Milton Township
Planning Commission
Regular Meeting

October 7, 2026
7:00 PM

7023 Cherry Ave. / Kewadin, MI

1. Call meeting to order. Note members, present, absent, or excused.

2. Public Comment

3. Approval of Agenda

4. Approval of Minutes – September 2, 2026

5. Correspondence –

6. Old Business
    a) **Public Hearing** - Special Use Permit # 2025-03 Dowker PRD, located at 12985 Anchor Dr., Rapid City, MI 49676, parcel #05-12-101-008-70.

7. New Business

8. Reports
    a) Zoning Administration Office Report
    b) Township Board Report– Renis
    c) Zoning Board of Appeals – Hefferan
    d) Planning Commission Updates – All

9. Future Meeting Considerations – November 4, 2026
    a) ZOA 2026-06 Golf Courses in Agricultural District
    b) Act 58 Update
    c) Data Center Discussion

10. Adjourn

Active Subcommittees (created date)

PRD Density (September 2, 2026)

Milton Township
7023 Cherry Ave., Kewadin, MI 49648
Planning Commission
Unapproved Regular Meeting Minutes
September 2, 2026

1. Call to Order: Chairman Warner, Hefferan, Ford, Peters, Renis, Martina, and Merillat.

Members absent: None.

Also present: Jenn Cram, Jackie Peterson, Peter Wendling and many audience members.

Chairman Warner called the meeting to order at 7:00pm.

2. Public Comment:

Greg Holzhauer said that this meeting was noticed in the Record Eagle and he did not see it. His property notice was sent to his Florida address and he has not received it yet through forwarding. He found out about this hearing by word of mouth. The packet also did not appear on the website until yesterday.

Peter Wendling, township attorney, discussed section 117.1601 special land use procedures. Once an application is available there should be a prehearing process. There was a notice put out for a public hearing, but my advice to the planning commission is that we re-notice this to comply with the ordinance.

Warner asked if notices were sent to property owners? Cram said yes. We were not able to meet the deadline for the Elk Rapids News, so that is why we went to the Record Eagle and it was done 15 days prior to the meeting. The requirement legally is for us to post the agenda one week prior, which was done. The application was available at the office one week prior. The packet was sent to planning commission once it was complete. It was sent to Liz and she posted it to the website, but this is not a legal requirement.

Ken Flannery said he was at a previous township meeting and mentioned RVs parked on land and how long it can be there. He has heard you cannot keep them on property without a building permit. Warner explained that this public comment is reserved for items on the agenda but not related to the public hearing. The public hearing will contain public comment and the topic being discussed is not on the agenda.

Tony Martina said this is the first time in three or more years that a notice was put in the Record Eagle and not in the Elk Rapids News. One of my neighbors reached out to a commission member who confirmed a public hearing was being held tonight.

Andrew Hogarth said he send a letter to the township board with how to move forward with a moratorium. He discussed his letter. He discussed available parcels in the residential zones. He would suggest an inventory be done of available parcels for this kind of a PRD project. Hogarth

project memorandum

B R i
Beckett&Raeder
Landscape Architecture
Planning, Engineering &
Environmental Services

Date: 09.29.2026

From: Jenn Cram, AICP

To: Milton Township Planning Commission

Project: Planned Residential Development - 2025-03 Tad Dowker, 05-12-101-008-70, 12985 Anchor Dr., Rapid City, MI 49676

initiative

The applicant proposes a new Planned Residential Development (PRD) consisting of 16 new single-family detached dwellings, with three styles (one bedroom, two bedroom and three bedroom) clustered on one 5 acre lot. The development will be accessed via an access easement from Chippewa Trail. The Antrim County Road Commission has approved the location, design and name of the access easement as Anchor Drive. The Fire Department has also approved the access design.

Since the September 2, 2026, meeting the applicant has submitted an updated site plan that dimensions parking spaces, added a future playground area in the common open space and added additional landscaping attached as **Exhibit A**. An updated project narrative and renderings of what the different dwelling unit types will look like and renderings to show the desired character of the neighborhood were also provided and attached as **Exhibit B**. A lot line adjustment application has also been received that will reduce the subject parcel to 5 acres total with an easement for the community well, attached as **Exhibit C**. The applicant's legal counsel has submitted a letter dated September 29, 2026, that summarizes the request and compliance with zoning ordinance standards and supporting exhibits including a draft lease agreement attached as **Exhibit D**.

