

WHITEWATER TOWNSHIP BOARD
JOINT MEETING of the BOARD & PLANNING COMMISSION
MEETING AGENDA – MAY 14, 2026, 6:30 PM
5777 Vinton Road, Williamsburg, MI 49690
Phone: 231-267-5141 / Fax: 231-267-9020

[Click the Link Below to View the Meeting Live](#)

<https://www.youtube.com/@whitewatertownship/live>

At this time, the Board 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.

- A. Call to Order / Pledge of Allegiance**
- B. Roll Call of Board Members**
- C. Roll Call of Planning Commission Members**
- D. Set / Adjust / Approve Meeting Agenda**
- E. Declaration of Conflict of Interest**
- F. Public Comment.** Any person shall be permitted to address a meeting of the township board. Public comment shall be carried out in accordance with the following board rules and procedures:
 - 1. Comments shall be directed to the board, with questions directed to the chair.
 - 2. Any person wishing to address the board shall speak from the lectern and state his or her name and address.
 - 3. Persons may address the board on matters that are relevant to township government issues.
 - 4. The chair shall control the amount of time each person shall be allowed to speak, which shall not exceed five (5) minutes, excluding the time needed to answer board member's questions.
 - 5. In order to avoid unscheduled debates, the board generally will not comment or respond to presenters. Silence or non-response from the board should not be interpreted as disinterest or disagreement by the board.
- G. Joint Meeting Topics for Discussion:**
 - 1. STR Survey Question Review
 - 2. March 2027 State Land Division
 - 3. Winery and Cidery Ordinance
 - 4. 5-Year Capital Plan
- H. Public Comment**
- I. Board Comments/Discussion**
- J. Adjournment**

WHITEWATER TOWNSHIP PHONE SURVEY MAY 2026 – PC DRAFT 3

SAMPLE: 1=Cell/2=Land

DATE: _____ / _____ / _____

PHONE: _____

CODE: _____ INTERVIEWER: _____

=====
Hello, this is (NAME) from EPIC ▪ MRA, a Lansing based survey research firm. We are conducting a random survey with township residents to gather opinions on several important local issues. This is not a sales call, you will not be asked for a donation, and you will not be called again because you participated in this survey. This is strictly anonymous survey research and I'd like to include the opinions of your household.
=====

__01. Are you a full-time resident of Whitewater Township or a part-time/seasonal resident?

- (1) A full-time resident
- (2) A part-time/seasonal resident
- (3) Undecided/Refused

__02. Do you own property in Whitewater Township?

- (1) Yes, owns property
- (2) No, does not own property
- (3) Undecided/Refused

GO TO Q.4

__03. How many acres of property do you own in Whitewater Township that has a home on that property? **[DO NOT READ – CODE BEST RESPONSE**

- (1) Less than 1 acre
- (2) 1 to 2 acres
- (3) 2 to 3 acres
- (4) 3 to 4 acres
- (5) 4 to 5 acres
- (6) More than 5 acres
- (7) Undecided/Refused

__04. Are you currently registered to vote in Whitewater Township?

- (1) Yes
- (2) No
- (3) Undecided/Refused

__05. Short term rentals, are generally defined as privately owned residences, properties, and grounds, such as those listed on AirBnB.com and VRBO.com, for guests to use for 30 days or less. Based on your understanding, does Whitewater Township currently allow short term rentals?

- (1) Yes
- (2) No
- (3) Undecided/Refused

__06. Have you personally ever used a short term rental?

- (1) Yes
- (2) No **GO TO Q.8**
- (3) Undecided/Refused **GO TO Q.8**

__07. Overall, have your experiences using short term rentals been positive or negative? **[IF POSITIVE/NEGATIVE, ASK: “Would that be very or just somewhat?” AND CODE BEST RESPONSE]**

- (1) Very positive
- (2) Somewhat positive
- (3) Neither positive nor negative (*volunteered – do NOT read*)
- (4) Somewhat negative
- (5) Very negative
- (6) Undecided/Refused

__08. Have you ever lived next to, or nearby, a short term rental?

- (1) Yes
- (2) No **GO TO Q.10**
- (3) Undecided/Refused **GO TO Q.10**

__09. Overall, have your experiences living next to, or nearby, short term rentals been positive or negative? **[IF POSITIVE/NEGATIVE, ASK: “Would that be very or just somewhat?” AND CODE BEST RESPONSE]**

