

To: Centerville Twp. Planning Commission
RE: Zoning Ordinance Updates, Section 3.20 Agritourism Tourism Discussion
From: Derenda and Dave LeFevre, 2197 S Popp Road, Lake Leelanau, MI 49653

Hi Lindy and Joe! We are unable to attend the January 29th special meeting as we will be out of town, so we wanted to submit our public comment to contribute to the Agricultural Tourism discussion. I've included ADA and access language to consider as well. Thank you and have a great meeting! ~Derenda and Dave LeFevre

Section 3.20.1 Addition (Reference 1)

As agricultural tourism is a place of public accommodation, Title III of the Americans with Disabilities Act applies to these facilities and services as well as the Standards for Accessible Design, and Standards for Effective Communication.

Section 3.20.1 C.4. Question

Does this include vineyards that sell their grapes solely or as the primary source of their income to wineries for the production of alcoholic products? Given the recent Amoritas/Under Canvas application I think this section needs to be clarified. Looking at their application specifically, I would interpret this section to mean that this Agricultural Tourism Zoning Ordinance doesn't apply to them given that they produce grapes for the sole purpose of the production of "alcoholic products" whether through sales to wineries or for their own use and sale of "alcohol products" at Amoritas Vineyards (wine sales, tasting room and wine club).

Section 3.20.2 Agricultural tourism uses...

A. Agriculturally related uses include the following...

- Road side stands
- On-Farm Markets
- Direct customer sale and distribution
- Value-added (other than alcohol products) processing of products grown on the farm
- Recreational activities such as corn/hay mazes and sleigh/wagon/horse rides, and farm tours
- U-Pick Farms
- Farm Stays & Harvest Host
- Bed & Breakfasts
- Michigan Cottage Industry Products (baked goods, preserves, soaps, etc. that fall under the Michigan Cottage Industry Law)
- Agricultural Festivals & Special Events (Northern MI Small Farm Conference, Bioneers, etc.)
- Supper Clubs and Meal Sharing Events
- **Agriculturally-related camping, campgrounds, glamping facilities and similar uses** If these are to be included as permitted uses, we recommend setting a density rule (i.e. #sites per acre) in order to maintain the rural nature of the township.

Addition: Uses NOT permitted - siting unreasonable impact to the surrounding environment and residents, nuisance ordinance

- Campgrounds, Glamping facilities or RV parks
- Snow mobile or ORV parks

B. Addition

2. At least fourteen (14) days in advance

4. Public events must fully comply with Title III of the American with Disabilities Act and all applicable standards, including Accessible Design and Effective Communications.

Section 3.20.3

B. Addition (Reference 2)

10. The site design, structures and amenities, pathways and connectors, service plans, employment practices, communications, signage, lighting, private or public passenger vessels, parking, etc. adhere to the ADA and have been reviewed and approved by a qualified professional. (The Disability Network of Northern Michigan, Traverse City)

We'd like to recommend that the Planning Commission, with the help of a Citizen Committee, host an Agritourism Collaborative Learning Process during updates of the ZO or as part of the Public Hearing to work with community stakeholders interested in agritourism development, that focuses on these three inter-related arenas:

- community engagement
- resource identification and management
- small business development/entrepreneurship

Community engagement involves stakeholder identification of values related to the rural way of life, which in turn leads to determining a common community vision, and the role agritourism development plays in achieving that vision.

Resource identification and management is initiated by a stakeholder inventory and assessment of resources, such as particular features, sites, events, and locations that currently exist or have the potential as tourist attractions and destinations. Once identified, management involves resource protection and stewardship, development and marketing, and visitor management.

New opportunities for small business entrepreneurs associated with tourism products and services can be identified and marketed.

These three arenas provide an organizing framework for sustainable community tourism development, a part of which is agritourism development. Leadership, partnerships, and collaborative planning are key organizing principles that assure long-term success in tourism development, as is wise stewardship of resources, all of which contribute to enhancing the sustainability of rural community life.

Reference: https://extension.usu.edu/iort/files/IORT_026.pdf

Reference 1:

“Title III of the American with Disabilities Act, prohibits discrimination on the basis of disability in the activities of places of public accommodation (businesses that are generally open to the public and that fall into one of 12 categories listed in the ADA, such as restaurants, movie theaters, schools, day care facilities, recreation facilities, and doctors’ offices) and requires newly constructed or altered places of public accommodation—as well as commercial facilities (privately owned, nonresidential facilities such as factories, warehouses, or office buildings)—to comply with the ADA Standards. 42 U.S.C. 12181–89.”

“The ADA Standards for Effective Communication states that “People who have vision, hearing, or speech disabilities (“communication disabilities”) use different ways to communicate. For example, people who are blind may give and receive information audibly rather than in writing and people who are deaf may give and receive information through writing or sign language rather than through speech. The goal is to ensure that communication with people with these disabilities is equally effective as communication with people without disabilities.”

“Universal Design (UD) is the design and composition of an environment so that it can be accessed, understood and used to the greatest extent possible by all people regardless of their age, size, ability or disability and without the need for adaptation or specialized design. An environment (or any building, product, or service in that environment) should be designed to meet the needs of all people who wish to use it.”

Reference 2:

Although Title III of the ADA addresses public accommodations, it can address private accommodations as in the case of passenger vessels. “Passenger vessels operated by private entities not primarily engaged in the business of transporting people with respect to the provision of goods and services of a public accommodation on the vessel. For example, a vessel operator whose vessel departs from Point A, takes passengers on a recreational trip, and returns passengers to Point A without ever providing for disembarkation at a Point B (e.g., a dinner or harbor cruise, a fishing charter) is a public accommodation operated by a private entity not primarily engaged in the business of transporting people. This regulation covers those aspects of the vessel’s operation relating to the use and enjoyment of the public accommodation, including, for example, the boarding process, safety policies, accessible routes on the vessel, and the provision of effective communication.”