History:

- February 20, 2024 - May 20, 2024 – planning commission subcommittee for workforce housing met and discussed amendments to the zoning ordinance to promote workforce housing in Milton Township
- June 5, 2024 – planning commission reviews proposed Zoning Ordinance Amendment (ZOA) 2024-01 Housing, including amendments to Section 117.1616 PRD
- September 4, 2024 – planning commission recommends approval of ZOA 2024-01 Housing
- December 9, 2024 – township board adopts ZOA 2024 -01 Housing, including current Section 117.1616 (B.)(17.) for PRD's in the Agricultural District
- June 2, 2025 – applicant submits application for PRD in the Agricultural District,

Beckett & Raeder, Inc.
535 West William
Suite 101
Ann Arbor, MI 48103

734.663.2622 ph
734.663.6759 fx

Petoskey Office
113 Howard Street
Petoskey, MI 49770

231.347.2523 ph
231.347.2524 fx

Traverse City Office
148 East Front Street
Suite 207
Traverse City, MI 49684

231.933.8400 ph
231.944.1709 fx

Grand Rapids Office
5211 Cascade Road SE
Suite 300
Grand Rapids, MI 49546

616.585.1295 ph

www.bria2.com

pays $500 for application fee + $600 for a special meeting + escrow.

- September 17, 2025 – special meeting scheduled with public hearing for SUP 2025 – 03 Dowker PRD, planning commission finds application incomplete makes a motion to postpone public hearing notes the 5-acre maximum lot size
- November 11, 2025 – applicant submits all outstanding materials for a complete application with the only outstanding item being lot size
- December 17, 2025 – applicant applies for zoning ordinance amendment to clarify lot/development size and density (ZOA 2026-01)
- March 4, 2026 – planning commission conducts a public hearing and recommends approval of ZOA 2026-01 PRD
- May 18, 2026 - township board denies ZOA 2026-01 PRD and adopts a temporary moratorium ZOA 2026-03 for all new SUP applications for PRD in the Agricultural District
- July 1, 2026 – planning commission conducts public hearing for ZOA 2026-03 Temporary Moratorium to correct a typo. The ZOA will be reviewed by the Antrim County PC on September 1, 2026, and come back to the board on September 21, 2026, and will be effective 8 days after publication
- September 2, 2026 – planning commission continues discussion on SUP 2025-03 and authorizes the application to move forward at a public hearing on October 7, 2026.
- September 17, 2026 - public notice was published in the Elk Rapids News and notices were also sent to properties within 300 feet.
- September 21, 2026 – board adopts ZOA 2026-03 and PO 2026-02 placing a Temporary Moratorium on PRD applications in the Agricultural District until June 21, 2027. The notices of adoption were published in the Elk Rapids News on September 24, 2026, and will be effective on October 2, 2026.



Aerial of Subject Parcel

initiative

Property Address: 12985 Anchor Dr., Rapid City, MI 49676

Parcel Number: 05-12-101-008-70

Current Use: Vacant, agricultural with open fields

Proposed Use: Planned Residential Development consisting of 16 single-family detached residential dwelling units. The development includes five one-bedroom units, six two-bedroom units, and five three-bedroom units. A new access easement is proposed to serve the lots along with required stormwater management and landscaping.

Master Plan Future Land Use Designation:

Agricultural. The future land use map shows the property as Agricultural. The zoning ordinance allows Planned Residential Developments in the Agricultural District. PRD's generally support a more creative layout for residential development with the preservation of open space and/or agricultural land. The master plan further identifies the need for diverse housing options and the need for smaller homes at more affordable price points under Housing Strategies on page 16 of the master plan. The Action Plan for Housing on page 72 notes the Goal to: *Preserve the traditional rural residential neighborhoods while regulating other housing typologies in select areas of the Township to diversify the housing stock and address affordability concerns.* The first Action Item is: *Incentivize housing on subdivided land that is most ready for residential development.* Section 117.1616(B.)(17.) helps to achieve the goal by limiting PRD in the Agricultural District to lots that are a

minimum of 2 and maximum of 5 acres and allowing up to 4 dwelling units per acre that encourages smaller footprint homes on smaller lots so that they are more affordable to build and sell or rent.