- (1) Very positive
- (2) Somewhat positive
- (3) Neither positive nor negative (*volunteered – do NOT read*)
- (4) Somewhat negative
- (5) Very negative
- (6) Undecided/Refused

__10. Short term rentals are NOT currently allowed in Whitewater Township. Which of the following best describes your opinion of short term rentals in Whitewater Township? **[READ 1 THROUGH 3]**

- (1) Short term rentals SHOULD BE allowed with no restrictions
- (2) Short term rentals SHOULD BE allowed, but have certain restrictions
- (3) Short term rentals SHOULD NOT BE allowed under any circumstances
- (4) Undecided/Refused

**POLLERS NOTE: ROTATE SECTION SETS
(Q.11 THROUG Q.15) AND (Q.17 THROUGH Q.22)**

Now I would like to read you a list of some of the concerns of allowing short term rentals that some residents have mentioned. For each, please tell me if that is a very serious concern, a somewhat serious concern, only a minor concern, or no concern at all for you when it comes to allowing short term rentals in Whitewater Township. The first one is ...

[READ AND ROTATE Q.11 THROUGH Q.15]		Very Serious	Smwt Serious	Only Minor	No Concern	Undec/ Refuse
_11.	Overcrowding of parking and/or the home	(1)	(2)	(3)	(4)	(5)
_12.	Impact on housing availability and the housing market	(1)	(2)	(3)	(4)	(5)
_13.	Enforcement of existing and/or new ordinances	(1)	(2)	(3)	(4)	(5)
_14.	Impact on the neighborhood and/or cohesion of the community	(1)	(2)	(3)	(4)	(5)
_15.	Responsible management and accountability of the property	(1)	(2)	(3)	(4)	(5)

__16A-E. Thinking about the list I just read, do you currently have any of these concerns with your current neighbors? **[IF YES, ASK: “Which ones?” PROBE FOR MULTIPLE RESPONSES – READ LIST IF NECESSARY - CODE ALL RESPONSES MENTIONED]**

- (1) Overcrowding of parking and the home
- (2) Impact on housing availability and the housing market
- (3) Enforcement of existing and/or new ordinances
- (4) Impact on the neighborhood and/or cohesion of the community
- (5) Responsible management and accountability of the property
- (6) No; none
- (7) Undecided/Refused

Now I would like to read you a list of some of the benefits of allowing short term rentals that some residents have mentioned. For each, please tell me if that is a major benefit, somewhat of a benefit, only a minor benefit, or no benefit at all when it comes to allowing short term rentals in Whitewater Township. The first one is ...

[READ AND ROTATE Q.17 THROUGH Q.22]		Major Benefit	Benefit Smwt	Minor Benefit	No Benefit	Undec/ Refuse
_17.	Protecting the property rights of property owners	(1)	(2)	(3)	(4)	(5)
_18.	Supporting local businesses	(1)	(2)	(3)	(4)	(5)
_19.	Supporting local property owners	(1)	(2)	(3)	(4)	(5)
_20.	Attracting businesses to the area	(1)	(2)	(3)	(4)	(5)
_21.	Improving the upkeep of Township properties	(1)	(2)	(3)	(4)	(5)
_22.	Exposing Whitewater Township to new people	(1)	(2)	(3)	(4)	(5)

Some residents have proposed allowing short term rentals in certain zoning districts within Whitewater Township. Please tell me if you would support or oppose allowing short term rentals in each of the following areas. **[IF SUPPORT/OPPOSE, ASK: “Would that be strongly or somewhat?” AND CODE BEST RESPONSE]**

[READ AND ROTATE Q.23 THROUGH Q.28]		Strong Support	Smwt Support	Smwt Oppose	Strong Oppose	Undec/ Refuse
_23.	Commercial areas	(1)	(2)	(3)	(4)	(5)
_24.	Agricultural areas	(1)	(2)	(3)	(4)	(5)
_25.	Industrial areas	(1)	(2)	(3)	(4)	(5)
_26.	Residential areas on the shoreline and waterways	(1)	(2)	(3)	(4)	(5)
_27.	Other residential areas/subdivisions	(1)	(2)	(3)	(4)	(5)
_28.	Recreational areas (generally south of M-72)	(1)	(2)	(3)	(4)	(5)

Now I would like to read you a list of regulations and requirements that are often enforced on short term rentals. Regardless of how you feel about allowing short term rentals in Whitewater Township, please tell me for each one if you think that regulation or requirement is very important, somewhat important, only a little important, or not important at all. The first one is ...

