

**Highland Township Planning Commission
Record of the 1380th Meeting
December 2, 2021
Electronic via ZOOM Platform**

Roll Call:

Scott Green, Chairperson
Eugene H. Beach, Jr.
Grant Charlick (absent)
Kevin Curtis
Chris Heyn
Beth Lewis (absent)
Roscoe Smith
Scott Temple (absent)
Russ Tierney

Also Present:

Elizabeth J. Corwin, Planning Director
Justin Lado, Zoom moderator

Visitors: ZOOM — 1

Chairman Scott Green called the meeting to order at 7:30 p.m.

Work Session:

- Agenda Item #1:** Text Amendments
- Section 4.07 (Multiple Family RM)
 - Section 6.03.D and E (URSA Township Board Review)
 - Section 8.02.G (Generators)
 - Section 9.02.D (LV Lake and Village Residential District)
 - Section 9.03.D (Multiple Family Schedule of Regulations Chart)

Ms. Corwin explained the proposed text amendments. The first section would add single family homes to the use list of the RM, Multiple Family Zoning District, and move the intent statement from Article 9 to Article 4.

Mr. Beach asked the wisdom of allowing single family homes to the RM Zoning District, since there was limited RM zoned property in the township. If the ordinance allows all RM Zoned property to be developed as small parcel single family homes, there may be no place for apartments and other forms of housing. This concept also plays out in the industrial zoning district where we allow lower intensity commercial uses. There are legacy parcels that would make sense to be developed as single family homes, but we should identify what conditions

would be appropriate, such as creating less than 3 housing units. An exception could be in a high quality planned residential development, such as a neotraditional model.

Ms. Corwin noted that for now, the potential is limited by the requirement for onsite sewage disposal systems. The Oakland County Health Department will issue sanitary permits only for newly created parcels if they are at least one acre in size.

Ms. Corwin explained that the language in Section 2 deals with an inconsistency between the Planning Enabling Act and the township's zoning ordinance. The public hearing at the Board is not required by the state law. The Board would work from the record created by the Planning Commission in the statutorily required public hearing.

Mr. Green noted that it is important for the Board to hear directly from residents that might have an interest in the Special Use Approval application. Ms. Corwin noted that the Board would still allow public comment. The township would be relieved of the administrative burden and expense of a second advertisement and mailing. Mr. Green asked what a typical case might cost for the additional notice. Ms. Corwin explained that advertisements run about \$450 and mailings roughly \$1.00 per address. The real concern is that the timeline gets dragged out, since we start the cycle of public notice again, which delays a decision 4 to 6 weeks.

Mr. Beach asked if it was "all or nothing." He suggested the ordinance could be amended to say that the Planning Commission hearing satisfies the statutory requirement, but that the Board will afford an opportunity for the public to speak.

Mr. Smith asked if it would be possible to retain the mailing, but drop the ad, since he thought it was burdensome to the public to watch the agendas waiting for the application to appear at the Board. Mr. Beach noted that their notice comes with the Planning Commission notice. Ms. Corwin pointed out that it would not be difficult for staff to be prepared with the date that the Board will hear the request by discussing with the Clerk prior to the meeting. Once the Planning Commission made their recommendation, the Planning Commission could announce at the meeting when the Board would take up the application.

Mr. Beach also noted today, there are many social media outlets where interested parties can spread the word about the pending review. Mr. Beach also recalled that under previous ordinances, the Board finally approved site plans, which resulted in a drawn out process. The Planning Commission now finally approves the site plans, resulting in a more efficient and timely approval.

Mr. Green asked about how the amendment process would flow, if one section was ripe for approval, but others need more work. Ms. Corwin noted that we are not looking for approvals at this point, just direction to set a public hearing. This would give the public an opportunity to review the concepts and offer their comment. Mr. Beach noted that after the comment is received, the Planning Commission could reconsider their approach for any given portion of the ordinance amendment or even scrap the entire amendment altogether. Ms. Corwin noted that if the Planning Commission changed direction entirely, another public hearing would be held. If one section was dropped from the draft the rest could still proceed as a revised draft.

Ms. Corwin noted that Section 3 dealt with an inconsistency between the building code and zoning code.

Section 4 includes two items—one to address a change in methodology of calculating a waterfront setback. The current ordinance calculates a reduction in the 65 foot required setback. Staff have requested that the methodology be changed so as to calculate a setback instead of a reduction in a setback so that the methodology is the same as that used for front yards and rear yards. The second part of Section 4 is further cleanup of the intent statement for RM, Multiple Family Residential Zoning District.

Mr. Beach requested that staff generate a map of the vacant RM, Zoning parcels, so that the Planning Commission could better understand what properties would be impacted. Ms. Corwin noted that there is very little RM Zoned property, but there is property master planned for multiple family residential properties. Mr. Beach noted that we should also consider what properties could support a proposal similar to the assisted living project at Enterprise Drive. Ms. Corwin suggested that the senior living issue would become an important part of the Master Plan discussion.

Members discussed the relationship between the map and text, and what issues would be addressed in the Master Plan versus a zoning amendment. All agreed that it was not necessary to dig into the zoning map in depth at this time, since the Planning Commission is engaging in the Master Plan and might consider substantial changes to the Zoning Ordinance and mapping after completed.

Mr. Curtis moved to direct the staff to amend the text amendment as discussed and to set a public hearing for the text amendments for January 20, 2022. Mr. Beach supported the motion. The motion passed by voice vote.

Agenda Item #2:

- Committee Updates
- Zoning Board of Appeals:
- Township Board:
- Highland Downtown Development Authority:
- Planning Director's Update

Committee updates were discussed.

Agenda Item #3:

Mr. Beach moved to approve the minutes of November 18, 2021 as presented. Mr. Curtis supported the motion which passed by voice vote.

Mr. Green moved to adjourn the meeting at 8:05 p.m. The motion was supported by Mr. Beach and passed by voice vote.

Respectfully submitted,

A.Roscoe Smith, Secretary
ARS/ejc