The master plan also encourages the preservation of larger tracts of Agricultural land. The Planned Residential Development (PRD) process supports the preservation of agricultural land and open space. As such, PRD's in the Agricultural District are also limited to no more than 5 acres.

initiative

117.603, B -- Schedule of Regulations and Dimensions.

Lot Dimensions				Setbacks (Feet)			Building Standards				
	Minimum Lot Area (sq ft)	Minimum Lot Width[6] (ft)	Maximum Lot Coverage[1] (percent)	Front[8, 9]	Side[10]	Rear	Building Height (Lesser of)[12] (Stories)	(ft)	Minimum Dwelling Floor Area (sq ft)	Minimum Exterior Dwelling Dimension[2] (ft)	Minimum Setback From Waterfront[11] (ft)
A, Agricultural	87,120	200	30	50	10	35	3	40	960	20	50

Staff Comment. *While the proposed area, width, and setback reductions do not comply with the A Agricultural District, the Planned Residential Development standards (117.1616(B.)(5.)) expressly allow modifications to interior lot dimensions and front/rear setbacks. The dimensional deviations within the PRD comply.*

Proposed Dwelling Unit Area. ~ 7,500 sq ft per dwelling unit

Proposed Dwelling Unit Width. 66 feet per dwelling unit

Proposed Lot Coverage. ~ 7.23% across the entire 5 acre parcel

Front Setback. Varies: 10 feet – 20 feet from edge of access easement

Side Setback. 10 each side – between units

Rear Setback. Varies: 50 feet – 58.5 feet from parcel boundaries

Perimeter Setback. 50 feet from parcel boundaries

Building Height. One story, less than 40 feet

Dwelling Floor Area. 1 bedroom = 728 sq. ft., 2 bedrooms = 960 sq. ft.& 3 bedrooms = 1,120 sq. ft.

Dwelling Exterior Dimension. 1 bedroom = 26' x 28', 2 bedrooms = 32' x 30' ft.& 3 bedrooms = 28' x 40 '

Waterfront Setback. Not applicable.

initiative

Site Plan Review

117.2103 Application Procedure for Site Plan Review. Requests for site plan approval shall be made by filing with the Township Zoning Administrator a complete application accompanied by seven (7) copies of a detailed site plan that shall contain all information required in this Ordinance. The fees as established in the Milton Township Fee Resolution Schedule must accompany the application.

A. At a minimum, the application shall include the following information:

1. The applicant's full name, address and phone number including area code.

   Provided. The special use application has been included as **Exhibit E.**

2. Proof of property ownership, and whether there are any options on the property, or liens against it.

   Provided.

3. A signed statement that the applicant is the owner of the property or officially acting on the owner's behalf and authorizing reasonable entry onto the property by the Zoning Administrator, Planning Commission and other Township representatives for the purpose of administering their responsibilities under this ordinance.

   Provided

4. The name and address of the owner(s) of record if the applicant is not the owner of record (or firm or corporation having a legal or equitable interest in the land), and the signature of the owner(s).

   Not Applicable.

5. The address and parcel (Tax Roll) number of each parcel is contained on the proposed site plan.

   Provided.

6. The name and address of the developer (if different from applicant).

   Provided.

7. Name and address of the licensed professional engineer; architect; landscape architect; surveyor or planner who prepared the plan.

   Provided.

8. Project title.

   Provided.

initiative

9. An overall project description.

   Provided. The applicant has submitted a written narrative describing the project, see **Exhibit B**.

10. A vicinity map drawn at 1" = 2,000' with north point indicated.

    Provided. A vicinity map of the project site is provided on the site plan shown at a scale of 1'' = 2000'.