[READ AND ROTATE Q.29 THROUGH Q.36]		Very Import	Smwt Import	Little Import	Not Import	Undec/ Refuse
_29.	Regular building and fire inspections	(1)	(2)	(3)	(4)	(5)
_30.	Whitewater Township registration	(1)	(2)	(3)	(4)	(5)
_31.	Yearly fees to support code enforcement	(1)	(2)	(3)	(4)	(5)
_32.	Limiting the number of people allowed in a short term rental based on the number of bedrooms available in the rental	(1)	(2)	(3)	(4)	(5)
_33.	Limits on the number of days allowed	(1)	(2)	(3)	(4)	(5)
_34.	Maintaining a local property manager	(1)	(2)	(3)	(4)	(5)
_35.	Regular septic system inspections					
_36.	Established fines for non-compliance	(1)	(2)	(3)	(4)	(5)

_37. If Whitewater Township developed an ordinance allowing short term rentals, do you think it should limit the maximum number of people allowed in a short term rental?

- (1) Yes
- (2) No
- (3) Undecided/Refused

GO TO Q.39
GO TO Q.39

_38. What do you think should be the maximum occupancy limit per bedroom? **[READ 1 THROUGH 4 BELOW AND CODE BEST RESPONSE]**

- (01) One person
- (02) Two people
- (03) Three people
- (04) Or something else (*please specify*): _____
- (99) Undecided/Refused

_39. In order to enforce rules and restrictions for short term rentals, Whitewater Township would likely face additional administrative costs associated with the enforcement of those regulations. In your opinion, should the cost of a short-term rental license cover the administrative costs associated with short-term rentals?

- (1) Yes
- (2) No
- (3) Undecided/Refused

__40. If short term rentals are allowed in Whitewater Township, do you think the ability to operate a short term rental should be available only to residents who own and occupy that same home at least part-time, or should the right to have a short term rental be extended to corporations, investment groups, or similar entities that only use the home as a short term rental?

- (1) Short term rentals should be restricted to owner-occupied residents **GO TO Q.42**
- (2) Short term rentals should be an option for any person, corporation, or entity that owns a home
- (3) Undecided/Refused

__41. In some tourist areas, homes are purchased by outside corporations or investment entities for the sole purpose of creating short term rentals. Some have voiced concerns about this practice, including the lack of actual residents with community ties, and increased home prices. Does this raise very serious concerns, somewhat serious concerns, only minor concerns, or no concerns at all for you?

- (1) Very serious concerns
- (2) Somewhat serious concerns
- (3) Only minor concerns
- (4) No concerns at all
- (5) Undecided/Refused

__42. After thinking about some of the potential benefits and drawbacks to short term rentals, let me ask you a final time - which of the following best describes your opinion of short term rentals in Whitewater Township? [**READ 1 THROUGH 3**]

- (1) Short term rentals **SHOULD BE** allowed with no restrictions **ASK Q.43**
- (2) Short term rentals **SHOULD BE** allowed, but have certain restrictions **ASK Q.43**
- (3) Short term rentals **SHOULD NOT BE** allowed under any circumstances **GO TO Q.46**
- (4) Undecided/Refused **GO TO Q.47**

__43. What is the main reason why you would be in favor of short term rentals in Whitewater Township? [**WRITE COMMENT AS STATED**]

__44. Do you think there should be a limit on the total number of short term rentals allowed in Township?

- (1) Yes
- (2) No **GO TO Q.47**
- (3) Undecided/Refused **GO TO Q.47**

__45. What is the largest percentage of all residential housing that should be allowed for short term rentals in the Township? **[WRITE PERCENTAGE AS A WHOLE NUMBER – IF UNDECIDED/REFUSED, CODE “999”]**

Number: _____ - **THEN GO TO Q.47]**

__46. What is the main reason why you would oppose short term rentals in Whitewater Township? **[WRITE COMMENT AS STATED]**

Finally, just a few questions for statistical purposes only.

