXX and shall be located at least 50 feet from any abutting property.~~

iii. ~~Outdoor amplified sound, subject to the Noise Ordinance XXXX.~~

iv. ~~The use of Tier 1 accessory uses or activities outside of the delineated areas on the approved site plan or special use permit.~~

b. ~~Tents or temporary structures shall meet the setbacks principal structures in the A-1 district.~~

c. ~~The minimum lot area for a tasting room holding a Tier 2 event shall be 20 acres.~~

GENERAL CODE ORDINANCE #XXXX NOISE ORDINANCE

[New language; this was presented with the wineries audit in the May meeting. This is attached for reference, but because we are proposing it as a general code ordinance, it does not require Planning Commission review and public hearing. The Township Board is solely responsible in adopting a general code ordinance.]

A. Intent. The intent of these noise regulations is to provide a safe and peaceful environment for wildlife and people in Whitewater Township, including residents, visitors, and workers. This section intends to limit the emission of noise from its sources that could be considered obnoxious by those on neighboring properties, including transient noise, intermittent noise, and constant sound, including infrasound below 20 Hz.

B. The emission of measurable noise from any use shall comply with the following:

   1. In general. Objectionable sounds of an intermittent nature or characterized by high frequencies, even if falling below the maximum decibel limits set forth in this section, shall be controlled so as not to become a nuisance to adjacent uses.

   2. A-weighted decibels. Between 7:00 A.M. and 10:00 P.M., noise shall not exceed fifty-five (55) dB(a) as measured at the boundary property lines, except that where normal street traffic noises exceed fifty-five (55) dB(a) during such periods, the measurable noise emanating from premises may equal, but not exceed, such traffic noises. Between 10:01 P.M. and 6:59 A.M., noise shall not exceed forty-five (45) dB(a) at the property line. In the [industrial] district the following maximum noise levels may be permitted:

      a. 7:00 A.M. to 10:00 P.M. Noise not to exceed seventy (70) dB(a)

      b. 10:01 P.M. to 6:59 A.M. Noise not to exceed forty-five (45) dB(a).

   3. C-weighted decibels. Noise shall not exceed seventy (70) dB(c) as measured at the boundary property lines, except that where normal street traffic noises exceed seventy (70) dB(c) during such periods, the measurable noise emanating from premises may equal, but not exceed, such traffic noises.

   4. G-weighted decibels. Infrasound at any property line shall not exceed eighty (80) db(G) LGeq,10-minute.

WHITEWATER TOWNSHIP PLANNING COMMISSION
Whitewater Township Hall, 5777 Vinton Road, Williamsburg, MI 49690
231-267-5141 Phone / 231-267-9020 Fax

REGULAR MEETING
DRAFT MINUTES
Wednesday, September 9, 2026, 7:00 p.m.

CALL TO ORDER:
Chair Stratton called the meeting to order at 7:00 p.m.
The Pledge of Allegiance was recited.
A microphone check was done.

Public Attendance On-site: 5 (approximately)
YouTube Live Stream View: 6 (approximately)

ROLL CALL: Secretary Peltonen called Roll.

Present:
Rene Stratton, Chair
Sadie Merchant, Vice Chair
Denise Peltonen, Secretary
Michael Sherman, Member
Rod Rebant, Member
Randy Mielnik, Township Board Trustee

A quorum was established.

Absent: Scott Trumbull, Member (excused)

ALSO PRESENT: Recording Secretary Kay Held

SET/ADJUST AGENDA:
Add to New Business:
"Zoning Ordinance Amendment #21.03 D"
"Giffels Webster Bundle #2"

Board Action: Mr. Mielnik made a motion to approve the Agenda as amended. Ms. Peltonen seconded the motion.
VOTE: YEAS: All. NAYES: None. Motion carried.

DECLARATION OF CONFLICT OF INTEREST: None.

PUBLIC COMMENT: None.