11. The gross and net acreage of all parcels in the project.

    Provided. The property contains 6 acres, and the development is proposed on 5 acres. The applicant proposes a lot line adjustment with an easement for the community well to reduce the parcel to 5 acres. A lot line adjustment application has been submitted and is currently under review, see **Exhibit C**. A condition of approval has been included that final approval of SUP 2025-03 is subject to the approval of the proposed lot line adjustment.

12. Current land use, zoning classification and existing structures on the subject parcel and adjoining parcels.

    Provided. Existing agricultural uses and A Agricultural Zoning designation are documented on the submitted site plan.

13. Project development phases and completion schedule.

    Provided. The applicant proposes to develop the 16 units in one phase with construction to start within 6 months after receiving approval and an anticipated completion within 3 years.

14. A written statement relative to project impacts on existing infrastructure (including traffic capacity of street, schools and existing utilities) and on the natural environment of the site and adjoining lands and as it is related to the Milton Township Zoning Ordinance. Detailed requirements will vary depending on the project size and impact to the Township and the Planning Commission may request additional information.

Provided. The applicant has noted that there are no anticipated negative impacts to public roads, schools or utilities as they are responsible to construct the access within the access easement and install utilities.

15. All required permits from outside agencies such as, but not limited to, Antrim County Soil Erosion, Antrim County Road Commission, Michigan Department of Transportation, Michigan Department of Environment, Great Lakes and Energy, and Health Department of Northwest Michigan. A letter of "no concern" can be used in place of a permit if the agency cannot issue a permit until after a zoning permit.

initiative

Provided. The applicant has provided preliminary approval from the Health Department of Northwest Michigan and well testing from EGLE for the proposed community well and isolation well and two-unit septic systems, **attached as Exhibit F.** The Antrim County Road Commission has approved the private access from Chippewa Trail, attached as **Exhibit G** and the fire department has provided comment with no concerns, attached as **Exhibit H**.

b. The site plan shall consist of accurate drawings at a scale of not less than 1" = 100' or as recommended by the Planning Commission and/or Zoning Administrator, showing the site and all land within one hundred and fifty (150) feet of the site. If multiple sheets are used, each shall be labeled and preparer identified. Each site plan shall depict the following, unless waived by the Planning Commission as irrelevant to the proposal under consideration.

1. Location of proposed and existing property lines, dimensions, legal descriptions, easements, setback lines and monument locations.

   Provided. See Exhibit A.

2. Existing topographic elevations at two (2) foot intervals, proposed grades and directional drainage flows.

   Provided. Topographic lines are demonstrated on the site plan and finalized site grades, with directional drainage flows demonstrated.

3. The location and type of existing soils on the site.

   Provided. The location and types of soils have been noted on the site plan.

4. Location and type of existing vegetation and wetlands, and how they are proposed to be preserved and managed.

   Provided. Little vegetation exists on site. There are no wetlands.

5. Location and elevations of existing water courses and water bodies, including county drains, man-made surface drainage ways, floodplain and wetlands, as identified by the DNRE in an official determination request or by a specialist approved by the DNRE.

   Provided. None on-site

6. Location of existing and proposed buildings and intended use thereof as well as the length, width and height of each building, and typical elevation views of proposed structures.

   Provided. The location of proposed buildings are on the site plan and building elevations and floorplans have also been provided that demonstrate the proposed character for the three different styles. The proposed footprints on the site plan shall be binding, and the final style of single-family dwelling must fit within the footprints as shown. A condition of approval has been included.

7. Proposed location of accessory structures, buildings and uses; including but not limited to all flagpoles, light poles, bulkheads, docks, storage sheds, transformers, air conditioners, generators and similar equipment, and the method of screening where required.

   Provided.

8. Location of existing public roads, rights-of-way and private easements of record and abutting streets.

   Provided. See site plan, attached as **Exhibit A**.

9. Location and dimensions of proposed streets, drives, curb cuts and access easements, as well as acceleration, deceleration and passing lanes serving the development. Details of entry way and sign locations shall be separately depicted with an elevation view.

   Provided. See site plan, attached as **Exhibit A**.

10. Location, design and dimensions of existing and/or proposed curbing, barrier-free access, carports, parking areas (including indication of all spaces and methods of surfacing) fire lanes and all lighting thereof.

    Provided. Parking is provided within driveways on each lot.