__47. For how many years have you lived or owned property in Whitewater Township? **[CODE NUMBER – ROUND UP TO THE NEAREST WHOLE NUMBER - IF “Undecided/Refused” CODE “99”]**

NUMBER: _____

__48. Do you have children who are school age or younger?

- (1) Yes
- (2) No
- (3) Undecided/Refused

__49. Do you own or operate a business in Whitewater Township?

- (1) Yes
- (2) No
- (3) Undecided/Refused

__50. How would you describe where your property in Whitewater Township is located? **[READ 1 THROUGH 3]**

- (1) North of M-72 and East of Elk Lake Road
- (2) North of M-72 and West of Elk Lake Road
- (3) South of M-72 and East of Williamsburg Road
- (4) South of M-72 and West of Williamsburg Road
- (5) Not a township resident (*volunteered*)
- (6) Undecided/Refused

__51. Would you say your residence is in a...? **[READ 1 THROUGH 6]**

- (1) Commercial area
- (2) Agricultural area
- (3) Industrial area
- (4) Residential area on the shoreline or waterway
- (5) Other residential area or subdivision
- (6) Recreational area
- (7) Undecided/Refused

__52. Could you please tell me in what year you were born? **[IF REFUSED, ASK: ‘Would you please tell me in which of the following categories your age falls? Please stop me when I get to a category that applies to you.’ AND READ 1 TO 4]**

[RECORD YEAR HERE ____ AND THEN CODE BELOW]

- (1) 18 to 34 years **(1992 to 2008)**
- (2) 35 to 49 **(1977 to 1991)**
- (3) 50 to 64 **(1962 to 1976)**
- (4) 65 and over **(1961 or before)**
- (5) Undecided/Refused

__53. Respondent gender **(DO NOT ASK -- BY OBSERVATION ONLY)**

- (1) Male
- (2) Female

THANK RESPONDENT FOR HIS OR HER TIME AND TERMINATE

memorandum

DATE: April 27, 2026
TO: Whitewater Township Planning Commission
FROM: Andy Aamodt, Giffels Webster
SUBJECT: Wineries Draft Text Amendment Audit

Introduction and Background

Towards the end of last month (March 2026), the Township requested that we provide a detailed audit on the drafted wineries text amendment package. It is our understanding that the Township received this text amendment application recently and recommended more time to review this draft language in more detail.

This memo is an audit of the draft text amendment from the applicant, dated March 10, 2026; our goal is to point out key considerations for Planning Commission in their review of this draft wineries text amendment. It is our recommendation that Planning Commission use this audit for assistance in considering the recent draft text amendment, but this audit should not serve as a recommendation to approve or deny the draft language.

Audit Comments

*Comments that should involve further discussion by Planning are symbolized in **green bold**. However, please consider all comments because particular direction any individual comment may warrant further discussion.*

Structural, Organizational, and Formatting Comments

1. **Section 5.13:** This section contains a reference to the Master Plan principle #2. We recommend just simply referencing the Master Plan, and not referencing a particular part, section, or principle in this manner. Future updates to the Master Plan could change the way this topic is addressed, and other sections of the Plan address agri-tourism, so we should not limit the reference to one section.
2. **Section 5.13:** Much of this zoning language is focused on how events, outdoor music, promotional activities, and entertainment relate to promoting agriculture and value-added agricultural processing, but most of the early intent-like language does not address this. An intent statement early in this Section could cover the full intent that should be covered – and all this should be included. Additionally, this should also mention microbreweries and micro distilleries, if this ordinance further permits them.
3. **Section 5.13.b:** It is not necessary to point out that “building coverage” is a defined term – this is common term used in zoning ordinances and in land development. If it were a term that the Planning Commission fears could be misapplied, this type of clarification could be important, but likely not for a term that is likely frequently used.
4. **Section 5.13.k:** This subsection is not necessary – these processes are givens based on how the ordinance permits the use and how the ordinance lays out violation processes.

5. **Section 13.17.E:** Bullet-point lists are used. Any bullet-point lists should be made into an ordered list. (Note: We are fixing the current Article 13 issues with this in our Bundle 1 text amendment process.)