APPROVAL OF MINUTES – 8/5/26 Regular Meeting, 8/17/26 Special Meeting:

Regular Meeting of 8/5/26: Amendments: None.
Ms. Stratton made a motion to approve the Regular Meeting Minutes of 8/5/26 as presented. Mr. Sherman seconded the motion. VOTE: YEAS: All. NAYES: None. Motion carried.

Special Meeting of 8/17/26: Amendments: None.
Mr. Mielnik made a motion to approve the Special Meeting Minutes of 8/17/26 as presented. Ms. Merchant seconded the motion. VOTE: YEAS: All. NAYES: None. Motion carried.

CORRESPONDENCE:
Mr. Gaurav Chadha – STR Survey Results / Next Steps. Chair Stratton read aloud Mr. Chadha's letter.

REPORTS/PRESENTATIONS/ANNOUNCEMENTS/COMMENTS:

Zoning Administrator: Report in meeting packet. Zoning Administrator Deb Graber additionally reported 17 Land Use Permits were issued in the month of July and 21 in August. Three Land Divisions are pending. A new Assessor has been hired in Whitewater Township.

Northwoods Soda was alerted by the County regarding multiple violations at their current site. The Building Department has given them 60 days (deadline of 10/19/26) to become compliant. They have added 3,000 sq. ft. of space with no permits or mechanical/electrical inspections. If non-compliant by the deadline, the County Prosecutor will be involved. Ms. Graber has met with Northwoods Soda twice. They may amend their Site Plan.

AIS would like to amend their Site Plan in the next 30 days. Ms. Stratton, Mr. Mielnik and Mr. Rebant will assist ZA Graber in review of the preliminary Site Plan application.

Concerns have been expressed by businesses regarding the $150 fee for seasonal tent sales. She advised they approach the Planning Commission to add/amend Conditions to Site Plans.

She attended "Hot Topics in Planning and Zoning" continuing education, presented by attorney Catherine Kaufman, who will be appearing at the Township Board meeting tomorrow. Topics included Renewable Energy, Data Centers, Moratoriums, Short-term Rentals, Ordinance Enforcement and Land Division Act Amendments. Ms. Graber forwarded a sample Data Center Ordinance created by an MTA attorney.

Many seasonal outdoor events are taking place without permit applications being filed.

A Referendum is being brought forward. She recommended the PC remove fines from the Violations Ordinance and replace it with a Compliance Order, which is issued by a judge. She spoke with the Township Attorney, who is supportive of this idea and is in contact with the Township Supervisor. There was discussion between ZA Graber and PC Members regarding topics in her report.

Planning Commission Chair (Ms. Stratton): No report.

Township Board Representative (Mr. Mielnik): The Township Board meeting will be held Thursday, 9/10/26. Zoning Amendments approved by the PC will be on the Agenda for Board consideration. They are Zoning Amendment #2026-05, to move Article 13 to Article 5 and Zoning Amendment #2026-06, the repeal of Article 6 (COPUD District) and rezoning of four parcels.

The proposed Private Road Ordinance will be discussed; the draft of this was approved by the Planning Commission and has had legal review.

The Board will discuss the upcoming State of Michigan changes to the Land Division Ordinance, effective 3/27. Material on this is in the meeting packet. Township Assessor Michael Beach is also consulting on this matter with the Board.

The Township Clerk received a Notice of Intent to form a Referendum on the recent Board-approved Article 22 Amendment related to Civil Infraction. This process is defined in the Zoning Enabling Act, which he briefly outlined.

ZBA Representative (Mr. Trumbull): No report. ZA Graber reported there was no ZBA meeting in August; nor is there a meeting in September. There is still an opening on the ZBA for an Alternate Member.

ROWG (Mr. Rebant): The ROWG began collecting asset information from the Fire Department and Parks & Rec; however, has temporarily paused those efforts in order to create a work flow for the 2027 budget's capital request.

Additional Items: None.

