

**Highland Township Planning Commission
Record of the 1404th Meeting
October 19, 2023**

Roll Call:

Grant Charlick, Chairman
Kevin Curtis
Chris Heyn
Beth Lewis
Roscoe Smith
Scott Temple
Russ Tierney (absent)
Guy York
Mike O’Leary (absent)

Elizabeth J. Corwin, Planning Director
Megan Masson-Minock, Carlisle-Wortman Associates

Visitors: 2

Chairman Grant Charlick called the meeting to order at 7:30 p.m.

Roll Call:

Agenda Item #1: Call to the Public: Opportunity for anyone to bring forward issues of interest or concern for Planning Commission consideration. Each participant limited to 3 minutes.

No public comment was offered.

Work Session:

Agenda Item #2: Text Amendments—Short Term Rental, Farm Market and corrections

Ms. Corwin explained the draft text amendment under consideration. The language of the ordinance borrows the definition of short term rental from House Enrolled Bill 4722 (2021) which seeks to supersede local zoning authority over residential short term rental. The Michigan Senate has not as yet passed a similar bill. The definition determines any residential rental of 30 days or less as a short term rental. The ordinance allows for short term rental only in the C-1, C-2, HS and IM zoning districts, and then only for properties enrolled in the Rental Certification program, already codified in Highland Township Ordinances. In addition, the properties must provide an off-street parking space for every bedroom.

The ordinance as drafted is consistent with the direction of the pending state legislation except in that it restricts the location of short term rental to specific districts and disallows the use in residential districts.

Ms. Corwin also noted that the Greater Metropolitan Association of Realtors had written a letter to discourage the adoption of any restrictions to short term rental, pointing in particular to the circumstance when a seller agrees to rent a home from the purchaser for a short time after closing. The Planning Commission agreed that such circumstance is unlikely to cause a nuisance to the neighborhood or draw any attention for an enforcement action and would likely be easily resolved.

Ms. Corwin also noted that she included a small definition change in the Farm Market regulations as well as noted that the Class A Market, which is the designation for an impermanent roadside stand allowed by right should be included in all the residential zoning districts. Under the refined definitions, a Class B Market, which requires site plan approval, could offer demonstrations or classes involving their farm products. Under the previous definitions, all class and demonstrations were reserved to Class C Market, which requires a Special Use Approval.

Ms. Masson-Minock noted that the new definitions are consistent with the current Generally Accepted Agricultural Management Practices published by the Michigan Department of Agriculture and Rural Development.

Mr. Temple moved to set a public hearing for Zoning Ordinance text amendment Z-030, regarding short term rentals, farm market definitions and some technical corrections. Mrs. Lewis supported the motion. Roll call vote: Charlick, yes; Curtis, yes; Temple, yes; Lewis, yes; Smith, yes; Heyn, yes; York, yes. Motion carried (7 yes votes, 0 no votes).

Agenda Item #3: Master Plan Discussion: Goals and Objectives and Map Review

The Planning Commission and guest gathered around a table displaying maps depicting existing land use, existing zoning and master plan designations and “transitional lands”, which are those parcels that are as of yet undeveloped or underdeveloped. Ms. Corwin invited comment on whether there are areas of the Township that should be recategorized in light of current development trends or future needs of the community and advised that there were several property owners interested in discussing their properties with the Planning Commission.

Mr. Joe Karcher, owner of a vacant 39-acre parcel on West M-59 described the challenges of developing his parcel under the current Master Land Use Designation, which is open space residential. The parcel abuts Centerlane Dr, which is a public street platted with West Highland Village. He understands that the land use abutting the street should be compatible with the existing residential neighborhood, but as one moves east along the frontage, the site would be more suitable for a commercial use, especially since it is burdened with natural gas pipelines on the northeast corner and faces the LaFontaine auto dealership to the north. The traffic on M-59 detracts from single family residential development. Ms. Masson-Minock noted that a split designation is an appropriate planning approach. The parcel could be split between medium and small lot residential and commercial..

Ms. Corwin also noted that Mr. Jim O’Neill, who was not present, had expressed an interest in extending the pattern of multiple-family housing south of Milford Road to the Township line. His ownership interest is in a 9 acre parcel south of the Huron Valley School properties and burdened with a natural gas easement. Mr. Smith argued that the Planning Commission has always held that the gateways to the Township should be single family residential, and protected from commercial encroachment. He noted that there was new construction of high end single family residential on the east side of Milford Road.

Mr. Smith was also concerned that in the last Master Plan effort, that office and low intensity commercial had been mixed into one designation, which essentially meant all the office parcels are eligible for local commercial zoning. He felt there was little buffer between residential and commercial uses. Ms. Masson-Minock noted that properly designed multiple family developments can be a very compatible transitional use. Ms. Corwin noted that the office land use is not necessarily less prone to nuisance to adjacent residential uses than is some commercial. Ms. Masson-Minock also noted that demand for traditional office land use has fallen sharply with the rise of home businesses and internet based businesses.

There was also discussion that the Agricultural and Rural Residential land use designations should probably be teased back out into two separate designations. State law tends to provide incentives and protections to properties designated as agricultural, which would not necessarily be available to a residential parcel. There are also certain land uses that would be supported on agriculturally designated lands that might not be desirable in an area of the Township where the interest of the property owners in natural features preservation. Agricultural land use can take

on a quasi-industrial quality, and agricultural activity thrives best when surrounding land uses are compatible. The general consensus was that the Hickory Ridge corridor held most active agriculture, while the east side of the Township tended toward large lot residential and the parks.

Ms. Masson-Minock also suggested that the parcels identified as institutional should probably have a different future land use designation. For instance, the Huron Valley School District has properties at Duck Lake Center and at Wardlow Road that are not used as schools, and could be sold as surplus. They have already sold the parcel south of Spring Mills Elementary, although fortunately that parcel was designated residential on the current Master Plan.

Ms. Masson-Minock will refine the map as discussed for further discussion at the November 16, 2023 meeting.

- Agenda Item #4:** Committee Updates
- Zoning Board of Appeals:
 - Township Board:
 - Highland Downtown Development Authority:
 - Planning Director's Update

Committee reports were discussed.

Agenda Item #5: Minutes: September 7, 2023

Mr. York moved to approve the minutes of September 7, 2023 as presented. Mr. Heyn supported the motion, which was unanimously approved by voice vote.

Mr. York moved to adjourn the meeting at 9:30 p.m. Mr. Heyn supported the motion, which was unanimously approved by voice vote.

Adjournment:

Respectfully submitted,

A. Roscoe Smith, Secretary
ARS/ejc