Specific Comments on Individual Provisions

1. **Section 5.13.b:** **Should this provision for building coverage be applicable for all buildings on the lot? Or is it only applicable for buildings associated wineries and tasting rooms?** It would be conceivable that as an agricultural site may transition into a winery, that some existing agricultural buildings may remain or may need to be phased out, but may contribute heavily toward this count. **Additionally, Planning Commission may wish to consider why the value of 7,000 square feet was landed to ensure quantifiable measurements are not arbitrary.**
2. **Section 5.13.c:** **Clarity regarding what may happen in the 100 foot setback is beneficial. Currently it reads as just principal or accessory buildings, but the Planning Commission should consider if temporary buildings (tents), parking, and other heavily used site elements may be located within this setback. Food trucks are permitted further in this section – should these allowed to be within the required setback?**
3. **Section 5.13.c:** A reference to Section 10.02 and 10.03 for landscape screen buffers may be the most effective and consistent way to apply screening requirements.
4. **Section 5.13.e:** This language is confusing and may result in a loophole that may allow for a facility to essentially turn into a grocery store. Some sort of a provision putting guardrails around the retail sale of food (groceries) may be necessary if will truly remain the principal use with all other uses being accessory. **Otherwise, maybe this is intended to be an option to allow for flexibility of uses in conjunction with wineries – should this type of use flexibility be allowed?** It should just be clear to the Planning Commission that the drafted text of this provision may open the door for quite the use latitude.
 - a. Sub-provisions 5.13.e.1 and 4 are somewhat contradictory. More clarity on the two different types of offerings will be important for interpretation.
 - b. Sub-provision 5.13.e.4 seems to require a kitchen facility capable of preparing these meals, which are prohibited as a regular service above. **Planning Commission should consider if appropriate guardrails are in place to prevent this from becoming a full-service restaurant.**
5. **Section 5.13.h:** If the distinction between a promotional activity and an event is the number of people, the language should be clear that the cap for promotional activity is 100, without any reference or consideration of the term “expected.” Also, if 100 people or fewer is a promotional activity, and greater than 100 people is an event, we would recommend shifting the terminology of these to “event, small” and “event, large.” The term “promotional activity” is not defined in this amendment package and is not common terminology in zoning ordinances.
 - a. **Section 5.13.h.4:** Two bookends for how far in advance a tent or temporary structure can be put up, and when it needs to be removed, should be provided. Safety standards for tents may need to be considered, too, such as a requirement that the tent can withstand certain wind loads. (Note: this comment is relevant to 5.13.i as well.)
 - b. **Section 5.13.h.7:** We recommend expanding the language of this provisions to be explicit that septic capacity is the authority of the Health Department, and that room/building capacity is the authority of the Fire Department – these are separate limiting factors. And clarity should be provided that whichever is more restrictive overrules the other. (Note: this comment is relevant to 5.13.i as well.)
6. **Section 5.13.i:**
 - a. Clarity should be provided regarding events containing less than 100 people. An option for this would be by categorizing events into small and large categories as stated in point #5 of this memo above, and then allocating the category-specific standards accordingly.

- b. Reference to an “individual” site plan review is confusing and contradictory to normal zoning processes. The term “site plan review” as a specific meaning in the zoning ordinance – and only one site plan review takes place with the special land use approval. This one time would be the time for Planning Commission to set the maximum. Further, if limits on capacity of the event are intended, findings for Planning Commission to utilize in setting unarbitrary capacity will be critical to ensure consistent, fair decision-marking. If the Township desires a process that requires review at each event, then the Township should look into the feasibility and legality of a general code ordinance that permits large outdoor events, and perhaps that would be the place to prompt such review. We defer to Township legal counsel on an idea like this.
7. **Section 5.13.j:**
- a. **Section 5.13.j.1: Planning Commission should consider what kind of conditions should apply to overflow parking.** And, with this provision referring to Article 9, it’ll presumably also have to follow the design standards of Article 9 (i.e. paving), which is likely contradictory to the intent of overflow parking in this context. **Planning Commission should consider if it will be okay to have overflow parking areas to be grass marked with paint, or stakes and twine.**
 - b. **Section 5.13.j.5: Planning Commission should discuss this topic and distinguish between music and the broader category of entertainment.** Entertainment is a very broad category of activity that potentially includes shows, movies, plays, or other types of performances, or it could even be interpreted to include light shows, drone shows, or fireworks as well. A distinguishment between outdoor and indoor amplified music is also essential – outdoor amplified music is a critical concern in mitigating nuisance, while indoor amplified music has less ability to become a nuisance being contained within walls. Additionally, any requirements/limitations on outdoor amplified music should be appropriately applied to “promotional activities” and “events” (which we again propose terming as “event, small” and “event, large”). We recommend additional legal guidance on this topic and the associated topic of a noise ordinance. **As we state below, we provide sample language for a noise ordinance; being the first time you or the Township has seen this language, due care in navigating a noise ordinance process should be taken.**
8. **Section 5.13.o: Planning Commission should consider if microbreweries or micro distilleries may be accessory uses to a winery, or if they could be standalone as their own use.**
9. **Section 13.17.E:** This appears to be a continuation of standards that could take place in the proposed 5.13 above. Additionally, the following comments should be considered:
- a. Simple ownership of 20 acres is not the only matter to consider. The key point is that the winery itself must be located on a parcel of land that is at least 20 acres in size. This parcel may a single parcel, or may be multiple parcels that are contiguous and all together are 20 acres or more in size. The way this is written may imply that an applicant could farm 20 acre, then put the winery on three acres a mile away. Also, split-zoned parcels currently exist – there may need to be clarification that all 20 acres must be zoned A-1.
 - b. **Planning Commission should consider if the tasting room – while not required of course – should be only for products grown on site.**
 - c. An accessory use micro-brewery or micro distillery should also be using products grown on-site to be consistent with wineries. We did not see a threshold for amount of what gets used being grown on-site.
 - d. In terms of the spacing standard, the current language is a bit confusing with its hard one-mile distance buffer but with discretionary references to special land use-related considerations. We have the following comments:

- i. Perhaps a provision be added that the applicant for a winery within one mile of an existing winery be required to provide documentation that they meet the requirements of this section.
- ii. A waiver from the one-mile distance buffer may be worthwhile, with criteria for the Planning Commission to consider (i.e. that the separation is by some sort of major natural feature or State highway).
- iii. References to special land uses within the spacing standard should be removed.

Other General Code Considerations

We provide a draft noise ordinance attached to this memo.

Considerations for Future Ordinance Updates

From an overarching land use standpoint, broader considerations for agritourism should be considered in a future zoning ordinance amendment bundle or task. This is not meant to slow down the momentum of this current wineries task, but grouping agritourism more broadly and setting clear standards may have a benefit in giving agricultural stakeholders future flexibility, while setting clear expectations for these land uses from a site and/or operational standpoint. The above point on 5.13.o (#8 above) emphasizes this point – more types of agritourism may need to be considered, but perhaps that be in the near future so as to not hold up the more narrowly scoped wineries amendment.

One structural or organizational point we wish to point out is agritourism could be considered in tiers. The level of review could be associated with the tier as well – perhaps they are categorized and reviewed for as follows:

1. **First Tier Activities:** These may be accessory or customarily incidental uses that do not materially change anything about the agritourism use. These may be allowed to take place without any review – they can just occur as permitted as accessory to the use.
2. **Second Tier Activities:** These may also be accessory or customarily incidental uses, but materially change operations of the use and may involve small-scale construction. These may be reviewed by the zoning administrator, but because flexibility for these owners/operators to adjust present and future needs is key, these may not need full site plan review or special land use review.
3. **Third Tier Activities:** These may be activities that are far more substantial in terms of construction and possibility for nuisance factors. These materially change the operations, and may involve larger-scale construction. And, these could have a higher potential for more traffic, amplified sound, or lighting impacts. Full site plan review and special land use review should be required for these third tier activities.

ARTICLE 2 – DEFINITIONS

2.01 DEFINITIONS

For the purpose of this ordinance, the following definitions apply.

Cidery: A state-licensed facility – see Winery.

Microbrewery: 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 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 facility. All further references to Wineries shall include Cideries, Microbreweries, and Micro distilleries.

ARTICLE 5 – SUPPLEMENTAL DEVELOPMENT STANDARDS AND PROVISIONS

5.13 WINERIES WITH TASTING ROOMS

It is the intent of this Section to promote local agriculture production/growth of agritourism as set forth by the Master Plan (Principle #2) by allowing construction of a Winery with Tasting Room and retail sale of winery products in the Agricultural A-1 district subject to this Ordinance. It is also the intent of this section to encourage the growing of fruit wine and production of wine as an integral component of the rural and agricultural ambiance of Whitewater Township, and to maintain the viability of fruit farming through the value-added processing and direct sales of wine and wine-related beverages made from locally grown fruit.