UNFINISHED BUSINESS:

STR Ordinance Update: The Michigan Court of Appeals has reiterated that STRs are illegal/not allowed in Whitewater Township because they are commercial in nature. Chair Stratton included in the meeting packet a summary of STR Ordinance research and survey information with a focus on the Zoning Ordinance requiring licensure, potential STR districts and definitions.

For the benefit of newer Planning Commission Members, Mr. Mielnik shared the recent history of the resident-proposed amendment regarding STRs, which was ultimately rejected by the PC. The ROWG was created, a public workshop was facilitated by MSUE and a professional survey was commissioned through EPIC-MRA. He briefly reviewed key results of the STR survey.

He noted Elmwood Township and others have a licensing mechanism and the suggestion that Zoning fees should be in line with administrative costs, which was supported in the survey. There are concerns about outside entities purchasing properties for short-term renting.

There was PC discussion about STR overlays, special use, zoning classifications, licensing and STR caps, and possibly case-by-case consideration on waterfront properties. They will also be researching whether there is an abundance of STRs in a specific area.

Chair Stratton asked that EPIC-MRA further breakdown data for licensing specifics. Ms. Peltonen noted concerns about long-term rental options as related to Mill Creek Academy enrollment.

Mr. Rebant would like to see hard data on what STRs exist today and whether there are any clusters. Ms. Merchant, affirmed by others, noted this would be unlikely to determine as listings have been removed from rental sites, others are rented privately or promoted by word of mouth, etc.

ZA Graber clarified the Commercial District allows for short-term rentals; i.e., motels, bed & breakfasts.

Mr. Mielnik stated the Ordinance should be tied to the survey results. The PC discussed collaborating with planning consultants Giffels Webster on an STR Ordinance draft review.

PC Members were asked to review the draft STR Ordinance, the STR survey report, ROWG White Papers, MSUE Workshop data, and Elmwood Twp. information related to STRs. They will provide their input at the next meeting.

Wineries and Cideries Ordinance Update: Ms. Jill Bahm of Giffels Webster joined the meeting remotely. She and the PC reviewed the text, content changes and additions discussed at the last meeting. There was detailed review and conversation with Ms. Bahm including: Definitions, Tiered Events, Brand Events, Non-winery Events, Permitting, Site Plans, Special Use Permits, Occupancy Restrictions, Lot Coverage, Parking and Noise Ordinance.

The PC discussed the 30-day requirement for securing permits and involvement of other agencies; however, Members agreed this timeframe was not generally feasible in most circumstances. This will be further reviewed.

ZA Graber reiterated a Special Use Permit remains with the property, not the owner.

There was extensive discussion about Tier 2 Events and other redline notes throughout the document's proposed changes. The section regarding Tier 2 Events was struck from this version of the draft for the time being.

There was PC consensus to for revisions reviewed this evening to be made by Giffels Webster.

Board Action: Mr. Sherman made a motion to hold a Public Hearing at the October 7, 2026, Regular Meeting, on the Wineries and Cideries Ordinance language. Ms. Stratton seconded the motion.
VOTE: YEAS: All. NAYES: None. Motion carried.

Board Action: Ms. Peltonen made a motion to extend the meeting beyond the three-hour mark. Mr. Sherman seconded the motion. VOTE: YEAS: All. NAYES: None. Motion carried.

Note: A five-minute break was taken at 9:58 p.m. The meeting resumed at 10:03 p.m.

Amendment to Article 20 – Zoning Board of Appeals: A letter from Attorney Wendling with his review of Article 20 was in the meeting packet. The PC discussed in detail the Use Variance and recommended elimination of this option in the Article, referencing the Michigan Zoning Enabling Act. They also discussed appealable items. Ms. Jill Bahm of Giffels Webster supported Mr. Mielnik's opinions and recommendations. ZA Graber noted the functions and authorizations of the ZBA. There was consensus among the PC that additional language revisions will be made by the attorney and it will be returned to the ZBA for final review prior to advancing again to the PC and a Public Hearing.