11. Location, size and characteristics of all loading and unloading areas.

    No loading areas proposed or required.

12. Location and design of all sidewalks, walkways, bicycle paths and areas for public use.

No new sidewalks, walkways, or bicycle paths are proposed or required.

13. Location or layout of water supply lines and/or wells, including fire hydrants and shut-off valves, and the location and design of storm sewers, retention and detention ponds, wastewater lines, cleanout locations, connection points and treatment systems, including septic systems if applicable.

    Provided. The location of wells, on-site septic systems and detention plans are shown on the site plan.

14. Location or layout of all other utilities on the site including but not limited to natural gas, electric, cable TV, telephone and stream.

    Provided. Existing and proposed utilities provided on the site plan.

15. Proposed location, dimensions and details of common open spaces and any common facilities such as community buildings and swimming pools, if applicable.

    Provided. The application proposes a future playground area in the common open space. No other community accessory structures are proposed. See **Exhibit A.**

16. Locations, size and specifications of all signs and advertising features showing all views.

    No signage proposed at this time. A land use permit is required for any new signage and must comply with Chapter 17.

17. Exterior lighting locations with areas of illumination illustrated as well as the type of fixtures and shielding to be used.

    No exterior lighting proposed at this time. Exterior lighting will be addressed at land use permit and shall comply with Section 117.314.

18. Location and specifications for all fences, walls and other screening features with cross-sections.

    No fences proposed. Screening provided on site plan via trees around the perimeter of the development.

19. Location and specifications for all proposed perimeter and internal landscaping and other buffering features. For each new landscape material the proposed size at the time of planting must be indicated. All vegetation to be removed or retained on the site must also be indicated, as well as its typical size by general location or range of sizes as appropriate.

No trees or shrubs exist on the property. Trees are proposed around the perimeter of the development. The size of trees at planting is needed. A condition of approval has been included.

20. Location, size and specifications for screening of all trash receptacles and other solid waste disposal facilities.

    No community trash receptacle or disposal facilities are proposed. Trash will be removed via individual trash receptacles for each dwelling unit.

21. Location and specification for any existing or proposed above or below ground storage facilities for any chemicals, salts, flammable materials, or hazardous materials as well as any containment structures or clear zones required by government authorities.

    No storage of hazardous materials proposed.

22. Identification of any significant site amenities or unique natural features.

    No unique natural features exist. No significant site amenities proposed.

23. Identification of any significant views onto or from the site to or from adjoining areas.

    No significant views exist or will be created.

24. North arrow, scale and date or original submission and last revision.

    Provided.

25. A seal is required of a licensed, professional engineer; architect; landscape architect; surveyor or planner who prepared the plan.

    Provided.

26. Storm water plan that retains all storm water on site and shall use a 100-year storm event as the engineering basis of design.

    Provided. Stormwater retention has been provided to meet a 100-year storm event.

Approval Criteria

Below are the approval criteria for both site plan review and special land use approval. Draft findings are provided but may be updated/changed as the Planning Commission deems appropriate.

Site Plan Review

117.2105 Criteria for Review. In reviewing the application and site plan and approving, disapproving or modifying the same, the Planning Commission shall be governed by the following standards:

A. That there is a proper relationship between the existing streets and highways within the vicinity and proposed deceleration lanes, service drives, entrance and exit driveways and parking areas to assure the safety and convenience of pedestrian and vehicular traffic.

*Staff Comment. There is a proper relationship between existing roads and the road/circulation system proposed on the site. Proposed driveways are to be spaced 20 feet from one another along the access easement frontage (Anchor Drive) and the approved access easement takes access from Chippewa Trail. See **Exhibit G** with Antrim County Road Commission permit and **Exhibit H** with letter from the Fire Department.*

B. The buildings, structures and entryway thereto proposed to be located upon the premises are so situated and designed as to minimize adverse effects there from upon owners and occupants of adjacent properties and the neighborhood.

Staff Comment. The proposed residential buildings on the site appear harmoniously arranged. The site's proposed layout should not present an issue given they meet the requirements of Section 117.1616. The application proposes a buffer of trees around the perimeter of the property. A condition of approval has been drafted to require a landscape plan with the size and species prior to issuance of zoning permit. Parcels to the south, east and west are currently vacant.

