

COORDINATING ZONING COMMITTEE

Township: Holly
County Code: 07-17, 18 & 19
Section: 35

Consistent with the modifications to the review of township zoning proposals adopted April 22, 1982, by the Planning and Building Committee of the Oakland County Board of Commissioners, the zoning review summary sheets have been modified accordingly.

DESCRIPTION OF REZONING PROPOSAL

1. **The CZC is reviewing this case because:** The proposal borders the Village of Holly to the west and Rose Township to the south.
2. **A map change from:** SR, Suburban Residential and AGRE, Agricultural Residential to R-2, Single Family Residential and RE, Rural Estate.
3. **Size:** Three parcels (sidwell numbers 01-35-300-013, 01-35-401-001, and 01-35-401-003) make up the zoning request. The total size is approximately 72 acres.
4. **Site and surrounding land use:** The site is on the south side of East Holly Road, west of Tucker Road. Of the three parcels making up this zoning case, one is vacant, and there are single family homes on the other two parcels. The Holly Heights Mobile Home Park is located directly north of the rezoning site. There are single family homes along East Holly Road to the west and east and then south along Tucker Road. East of Tucker Road is the new Holly High School. Immediately east of the site are three large tracts of land, each with one residential home. To the south in Rose Township, there are large tracts of vacant land that include a wetland area along the Shiawassee River. A large (48 acre) Township Park is located to the west in the Village of Holly, with vacant land farther to the west.
5. **Permitted uses under existing zoning:** SR, Suburban Residential and AGRE, Agricultural Districts: 1) Agriculture, including general farming, the raising of livestock and poultry, fruit orchards, sod farming, nurseries and greenhouses, and the customary farm buildings, subject to provisions in the ordinance. Slaughterhouses and intensive livestock operations shall not be a permitted use in these districts. 2) Single-family detached dwelling. 3) Publicly and privately owned and operated nature trails, botanical gardens, woodland preserves, wildlife sanctuaries or similar facilities provided such use does not result in a material modification of the natural appearance of the site. 4) Publicly owned and operated parks and playgrounds including athletic fields and game courts for baseball, football, soccer, and other active sports.
6. **Minimum lot size of existing zoning:** SR, Suburban Residential District: 1.5 acre minimum lot size. AGRE, Agricultural District: 5 acre minimum lot size.
7. **Permitted uses under proposed zoning:** R-2, Single Family Residential District: 1) Single-

family detached dwelling. 2) Publicly owned and operated parks and playgrounds including athletic fields and game courts for baseball, football, soccer, and other active sports.

RE, Rural Estate District: 1) Agriculture, including general farming, the raising of livestock and poultry, fruit orchards, sod farming, nurseries and greenhouses, and the customary farm buildings, subject to provisions in the ordinance. Slaughterhouses and intensive livestock operations shall not be a permitted use in this district. 2) Single-family detached dwelling. 3) Publicly and privately owned and operated nature trails, botanical gardens, woodland preserves, wildlife sanctuaries or similar facilities provided such use does not result in a material modification of the natural appearance of the site. 4) Publicly owned and operated parks and playgrounds including athletic fields and game courts for baseball, football, soccer, and other active sports.

8. **Minimum lot size of proposed zoning:** R-2, Single Family Residential District: 1 acre minimum lot size. RE, Rural Estate District: 2.5 acre minimum lot size.
9. **Zoning in Adjacent Community:** Village of Holly: R-1B, Single Family Residential District (7,200 sq. ft. minimum lot size). Rose Township: AG, Agricultural District (10 acre minimum lot size).
10. **Local Planning Commission recommendation:** A motion to approve rezoning all three parcels to R-2, Single Family Residential per the applicant's request, failed by a 3 to 4 vote. A subsequent vote by the Planning Commission to rezone parcel 01-35-401-003 only, (approximately 54 acres) to RE, Rural Estate passed by a 7 to 0 vote.

ANALYSIS AND RECOMMENDATION OF PLANNING AND ECONOMIC DEVELOPMENT SERVICES

Oakland County Planning and Economic Development Services has reviewed the request to rezone an approximately 72 acre site in Section 35 of Holly Township from SR, Suburban Residential, and AGRE, Agricultural Residential Districts, to R-2, Single Family Residential, and RE, Rural Estate Districts. The applicant requested that all three parcels be rezoned to R-2, Single Family Residential. The Planning Commission felt that only parcel 01-35-401-003 (approximately 54 acres) should be rezoned, and they recommended it for RE, Rural Estate. The Township Board subsequently took action on this rezoning request. When it was realized that this was a boundary case, the Township Zoning Administrator called Oakland County Planning & Economic Development Services to inform us that the Township Board had already taken action on a boundary case before it had been sent to the Coordinating Zoning Committee (CZC). Our recommendation was for the Township to consult their attorney for a decision on how to proceed. The Township attorney recommended the case be submitted to the CZC, and then the Township Board will reconsider this case after receiving CZC comments.

The following is a review of the Planning Commission's recommendation to rezone the larger parcel to RE, Rural Estate and consideration of R-2, Single Family Residential for the other two parcels. The review looks at 1) Master Plan compliance and 2) boundary coordination. Natural resource conditions are presented for information purposes.