Draft Amendment ZOA #2026-07 Moratoria by Resolution: Chair Stratton explained the previously proposed Zoning Amendment of creating a moratorium by Resolution by the Township Board. The moratorium extends the amount of time from 12 to 18 months to conduct research. This information was in the meeting packet. Chair Stratton has consulted with the Township attorney and will present this material to the Township Board at their meeting on 9/10/26. The PC will revisit this information at their October 7 meeting and determine plans for a Public Hearing.

NEW BUSINESS:

Zoning Ordinance Amendment #21.03 D: This information was in the meeting packet. Typically the Township Board is authorized to approve or deny a recommendation from the Planning Commission on an amendment. This document adds verbiage to enable the Board to amend an Amendment. There was concern among the Planning Commission that the Board would have the ability to change an Amendment from the PC without requiring a Public Hearing. The spirit of this proposal is to allow the Board to make minor changes; however, the PC noted small changes can have a large impact. This matter will be further discussed with the attorney.

Giffels Webster Bundle #2: Ms. Jill Bahm of Giffels Webster provided an overview of the five topics for review in Bundle #2 of the Zoning Amendment process. There was discussion about moving forward with Special Meetings for this process rather than during a Regular Meeting resulting in excessive meeting lengths.

The PC scheduled a Special Meeting to begin review of Bundle #2 of the Zoning Ordinance amendments with Giffels Webster on Monday, 10/19/26, 6:00 p.m. at the Township Hall.

NEXT MEETING:

Regular Meeting: Wednesday, 10/7/26, 7:00 p.m. Whitewater Township Hall.

PUBLIC COMMENT: None.

PC DISCUSSION/COMMENTS: None.

CONTINUING EDUCATION: None.

ADJOURNMENT:

Board Action: Ms. Stratton made a motion to adjourn the meeting. Ms. Peltonen seconded the motion.
VOTE: YEAS: All. NAYES: None. Motion carried.

The meeting adjourned at 10:39 p.m.

Submitted by: Kay Z. Held, Recording Secretary

DRAFT

09.8.26 Hi Rene,

I just processed my annual STR license renewal for East Bay Township and wanted to pass along some information about their program. I think it could be valuable as you continue discussing what a reasonable annual licensing fee and administrative process might look like for Whitewater Township.

East Bay uses Neumo software to manage STR applications, annual renewals, enforcement, and data collection, including identifying properties that may be operating as short-term rentals:

https://neumo.com/products/revenue-compliance-solutions/short-term-rental/

A few other details about their program:

- **East Bay allows up to 145 short-term rentals in the township.**
- **They have a dedicated staff person for the STR program, Sam LaSusa (231-534-0682).**
- **The annual STR license fee is $450.**
- **Their STR ordinance and program information can be found here: https://www.eastbaytwp.org/government/departments/short-term_rentals/str_ordinance.php**

I thought this was particularly useful information because East Bay appears to provide a fairly comprehensive program—software, annual licensing and renewals, enforcement/data tools, and dedicated staff support—while keeping the annual fee at $450.

It may be a helpful real-world comparison when considering what services Whitewater actually needs to provide and what annual fee would reasonably cover those costs.

Just wanted to pass it along for consideration. Please sure with the entire Planning Commission!

Rachel

09.10.26 Hi Rene,

Would you please share this with the entire Planning Commission and include it in the next meeting packet? I would appreciate the Commission considering the following questions as you continue discussing short-term rentals.

How many of you have family or friends stay at your homes during the summer? How many of your neighbors, particularly those living on our lakes, have summer guests?

When those guests visit, do they bring additional vehicles? Sit outside in the evening? Have campfires, BBQs, music, children playing, or gatherings? Do they sometimes stay up later than the permanent residents normally would?

If so, what makes those residential activities fundamentally different when the people staying at the property are rental guests rather than family or friends?

Noise is noise. Traffic is traffic. A campfire is a campfire. A gathering is a gathering. The impact on a neighboring property does not necessarily change based on whether the person creating it paid to stay there.