C. That as many natural features of the landscape shall be retained as possible where they furnish a barrier or buffer between the project and adjoining properties used for dissimilar purposes and where they assist in preserving the general appearance of the neighborhood or help control erosion or the discharge of storm waters.

Staff Comment. No substantial natural features exist on the site currently and none, therefore, are proposed to be removed.

D. That the adverse effects of the proposed development and activities emanating there from upon adjoining residents or owners shall be minimized by appropriate screening, fencing or landscaping.

Staff Comment. Screening is proposed along the perimeter of the property. Staff recommends that the screening be a mixture of evergreen and deciduous trees for year-round screening. A staggered approach will also create a more natural appearance. Staff welcomes the planning commission's input on the proposed

screening. A proposed condition of approval has been included to provide the size and species prior to issuance of a zoning permit.

E. That all provisions of the Township Zoning Ordinance are complied with unless the Zoning Board of Appeals has granted a prior variance.

Staff Comment. *No variance is being requested as part of the application. As discussed below under Chapter 18 Parking, Section 117.1802(A) some of the proposed parking spaces must be moved behind the proposed setback from the edge of the access easement. Otherwise, the application as submitted meets all current zoning ordinance standards with conditions of approval.*

initiative

F. That all buildings and structures are accessible to emergency vehicles.

Staff Comment. *The proposed traveled way within the access easement is 20 feet wide, with both lanes being 10 feet wide and, given that it will take access at 90 degrees from Chippewa Trail appears to be adequately accessible by emergency vehicles. The Antrim County Road Commission has approved the access from Chippewa Trail, and the Milton Township Fire Department has reviewed the plans and has no concerns.*

117.1602 Special Land Use Review Standards.

A. **General Review Standards.** The Planning Commission, before acting on a Special Land Use Application, shall employ and be guided by standards of this Chapter and the intent and purpose of this Zoning Ordinance, and the Milton Township Master Plan. The Planning Commission shall review each application and shall approve such Special Land Use only if it finds that such Special Land Use application meets each of the following standards, together with any and all Special Land Use standards reflected for the zoning district, and any and all applicable specific review standards found in this Article. The Planning Commission shall find adequate evidence that each use at its proposed location will be consistent with the public health, safety, and welfare of the Township and shall comply with the following standards:

a. The proposed use shall be consistent with the adopted Township Master Plan.

Staff Comment. *The Master Plan designates this area for Agricultural use. The zoning ordinance allows Planned Residential Developments within the Agricultural District. The master plan supports smaller lots and footprints to support affordability. The PRD process supports the preservation of agricultural land and open space. PRD's in the Agricultural district are limited to a maximum of 5 acres.*

b. The proposed use shall be designed, constructed, operated and maintained to be consistent with the existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed.

Staff Comment. The PRD is designed to meet current standards in the Agricultural District. A declaration of open space restrictions has been provided to maintain the required open space in perpetuity subject to final approval by Milton Township legal counsel. The development will be owned by the applicant/property owner and units will be leased long term as allowed by the zoning ordinance under Section 117.317. See ***Exhibits D & E****.*

initiative

c. The proposed use shall not be hazardous or disturbing to existing or future uses in the same general vicinity and in the community as a whole.

Staff Comment. The proposed use will not be hazardous to existing or future agricultural and residential uses in the vicinity, as residential uses adjacent to residential uses are compatible. A 50-foot perimeter setback has been provided and perimeter landscaping proposed. See ***Exhibit A****.*

d. The proposed use shall be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, stormwater drainage, refuse disposal, water and sewage facilities and schools or persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately for such services.

Staff Comment. The site is proposed to be served by private community well and on-site septic systems. Preliminary approval has been provided by the Health Department and EGLE. The access easement from Chippewa Trail has been approved by the Antrim County Road Commission. ***See Exhibits F & G.***

e. The proposed use shall not create excessive additional requirements at public cost for facilities and services and will not be detrimental to the economic welfare of the community.