A. Permitted uses:

- 1) Wineries with Tasting Rooms are permitted in the Agricultural A-1 district

subject to a Special Use Permit, as follows:

- a. The Winery must be licensed by all applicable state and federal regulatory authorities, including the U.S. Treasury, Bureau of Alcohol Tobacco & Firearms; the Michigan Liquor Control Commission (MLCC); the Michigan Department of Agriculture, and the Michigan Department of Environment, Great Lakes, and Energy.
- b. The total Building Coverage (see Article 2 – Definitions) shall not be greater than 7,000 square feet.
- c. All new principal or accessory buildings used for winery purposes shall be setback at least 100 feet from any lot line. Principal or accessory buildings in existence prior to the effective date of winery-related zoning regulations that do not meet this setback requirement may also be used for Winery purposes, subject to the possibility 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).
- d. Retail sales of winery/farm branded merchandise, food and beverages produced on the premise, and incidental merchandise commonly associated with a farm market are allowed. The sale of general retail consumer goods is not allowed.
- e. Food service is allowed, provided that the Winery obtains all necessary permits for such food service. The retail sale of food may be by the Winery or a third party. Food service operations are subject to the following:
 - 1) Food prepared by the winery/cidery shall be restricted to hors d'oeuvres, seasonal small plates, soups, and snacks.
 - 2) Food service shall be completed by 10:00PM
 - 3) Food trucks are allowed to be on site with operating hours the same as the tasting room's but not later than 10pm.
 - 4) Complete meals by the Winery are allowed in conjunction with Events & Promotional Activities provided that the Winery obtains all necessary permits for food service through commercial kitchen licensure.
 - 5) Catered food is allowed only in conjunction with Events.
- f. Provided that the use and property are in compliance with the Ordinance, Township Ordinances, and applicable Grand Traverse County and State of Michigan regulations and permitting, the hosting of Promotional Activities and Events are permitted subject to the conditions of sections (A)(1)(h.-j.) herein.
- g. Outdoor music, dining, and wine tastings are allowed.
- h. Promotional Activities: A Winery may engage in promotional activities to promote the sale of Winery products which are activities held at the Winery where the expected number of attendees does not exceed 100 persons, excluding Winery staff. The type of activity shall not be restricted so long as the activity complies with the following requirements:
 - 1) Shall be subject to all applicable State, County, and local regulations and permits.

- 2) The Promotional Activity shall not include overnight sleeping accommodations for participants or spectators.
 - 3) The hours of Promotional Activities operations shall be confined between the hours of 10:00 a.m. and 10:00 p.m.
 - 4) Temporary structures such as tents and umbrellas are allowed. All temporary structures are to be taken down/removed within 48 hours of the conclusion of the Promotional Activity.
 - 5) Standards for Promotion Activity parking and lighting shall meet the standards as outlined in **Article 9** and **Article 11** of the Ordinance.
 - 6) Promotional Activity noise shall conform to Whitewater Township's Noise Ordinance #39 and applicable state and local law, along with all standards set forth by this ordinance.
 - 7) Occupancy shall conform to regulations set forth by the inspection of the Health Department and Whitewater Township Fire Department Inspection Code.
- i. Events: Events means either a Winery sponsored activity or a private party rental of all or a portion of the Winery property where the number of attendees exceeds 100 persons, excluding Winery staff. The Planning Commission may limit the maximum number of attendees above 100 persons per individual site plan review. The following requirements shall apply to Events:
- 1) Shall be subject to all applicable State, County, and local regulations, and permits.
 - 2) Events shall not be conducted more than (4) calendar days in any 30-day period.
 - 3) The event shall not include overnight sleeping accommodations for participants or spectators.
 - 4) The hours of event operations shall be confined between the hours of 10:00 a.m. and 10:00 p.m.
 - 5) Temporary structures such as tents and umbrellas are allowed. All temporary structures are to be taken down/removed within 48 hours of the conclusion of the Event.
 - 6) Standards for event parking and lighting shall meet the standards as outlined in Article 9 and Article 11 of the Ordinance. A plan for Events requiring temporary overflow parking is designed and approved per individual Site Plan review and Special Use permit.
 - 7) Event noise shall conform to Whitewater Township's Noise Ordinance #39 and applicable state and local law along with all standards set forth by this ordinance.
 - 8) Occupancy shall conform to regulations set forth by the inspection of the Health Department and Whitewater Township Fire Department Inspection Code.
- j. Standards for Wineries:
- 1) Parking shall be provided, per Article 9. A plan for temporary overflow parking is designed and approved per