I also think it is important to ask: when someone reports having a negative experience living near an STR, how certain are we that the activity they experienced was actually caused by STR guests? Was that verified, or was it assumed because the property is known to operate as an STR? Could the owners, their family, or their personal guests have been occupying the property at the time?

None of this is intended to suggest that legitimate noise, parking, nuisance, or safety concerns should be ignored. They absolutely should be addressed. But perhaps the focus should be on the actual behavior creating the problem rather than whether the person engaging in that behavior is an owner, a family member, a friend, or a paying guest.

If the same conduct is acceptable residential activity when family and friends are visiting but becomes objectionable simply because someone paid to stay there, I think we should be asking ourselves why.

Thank you for sharing these questions with the Commission and including them in the next packet for consideration.

Rachel Steelman

From: Felicia Schulte <[redacted]>
Sent: Monday, September 14, 2026 8:56:53 PM
To: Linda Slopsema <supervisor@whitewatertownshipmi.gov>; Wendy <clerk@whitewatertownshipmi.gov>; Randy Mielnik <trustee01@whitewatertownshipmi.gov>; Tim Arends <trustee02@whitewatertownshipmi.gov>; Deb Graber <zoning@whitewatertownshipmi.gov>
Subject: RE: short term rentals

I've heard the owners of STR's stating renters don't affect those of us who are full time home owners.

Give them an inch and they'll take a mile.

Perhaps these rental owners should have been desiring a quiet Saturday summer evening at my house, like my husband & I had been looking forward to, Things are getting out of hand. In August there was a wedding and reception on Drake. I love a wedding as much as anyone but…the Traverse City area offers a wide variety of venues for these celebrations. We had planned on a quiet evening around our firepit however that wasn't it the cards as the music and laughter went late into the night. We gave up any hope of peace & quiet at midnight. The next morning (Sunday) there were still 4 cars (2 pick ups & 2 jeeps) parked in the overflow parking at Samels Farm. This was not a small wedding. Those attending parked in Samels Farm overflow (west side of Skegemog Point Road) and walked to the wedding venue on Drake.

On Saturday 9/12/26 two "party" tents were set up on Drake - the "party' started at 7:00 - we gave up the hope of any peace and quiet at 10:00 p.m, the music was outrageous. Even coming inside we could still hear the thumping/beat of the music. We couldn't open our windows to enjoy the cool evening because the music & 'people" noise was so loud. My husband has a severe hearing defect and wears hearing aids from the minute he gets up to when he goes to bed. On Saturday 9/12/26 he had taken his hearing aids out because he had gotten up at 4:00 a.m. to drive a school bus for Elk Rapids High School JV volleyball and his hearing needed to be charged. We were sitting in our screen porch that evening and the music was so loud that WITHOUT his hearing aids in he could hear the music. In fact it was so loud he said "They are playing Darius Rucker, Wagon Wheel'. My neighbor, in her house

with the windows closed sent me a text asking if we too were hearing the music. Then a neighbor across the street called and asked if we were “enjoying”the music/party - this neighbor lives on Lake Skegemog.

Instead of a relaxing evening - especially for my husband who had been up for 15 hours, we were bombarded with extremely loud music. We couldn’t listen to the loons singing their evening serenade, the owls calling or the crickets chirping. Oh…but the people who rent these houses are not here, they are enjoying a quiet evening somewhere else.

How long will it be until these rentals will be offered as wedding venues/graduation party venues?

Yes, we could call the local authorities but the point is we shouldn’t have to. These law enforcement officers have better things to do than make a trip to tell someone to turn the music down and, the reality is the music will turned back up as soon as the officers leave. Why should responsible home owners be robbed of the enjoyment of their homes - this is what is occurring.

If your goal is to chase those of us who live here full time, support the local businesses year round, work in the community, continue to not enforce the no rental regulation already on the books, you’re successful proceeding to that goal. The full time, non-renters are frustrated.