Staff Comment. No significant public costs are anticipated for the construction of the proposed housing development. The development will be entirely privately funded.

f. The proposed use shall not involve uses, activities, processes, materials and equipment or conditions of operation that will be detrimental to any person, property or general welfare by reason of excessive production of traffic, noise, vibration, smoke, fumes, glare or odors.

Staff Comment. *Residential uses are allowed by right in the Agricultural District and residential uses adjacent to other residential uses are considered to be compatible. The Antrim County Road Commission did not express any concerns with traffic generated by 16 single-family dwelling units. Residential uses to not typically generate excessive noise, vibrations, smoke, fumes, glare or odors.*

g. The proposed use shall ensure that the environment shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, and by topographic modifications that result in maximum harmony with adjacent areas.

Staff Comment. *Few natural resources are present on the site and no natural resources are to be removed under the proposed plans. Soil removal and movement of soils will only be done to the extent necessary to construct the project.*

h. The proposed use shall meet the intent and purpose of the Zoning Ordinance; be related to the standards established in the Ordinance for the land use or activity under consideration; and will be in compliance with these standards.

Staff Comment. *The proposed use meets the intent and purpose of the current zoning ordinance. PRD's are an allowed use in the Agricultural District. Section 117.1616 (A) notes several bullet items under the intent including, providing enhanced housing and employment opportunities and the retention of green spaces. In addition to the master plan excerpts quoted above, Figure 10: Cluster Development and verbiage included on page 18 support the PRD process as a tool to address housing supply and affordability as well as the preservation of open space. Excerpts from the Master Plan are attached as* ***Exhibit K.***

13. **Specific Review Standards.** Certain Special Land Uses may generate objectionable off-site impacts which may be effectively mitigated with appropriate design measures. To address such impacts, in addition to the general review standards set forth in Section 117.1602, 1, of this Chapter, the Planning Commission, shall apply the applicable specific review standards set forth in this Chapter 16 for any such named Special Land Use.

117.1616 Planned Residential Development

A. **Intent.** The provisions of this Section provide standards for the submission, design, review and approval of planned residential development (PRD) projects subject to the Special Land Use provisions of Section 117.1602. The application of these planned residential development regulations are intended to:

- Conserve natural features;

- Encourage the use of land in accordance with its character and adaptability;
- Encourage creation of a meaningful greenway system for a habitat;
- Encourage innovation in land use planning;
- Provide enhanced housing, employment, traffic circulation and recreational opportunities for the people of Milton Township; bring about a greater compatibility of design and use between neighboring properties; and
- Encourage retention of agricultural uses and green spaces

initiative

The provisions of this Section are intended to result in land development substantially consistent with the underlying zoning, with modifications and departures from generally applicable requirements made in accordance with standards provided in this Section to insure appropriate, fair and consistent decision-making. The PRD process may permit flexibility in the regulation of land development and encourage innovation and variety in land use and design.

B. Planned Residential Development Design Standards. A PRD project shall be consistent with the following standards.

1. Permitted Uses. Land uses permitted within a PRD shall be limited to those permitted by right or by special land use in the underlying zoning district.

   Staff Comment. The proposed site contains single-family detached residential dwellings allowed by right in the underlying A - Agricultural Zoning District.

2. Open Space. The minimum open space for any PRD shall be fifty percent (50%) of the development. Open space may be any combination of common open space, limited open space, or public open space. Wherever practical, proposed open space should connect to open space provided in adjacent developments. Open space provided should relate to the creation of a greenway system to preserve a water/wetland system, a topographic formation, choice woodlots that extend into adjacent parcels, or a known habitat of native wildlife. Items that may be in the open space include the community building, playground and other recreational equipment, septic systems and wells including pump houses, wetlands, lakes, and pools.