- 2) individual Site Plan review and Special Use permit.
 - 2) Hours of general operation are set forth and followed per individual Site Plan Review and Special Use Permit.
 - 3) All lighting shall meet the lighting standards as outlined in **Article 11** of the Ordinance.
 - 4) All signs shall meet the sign standards as outlined in **Article 14** of the Ordinance.
 - 5) Noise shall conform to Whitewater Township’s Noise Ordinance #39. Amplified music and entertainment is allowed as long as the volume does not exceed a conversational level at the property lines, not to exceed 60 decibels (dB) when measured at the property lines. The Planning Commission may require sound barrier landscaping as part of Site Plan approval to mitigate noise.
 - 6) Occupancy shall conform to regulations set forth by the inspection of the Health Department and Whitewater Township Fire Department Inspection Code.
- k. Site Plan Review:
- 1) Site Plan Review as set fourth in **Article 12** is required.
 - 2) Additional Site Plan Review Standards: The Planning Commission shall review the Site Plan for conformance with the standards of the zoning district in which it is located.
- m. A Special Use Permit from the Planning Commission is required and must meet the special conditions listed in **Article 13**, and specifically Section 13. 17, E.
- n. Violations: All violations of any provision of the ordinance and/or of the terms, conditions, or limitations of the granted Special Use Permit shall be held to the standards/process set forth in **Article 13**; sections 13.16 and the penalties of **Article 22.**; 22.01.
- o. As an accessory use to a Winery which meets the requirements of this sections, a winery may also operate a microbrewery and/or micro-distillery, and associated tasting room, if such operation is licensed by applicable state and federal regulatory authorities.

ARTICLE 4 – USE REGULATIONS AND PRIMARY DIMENSIONAL REQUIREMENTS

4.10 AGRICULTURAL A-1 – INTENT

- A. A-1 Agricultural Use Regulations (add to table under “**Uses Permitted by Special Use Permit**”)

Uses Permitted by Right	Uses Permitted by Special Use Permit
	2. Winery/Tasting Rooms (See Article 13.17, E)

ARTICLE 9 – OFF STREET PARKING AND LOADING

9.07 SCHEDULE OF OFF-STREET PARKING REQUIREMENTS.
USE – (add to table under “Residential”)

USE	Number of Motor Vehicle Parking Spaces Required Per Unit of Measure
RESIDENTIAL	
Wineries/Cideries	One space per every 100 square feet of space in the tasting room. Parking for events shall be provided at a ratio of one space for each 2.5 customers, and one space per employee.

ARTICLE 13 – SPECIAL USES

13.17 ADDITIONAL CONDITIONS OF SPECIAL USES.

E. Wineries and Tasting Rooms

- 1) **Intent:** It is the intent of this section to establish reasonable standards for Wineries/Tasting Rooms.
- 2) **Minimal Requirements:** In addition to the standards set forth in **Article 5.13**, the Planning Commission shall find that proposed Wineries/Tasting Rooms shall meet the following specific Special Land Use Standards:
 - The Winery shall own a minimum of twenty (20) acres of contiguous property within Whitewater Township that are used in the production of products produced by the licensee.
- 3) **Spacing Standard:** To preserve the rural character of the Township, prevent the concentration of similar commercial uses, and minimize traffic, noise, and land-use conflicts, wineries shall be subject to the following spacing standard.
 - No winery shall be established within one (1) mile of another winery, measured in a straight line from property line to property line, unless approved by the Planning Commission through the Special Use Permit process.

In reviewing any application for a winery located within one (1) mile of an existing winery, the Planning Commission may determine whether the proposed location would result in an over-concentration of wineries or create cumulative impacts inconsistent with the rural character of the Township. In making this determination, the Planning Commission may consider factors including, but not limited to:

- Distance between wineries and the overall density of wineries in the surrounding area.
- Road capacity and traffic impacts on rural roads
- Potential cumulative impacts from events, noise, and lighting
- Compatibility with surrounding agricultural and residential uses
- Preservation of rural character and scenic viewsheds

Based on these factors, the Planning Commission may approve, approve with conditions, or deny the application if it determines the proposed

winery would create an undue concentration of wineries or negatively impact the surrounding area.

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