Felicia Schulte
[redacted]
Williamsburg, MI. 49690

WHITEWATER TOWNSHIP

5777 Vinton Road • P.O. Box 159 • Williamsburg, MI 49690 (231)
267-5141 • FAX (231) 267-9020

www.whitewatertownshipmi.gov zoning@whitewatertownshipmi.gov

Zoning Administrator Report
as of September 30, 2026

Planning and Zoning

Nine new land use permit applications were received.

DATE	ZONE	LU PERMIT #	TAX ID #	OWNER NAME	ADDRESS	PROJECT DESCRIPTION
9/8/2026	R1	2026-74	28-13-125-005-00	Eckhardt, Henry	7968 Baggs Rd	30'x40' garage
9/14/2026	A1	2026-75	28-13-003-027-04	MAC ALD LLC, Johns	5197 Samels Rd	121'x36' House, 40'x48' Pole Barn
9/14/2026	RC1	2026-76	28-13-004-015-40	Hunter, Patrick & Mikayla	5576 Moore Road	40'x80' house & garage
9/14/2026	C1	2026-77	28-13-003-010-21	Renee's Quilt Shop	8995 E M72	Event 9/13 & 9/14 Tent Sale
9/14/2026	R1	2026-78	28-13-430-005-00	Kersaan, Richard & Diane	8064 Lakeside Trail	72'x24'x36 replace Garage w/larger
9/28/2026	A1	2026-79	28-13-002-014-02	Ezell, Stephen	10322 Deal Road	25'x100' Hoop House
9/22/2026	C1	2026-80	28-13-004-001-01	Acme Christian Thrift Store	8925 M 72 E	6'x16'fence
9/28/2026	R1	2026-81	28-13-135-010-12	Johnson/Cornell	6113 Stocking Dr	Temp Camping Permit
9/28/2026	V1	2026-82	28-13-133-029-00	Hatcher (Martinez), Caroline	8373 Old M72	16'x26' replace garage

Zoning Board of Appeals – No appeals pending.

Additional Items:

Complaint about a deer blind constructed on property without permission. To be removed by 10/1/2026.

Complaint about camping on vacant land without a permit. Resolved with a temporary camping permit.

Sincerely,

Deb Graber
Whitewater Township, Zoning Administrator

EXISTING

21.03 PROCEDURES

A. **Application:** When an amendment is proposed by an interested person or organization, an application shall be filed with the Zoning Administrator on forms provided by the township and accompanied by the fees specified. The application shall describe the proposed amendment and shall be signed by the applicant. Applications for rezoning of a specific site shall be accompanied by a survey that specifies the boundaries and legal description of the site. The township may request additional information with the application.

B. **Public Hearing.** A public hearing shall be held for all proposed amendments in accordance with the procedures set forth in the Michigan Zoning Enabling Act, PA 110 of 2006 as amended and summarized in writing filed with clerk and with applicable fees paid.

C. **Planning Commission Consideration of the Proposed Amendment.** The Planning Commission shall review the proposed amendment, together with any reports and recommendations from staff, consultants, other reviewing agencies, and any public comments. The Planning Commission shall identify and evaluate all factors relevant to the petition, including the appropriate criteria listed in this section, and shall report its findings and recommendation to the Township Board.

D. **Township Board Action on the Proposed Amendment.** Upon receipt of the report and recommendation from the planning commission, the Township Board may approve or deny the proposed amendment. If determined to be necessary, the Township Board may refer the amendment back to the Planning Commission for further consideration. In the case of an amendment to the official zoning map, the Township Board shall approve or deny the amendment based upon its consideration of the criteria contained in this section.

PROPOSED

21.03 PROCEDURES

A. **Application:** When an amendment is proposed by an interested person or organization, an application shall be filed with the Zoning Administrator on forms provided by the township and accompanied by the fees specified. The application shall describe the proposed amendment and shall be signed by the applicant. Applications for rezoning of a specific site shall be accompanied by a survey that specifies the boundaries and legal description of the site. The township may request additional information with the application.