   Staff Comment. The site plan indicates that 61% of the site (3.10 acres) is designated as Open Space. Much of this open space consists of yard space to the rear of individual dwelling units, with some additional areas shown as common open space in the northwest and southeast corners of the site. The open space configurations meet the requirements of Section 117.1616(B.)(15.)

as they are a minimum of 50 lineal feet and meet the definitions included below for Limited Open Space or Common Open Space. See ***Exhibit A****.*

Planned Residential Development Open Space: *A portion of land that is preserved from future development.*

Planned Residential Development Open Space, Common: *A portion of land reasonably accessible to all residents of the PRD.*

Planned Residential Development Open Space, Limited: *A portion of land with specific restrictions to its accessibility.*

initiative

Planned Residential Development Open Space, Public: *A portion of land reasonably accessible to the general public.*

3. **Base Residential Density.** Except as provided in Subparagraph 4 of this section, the maximum number of residential dwellings permitted in a PRD shall be equal to the gross buildable site area divided by the minimum lot size required in the underlying zoning district. For the purposes of this Section, the gross buildable site area shall be the entire parcel area less any portion of the site comprised of surface water, wetlands, slopes in excess of 90%, and up to fifteen percent (15%) for roadways.

   Staff Comment. *In the Agricultural District Density is allowed under Section 117.1616(B.)(17.)(b.). Density is limited to no more than 4 dwelling units per acre. This is more specific than what is noted in Section 117.1616(B.)(3.) above and therefore Section 117.1616(B.)(17.)(b.) controls PRD density in the Agricultural District. A legal interpretation was provided by the applicant's legal counsel, attached as* ***Exhibit I****. Staff/Zoning Administrator and Milton Township legal counsel agree with this interpretation based on the history of the work that the planning commission subcommittee conducted regarding workforce housing and subsequent zoning ordinance amendments to create Section 117.1616(B.) 17.). Milton Township legal counsel opinion attached as* ***Exhibit J.*** *The applicant sought to amend the zoning ordinance to clarify this issue that was supported by the planning commission and ultimately denied by the board. While ZOA 2026-01 was not ultimately adopted, the PC's understanding throughout its review process, including workforce housing subcommittee work, was that (B.)(17.) would apply for a PRD in the Agricultural District, to make workforce housing possible.*

4. **Potential Density Increases.** The Planning Commission may approve an increase in residential density of fifteen percent (15%) for the first minimum allotment of open space (fifty percent [50%]). An increase in density shall accrue at the rate of fifteen percent (15%) for each ten percent (10%) of additional open space

provided above the minimum required. Fractional units shall be rounded up if five-tenths (.5) or greater and rounded down if less than five-tenths (.5). Potential density increases shall not exceed forty-five percent (45%) over and above base residential density.

Staff Comment. *In the Agricultural District there are no density bonuses. Density is limited to no more than 4 dwelling units per acre per Section 117.1616(B.)(17.)(b.)*

5. Interior Setbacks and Lot Area. The front and rear setback requirements of the underlying zoning district(s) may be modified within the PRD project. Side yard and waterfront setbacks shall not be modified. The minimum area of lots or condominium lots in the underlying zoning district may be modified within the PRD.

   Staff Comment. *The applicant is proposing a front setback reduction to between 10 and 20 feet for structures from the edge of the access easement, which alternate from one to the next as allowed by Section 117.1616(B.)(5.) The side setback requirements of the Base District are not proposed to be modified. There is a minimum of 20 feet proposed between dwelling units. See* ***Exhibit A****.*

6. Perimeter Setbacks and Buffering. The perimeter setback shall be a minimum of fifty (50) feet. The perimeter setback area would include naturalized landscaping or a natural vegetative strip to provide a buffer for adjacent properties where found to be necessary by the Planning Commission after taking into consideration the topography, vegetation, and neighboring property characteristics.

   The perimeter setback and landscaping need not be uniform at all points along the property boundary. The perimeter setback and landscaping requirements would be determined in consideration of the existing and planned adjacent land uses but shall not be less than the requirements of Section 117.311. The Planning Commission may require a natural buffer area along any roadway when important to retain the character of the area along the roadway by preserving the existing meadow, field or woodlot.

   Staff Comment. *A perimeter setback of at least 50 feet (varying between 50-60 feet) is provided from the north, south and east property lines of the development to adjacent properties as required. Evergreen trees are proposed within the perimeter setback to provide a buffer to adjacent properties. Along Chippewa Trail to the west the setback is also 50 feet from the property line and a combination of evergreen and deciduous trees are proposed to provide a buffer from Chippewa Trail. See* ***Exhibit A.***