Master Plan Review: The Holly Township Master Plan was adopted in November 2003. The Future Land Use Plan Map shows the northern part of the rezoning site planned for Low Density Estate Residential and the southern half planned for Resource Conservation/Residential. Low Density Estate Residential allows for 1 dwelling unit per 2.5 acres and Resource Conservation/Residential allows for 1 dwelling unit per 5 acres. The proposed zoning of R-2, Single Family Residential (1 acre minimum lot size) is not consistent with the Master Plan. The proposed zoning of RE, Rural Estate (2.5 acre minimum lot size) is generally consistent with the master plan.

Boundary Community Review: The following charts shows a comparison between the existing and proposed zoning and Master Plan designations for Holly Township and the existing zoning and Master Plan designations for the Village of Holly and Rose Township.

Boundary Holly Township/Village of Holly				
Holly Twp. Existing Zoning	Holly Twp. Proposed Zoning	Holly Twp. Master Plan	Holly Village Existing Zoning	Holly Village Master Plan
SR, Suburban Residential (1.5 acre minimum lot size) and AGRE, Agricultural Residential (5 acre minimum lot size)	R-2, Single Family Residential (1 acre minimum lot size) and RE, Rural Estate (2.5 acre minimum lot size)	Low Density Estate Residential (1 dwelling unit per 2.5 acres) and Resource Conservation/ Residential (1 dwelling unit per 5 acres)	R-1B, Single Family Residential (7,200 sq. ft. minimum lot size)	Park

Boundary Holly Township/Rose Township				
Holly Twp. Existing Zoning	Holly Twp. Proposed Zoning	Holly Twp. Master Plan	Rose Township Existing Zoning	Rose Township Master Plan
SR, Suburban Residential (1.5 acre minimum lot size) and AGRE, Agricultural Residential (5 acre minimum lot size)	R-2, Single Family Residential (1 acre minimum lot size) and RE, Rural Estate (2.5 acre minimum lot size)	Low Density Estate Residential (1 dwelling unit per 2.5 acres) and Resource Conservation/ Residential (1 dwelling unit per 5 acres)	AG Agricultural (10 acre minimum lot size)	Rural Preservation/ Agriculture (1 unit/10 acres)

Natural Resource Information: The Master Plan contains two studies that have been conducted of the natural areas in Holly Township. In 1988, Harvey E. Ballard Jr. of The Nature Conservancy

published a Survey of Natural Areas in Holly Township, and in 2002, the Michigan Natural Features Inventory (MNFI) staff conducted an inventory of high-quality, sensitive natural areas in Oakland County. Both reports identify the Lacy Lake wetland contained on the rezoning site as a high quality southern wet meadow natural area. The Master Plan puts a priority on the conservation of this natural area and the native plant and animal populations it contains. The Lacy Lake wetlands are part of the larger Rattalee Lake Wetland Complex to the south, one of the highest quality, least disturbed natural areas remaining within Oakland County. Since 2002, the MNFI map has been updated (see attached map) and this site has been elevated to a Priority One status.

Analysis: As is reflected in the Planning Commission minutes (attached), this is a challenging case due to the natural resource constraints present on the site. In their deliberations, the Planning Commission was attempting to balance the requested increase in density with potential impacts on the surrounding natural features. The Master Plan specifically calls this area out as a Special Planning Area—Rattalee Lake Wetlands Area. This area *“is a truly unique asset shared by Holly Village, Holly Township, and Rose Township. The area is one of the few areas left in Oakland County which maintains its pre-settlement landscape. Only ½ of 1% of Oakland County remains in this undisturbed condition.”* (p. 89). To preserve this unique asset, one of the Master Plan recommendations is to *“allow only the least intense uses adjacent to the area to minimize impacts.”* (p. 90).

Due to these resource constraints, the Master Plan calls for two future land use classifications on the proposed rezoning site, Low Density Estate Residential on the northern portion and Resource Conservation/Residential to the south. Low Density Estate Residential would allow 1 dwelling unit per 2 ½ acres on the upland portion of the site while Resource Conservation/Residential would encourage more creative use of the southern portion with a 5 acre minimum lot size. Cluster or open space development is encouraged in this area to buffer natural areas and direct development away from the valuable natural systems that have been identified. Clustering development in the northern portion along East Holly Road away from the wetlands should be encouraged for this site. The R-2, Single Family Residential (1 acre minimum) is not consistent with the Master Plan, however the RE, Rural Estate would provide the applicant with an increase in density that is consistent with the Master Plan and respects the unique nature of this special wetland area.

In addition, boundary coordination exists as the wetlands form a buffer between this site and the buildable areas in Rose Township. Oakland County Planning and Economic Development Services staff feels the Planning Commission has looked at this challenging case carefully, and their recommendation is a reasonable compromise between the requested zoning and the limitations of the site.

Recommendation: Based on Master Plan compliance and boundary coordination considerations, Oakland County Planning and Economic Development Services staff recommends **Approval** of County Code No. 07-19, a rezoning request in Holly Township from AGRE, Agricultural Residential to RE, Rural Estate, in Section 35, Sidwell No. 01-35-401-003, and recommends **Denial** of County Code Nos. 07-17 and 07-18, to rezone Sidwell numbers 01-35-300-013 and 01-35-401-001 from SR, Suburban Residential to R-2, Single Family Residential.