B. **Public Hearing.** A public hearing shall be held for all proposed amendments in accordance with the procedures set forth in the Michigan Zoning Enabling Act, PA 110 of 2006 as amended and summarized in writing filed with clerk and with applicable fees paid.

C. **Planning Commission Consideration of the Proposed Amendment.** The Planning Commission shall review the proposed amendment, together with any reports and recommendations from staff, consultants, other reviewing agencies, and any public comments. The Planning Commission shall identify and evaluate all factors relevant to the petition, including the appropriate criteria listed in this section, and shall report its findings and recommendations to the Township Board.

D. **Township Board Action on the Proposed Amendment.** An amendment to the text of the Zoning Ordinance or any zoning map changes shall be submitted for consideration by the Planning Commission to the Township Board in accordance with the provisions of the Michigan Zoning Enabling Act, being Act 110 of 2006, as amended. The Township Board may hold additional public hearings if the Board decides it is necessary. Notice of such hearing shall be published in a newspaper, which circulates in the Township, not less than fifteen (15) days before the hearing as

well as being posted on the Township's official web site and at the Township Hall in view of the public. The Township Board shall consider and vote upon the amendment; with or without further amendments being made by the Township Board; vote to adopt the amendment as presented or reject the proposed amendment in its entirety. Any such amendment shall be approved by the majority vote of the members of the Township Board.

Proposed Amendment ZOA 2026-07 to Whitewater Township Zoning Ordinance

Section 21 – Amendment

Addition of Sections 21.08, 21.09, 21.10, and 21.11 to the Zoning Ordinance.

New Sections 21.08 – 21.11 are added to the Zoning Ordinance and read in their entirety as follows:

Section 21.08 - Moratorium by Resolution

The Township Board may, by resolution, impose a temporary moratorium on the review or issuance of any applications, permits, rezonings, licenses, or approvals for existing, new, or emerging land uses in the Township if the Township Board determines that a temporary moratorium is necessary to review, enact, or amend provisions of the master plan or zoning ordinance to address land uses that may impact the health, safety, or welfare of Township residents or property. A temporary moratorium may also be imposed by the Township Board upon the recommendation of the Planning Commission when the Planning Commission determines that a moratorium is needed to allow it sufficient time to review and recommend amendments to the master plan or zoning ordinance concerning existing, new, or emerging land uses that may adversely affect the health, safety, or welfare of Township residents or property. The resolution must state the purpose of the moratorium and include findings of the Township Board or Planning Commission in support of the moratorium and why the Township Board has determined that the temporary moratorium is necessary and in the best interest of the public health, safety, or welfare.

Any resolution adopted pursuant to this Section must specify the length of the initial moratorium which shall not exceed twelve (12) months. In addition to the initial moratorium, the Township Board may extend the temporary moratorium if the Township Board determines that more time is necessary to review, enact, or amend provisions of the master plan or zoning ordinance to regulate land uses. Any extension shall not exceed six (6) additional months. Notice of the resolution must be published within fifteen (15) days of its adoption. The notice must include the following:

1. A summary of the resolution's effect.

2. The length of the moratorium and whether an extension is possible.

3. Where the public may inspect the resolution enacting the moratorium.

Section 21.09 Validity and Severability.

If any portion of this Ordinance is found invalid for any reason, such holding will not affect the validity of the remaining portions of this Ordinance.

Section 21.10. Repealer

Any ordinances or parts of ordinances that conflict with this Ordinance are repealed, but only to the extent necessary to give this Ordinance full force and effect.

Section 21.11 Effective Date.

This Ordinance takes effect upon the expiration of seven (7) days after its publication pursuant to law.

