



MCKENNA

Memorandum

TO: Lake Township Planning Commission
FROM: **Hillary Taylor, Senior Planner, NCI**
Ethan Senti, Assistant Planner
SUBJECT: **Zoning Diagnostic**
DATE: November 7, 2025

The following Zoning Diagnostic has been put together based on initial conversations with Township staff and Planning Commissioner comments provided to the McKenna Team. Although targeted in nature, this review responds to requests for revision in almost every article. All items are subject to your feedback, but several topics already identified as requiring further direction from the Planning Commission are called out in bold.

GENERAL IMPROVEMENTS

- Update Table of Contents to match ordinance contents.

ARTICLE 2. GENERAL PROVISIONS

- Update and modernize *Section 2.19 Satellite Dishes* which currently requires ground mounting and is overly restrictive.
- Tailor fencing requirements to individual residential and non-residential districts.
- Clarify applicability of *Section 2.23 Hazardous Liquid Containment*, update to reference correct legislation, and coordinate with the Benzie County Office of Emergency Management to incorporate Hazard Mitigation Plan.

ARTICLE 3. ZONING DISTRICTS AND MAP

- Incorporate the draft consolidated use table, and update to include the following uses:
 - Outdoor Storage as Special Land Use in the CR District
 - Contractors Uses as SLU in the CR District
 - Automobile and Marine Repair and Sales as SLU in the CR District
 - Automotive Service Stations as SLU in the CR District
 - Warehousing and Commercial Storage as SLU in the CR District
 - Designated Industrial Uses as SLU in the CR District
 - Ensure foster care homes are allowed in the same districts as single family homes, as required by State Law.
 - Data Centers
 - Battery Energy Storage Facilities (BESS)



- **Has Objective 1A: Zoning Review from the 2023 Master Plan, regarding examination of the existing Resort Commercial District to determine it's ongoing necessity, been addressed to the Planning Commission's satisfaction?**
- **Has Goal 2: Short-Term Rentals from the 2023 Master Plan been addressed to the Planning Commission's satisfaction?**
- Create a consolidated Schedule of Regulations.
- Create a new Zoning Map with proposed district changes.
- Evaluate and adjust the maximum housing density and impervious coverage allowed in each district.
- Propose standards for uses missing supplemental standards and reference those standards in each district's list of regulated uses. Uses missing supplemental standards include:
 - Green House, Commercial
 - Solar Energy, Personal
 - Solar Energy, Commercial
 - Wind Energy, Commercial
 - Personal Service Establishment
 - Restaurants Indoor
 - Restaurants Outdoor
 - Retail Establishments <5,000 sq. ft.

ARTICLE 4. ENVIRONMENTAL AND LAKE PROTECTION STANDARDS

- Revise *Section 4.2.D Prohibited Uses* to allow small home/business parking areas while prohibiting larger commercial or municipal lots.
- Bring *Section 4.2.E* into compliance with the Right-to-Farm Act by revising the “Commercial farming operation and confined feedlots” from the list of prohibited uses. This needs to be dealt with in the supplemental standards for agriculture in *Article 6*.
- Add an applicability section to clearly outline in which districts these standards apply, proposing that these standards cover all but the commercial resort district.
- Create additional standards applicable to the Commercial Resort District.
- Move *Section 6.8 Forestry* to Article 4.

ARTICLE 5. SITE DEVELOPMENT STANDARDS

- Review *Section 5.1 Greenbelts* for applicability of landscaping.
- Clarify differences in standards for residential vs. other uses. (*Section 5.2 Parking and Loading Regulations*).
- Review parking requirements to ensure all uses have corresponding and appropriate parking requirements. (*Section 5.2 Parking and Loading Regulations*).
- Review *Section 5.4 Signs* for compliance with Reed v. Gilbert.

ARTICLE 6. SUPPLEMENTAL USE STANDARDS

- Make standards across *Article 6* more deliverable and enforceable.



- Evaluate methods and tools available to restrict, limit, or require approval for agricultural operations without violating the Right-to-Farm Act (*Section 6.2 Agricultural Operations*).
- Ensure alignment of Foster Care Home Standards (*Section 6.7 Foster Care Facilities (Adults)*) with State Law.
- Bolster the citation and internal references of *Section 6.8 Forestry* and link to land use and site plan approval processes. Move this section to Article 4.
- Create additional requirements to ensure minimal environmental impact from golf course development (i.e., minimum retention of vegetation required).
- Examine requirements of *Section 6.11 Hotels, Motels, and Resorts*, and right-size the standards for facilities with less than 10 units (which all the ordinance currently allows).
- Rework *Sections 6.17 Solar Installations* and *6.19 Wind Energy Conversion Systems*:
 - Update the requirements to align with wind and solar installation best practices.
 - Properly integrate with the state preemption of utility-scale facilities to ensure the Township has maximum control.
 - Add a definition and terminology section.
- Update *Section 6.20 Wireless Communication Towers* to include best practices. Examine height and consider earlier proposed versions not included in this draft related to co-location of new installations.
- Add Data Center standards requiring their location on public water and sewer.
- Add Battery Energy Storage Facility (BESS) Standards.

ARTICLE 7. SITE PLAN REVIEW

- Add ability to grant extensions on site plan review expiration date to applicants if requested.

ARTICLE 8. SPECIAL LAND USES

- Add ability to grant extensions on special land use application expiration date to applicants if requested.

ARTICLE 9. LAND DEVELOPMENT OPTIONS

- Review and make a recommendation for minimum total size of PRDs.
- **Does the Planning Commission wish to add a PUD ordinance?** If so, draft accompanying ordinance language and standards.
- Correct terminology of *Section 9.2 Manufactured (Mobile) Home Developments*, changing Manufactured Homes to Mobile Homes. Also address this in the definition section.
- **To what degree does the Planning Commission wish to regulate mobile homes?**
- Provide further community control by allowing mobile home parks in specific districts according to PC feedback.
- Review *Section 9.3 Site Condominium Developments* to align with existing review processes in Article 7.

ARTICLE 10. NONCONFORMITIES

- Work with Township attorney to review defensibility of this article, particularly relating to expansion or changes to single-family homes.



- Evaluate Zoning Administrator vs. ZBA responsibilities.

ARTICLE 11. ZONING BOARD OF APPEALS

- Review standards in coordination with Township Attorney.

ARTICLE 12. ADMINISTRATION, ENFORCEMENT, AND VIOLATIONS

- Allow for interchangeability of Zoning Administrator and Code Enforcement Officer.
- Move *Section 12.4 Land Use Permits* to *Article 7*, and evaluate the threshold for site plan review vs. administrative approval.
- Evaluate the necessity of on-site inspections for every single building, adding a threshold under which an on-site inspection is not required.
- Add an extension clause to *Section 12.9 Permit Effective Date and Limits* allowing extensions of 6 months up to a year.
- Align threshold for requiring site plan review with *Section 12.10 Certificate of Compliance*.

ARTICLE 13. AMENDMENTS

- Create standards against which proposed amendment must be evaluated.

ARTICLE 14. DEFINITIONS

- Ensure definitions are comprehensive and clear, specifically examining:
 - Livestock
 - Public swimming pools as part of the recreational facility definition.
 - Animal Care Institutions, and their distinction from kennels.
 - Industrial Uses required definition.
 - Manufactured and mobile home distinctions.

ARTICLE 15. ADOPTION

- Add an Adoption Article.

ADDITIONAL RECOMMENDATIONS

Also recommended, but outside McKenna's scope of work:

- Adopt a well head protection ordinance.