GL Number	Description	26-27 Original Budget	26-27 Amended Budget	YTD Balance 09/30/2026 Normal (Abnormal)	Activity For 09/30/2026 Increase (Decrease)	% Bdgt Remain
Fund: 101 GENERAL FUND						
Account Category: Expenditures						
Department: 265 Township Hall & Grounds						
	Total Dept 265 - Township Hall & Grounds	55,200.00	55,200.00	28,109.93	7,035.52	49.08
Department: 276 Cemetery						
101-276-703	Wages	750.00	750.00	0.00	0.00	100.00
101-276-715	Social Security (Employer)	50.00	50.00	76.07	0.00	(52.14)
101-276-716	Medicare (Employer)	50.00	50.00	0.00	0.00	100.00
101-276-740	Operating Expense & Supplies	250.00	250.00	721.62	0.00	(188.65)
101-276-808	Cemetery Sexton	1,200.00	1,200.00	0.00	0.00	100.00
101-276-809	Lawn Maintenance Services	14,200.00	14,200.00	8,300.00	1,200.00	41.55
101-276-922	Electricity	750.00	750.00	230.03	30.53	69.33
101-276-930	Facility Repairs/Maintenance	7,300.00	7,300.00	1,226.98	0.00	83.19
	Total Dept 276 - Cemetery	24,550.00	24,550.00	10,554.70	1,230.53	57.01
Department: 400 Planning Commission						
101-400-702	Salaries	20,550.00	20,550.00	10,815.00	1,905.00	47.37
101-400-703	Wages	5,000.00	5,000.00	1,058.75	0.00	78.83
101-400-715	Social Security (Employer)	1,600.00	1,600.00	736.17	118.11	53.99
101-400-716	Medicare (Employer)	400.00	400.00	172.17	27.62	56.96
101-400-727	Office Supplies & Expense	1,000.00	1,000.00	86.50	86.50	91.35
101-400-728	Postage	2,000.00	2,000.00	0.00	0.00	100.00
101-400-804	Professional Services	65,950.00	65,950.00	32,723.00	3,267.50	50.38
101-400-830	Pension Plan	0.00	0.00	157.50	45.00	0.00
101-400-840	Dues and Memberships	500.00	500.00	600.00	0.00	(20.00)
101-400-860	Mileage Reimbursement	350.00	350.00	0.00	0.00	100.00
101-400-880	Education & Training	2,500.00	2,500.00	125.00	0.00	95.00
101-400-901	Publishing	2,000.00	2,000.00	1,739.85	1,101.25	13.01
101-400-902	Printing	2,500.00	2,500.00	0.00	0.00	100.00
	Total Dept 400 - Planning Commission	104,350.00	104,350.00	48,213.94	6,550.98	53.80
Department: 405 Zoning Administrator/Planning						
101-405-702	Salaries	52,400.00	52,400.00	26,128.16	4,030.76	50.14
101-405-715	Social Security (Employer)	3,250.00	3,250.00	1,619.95	249.91	50.16
101-405-716	Medicare (Employer)	800.00	800.00	378.85	58.44	52.64
101-405-727	Office Supplies & Expense	500.00	500.00	0.00	0.00	100.00
101-405-728	Postage	100.00	100.00	0.00	0.00	100.00
101-405-847	Software Support	0.00	0.00	42.40	0.00	0.00
101-405-860	Mileage Reimbursement	1,500.00	1,500.00	897.56	116.00	40.16
101-405-865	Meal/Lodging Expense	150.00	150.00	0.00	0.00	100.00
101-405-880	Education & Training	400.00	400.00	25.00	0.00	93.75
101-405-925	Cellular Phone	500.00	500.00	0.00	0.00	100.00
	Total Dept 405 - Zoning Administrator/Planning	59,600.00	59,600.00	29,091.92	4,455.11	51.19
Department: 410 Zoning Board of Appeals						
101-410-702	Salaries	2,900.00	2,900.00	1,121.90	17.30	61.31
101-410-703	Wages	0.00	0.00	345.00	0.00	0.00
101-410-715	Social Security (Employer)	200.00	200.00	90.97	1.08	54.52
101-410-716	Medicare (Employer)	50.00	50.00	21.29	0.26	57.42
101-410-804	Professional Services	1,000.00	1,000.00	400.00	0.00	60.00
101-410-830	Pension Plan	150.00	150.00	72.72	1.74	51.52