

Present: Planning Commission: Chairperson Drummond; Vice-Chairperson Westerlund, Members; Copeland, Hartzell, Hitz, Jawad, Tessler, and Wright

Council: President George; President Pro-Tem Hrydziuszko; Members: Abboud, O’Gorman, and White

Absent: Planning Commission: Harper; Council: Kecskemeti and Mooney

Also Present: Village Manager, Campbell  
Planning & Zoning Administrator, Stec  
Village Clerk/Assistant Village Manager, Rutkowski

Westerlund called the regular Planning Commission meeting to order at 7:31 p.m. in the Village Municipal Building located at 18500 W. 13 Mile Road, Beverly Hills, MI 48025.

### **APPROVE AGENDA**

Motion by Jawad, second by Hitz, to approve the agenda as published.

Motion passed.

### **PUBLIC COMMENTS ON ITEMS NOT ON THE PUBLISHED AGENDA**

None.

Hartzell arrived at 7:34 p.m.

### **REVIEW AND FILE PLANNING COMMISSION 2022 ANNUAL REPORT**

Stec provided an overview of the 2022 Planning Commission Annual Report. The report includes the current membership and a summary of actions taken in 2022, such as approved sign applications, rezoning requests, and updated zoning map.

Motion by Hartzell, second by Wright, the Beverly Hills Planning Commission receives and files the 2022 Planning Commission Annual Report as submitted.

Motion passed.

### **DISCUSSION ON ZONING ORDINANCE AND MUNICIPAL CODE**

#### **A. REVISION TO NONCONFORMING SIGN ORDINANCE**

Stec gave an overview of the Zoning Ordinance, Section 22.32.120(2)(c) – Nonconforming Signs, which states that a nonconforming sign shall not be repaired or re-erected after being damaged if the repair or re-erection of the sign would cost more than 60 percent of the cost of an identical new sign.

Drummond arrived at 7:39 p.m.

The Commission and Council discussed the sign ordinance and agreed that they would like to see non-conforming signs come into compliance.

Jawad suggested that the Commission take a more comprehensive look at the sign ordinance.

Drummond recapped the recent request that came in from KFC, whose sign was damaged.

Copeland arrived at 7:41 p.m.

The Commission and Council discussed the lifespan of a sign and agreed that when a business leaves a property, its sign should be taken down.

Hrydziuszko suggested amending this part of the ordinance sooner rather than later to effect positive change for the Village.

Westerlund stated that the face-change provision provides an opportunity to bring signs into conformity.

Drummond suggested that a subcommittee be formed to look at other communities' sign ordinances for benchmarks and to move that forward within the next three months.

## **B. PROPOSED SHORT TERM RENTAL ORDINANCE**

Abboud provided an overview. He noted that a subcommittee was formed last year, but some of the members were no longer serving on the Planning Commission.

Campbell gave an overview about short term rental ordinances. He spoke about the lame duck legislature that did not move a short term rental bill forward, so municipalities have the opportunity to regulate short term rentals. He provided the Council and Commission with two sample ordinances that were drafted using three other communities' guidelines. He stated that Administration would recommend Option 1, which limits short term rentals to owner-occupied dwellings.

O'Gorman stated that he would like it if visitors were able to use Airbnb or a similar short term rental service in his neighborhood. He said perhaps there is a way to regulate it so that residents of Beverly Hills are allowed to have short term rentals instead of banning it altogether.

Hrydziuszko said there is a need for short term medical stays, especially given the proximity to Beaumont Hospital. She said there is a way to regulate rentals that allows people to use their property how they would like as long as it is respectful to the neighbors.

The Commission and Council discussed buffers, quotas, licenses, fees, inspections, and enforcement.

The Commission and Council discussed whether they should act now, given that there are so few rentals in the Village currently, or wait to see if it becomes a bigger issue and react then.

Jawad stated that people using Airbnb or similar are also visiting Beverly Hills businesses, so it is good for the community.

Drummond stated a subcommittee will be formed to look at the ordinance options and provide a recommendation. He asked that the Planning Commission provide feedback to the subcommittee.

**C. FENCE ORDINANCE: RECONSIDER 200-FOOT DISTANCE ALLOWANCE FOR FENCES UP TO 6-FEET TALL AND/OR UP TO 100% OPACITY**

Drummond gave an overview of the fence ordinance and the character of the neighborhood or “200-foot rule,” which allows a property owner to erect a 6-foot fence if it is within 200 feet of a permitted 6-foot fence. He said that last time the Commission and Council addressed the fence ordinance it was a complicated process that went on for about a year. He said it made sense when it came to smaller lots on the east side of the Village. Now, the Commission has expressed interest in reconsidering that provision or getting rid of it altogether.

Westerlund spoke about the implications of the 200’ rule when the Planning Commission is considering allowing a 6’ fence. He said it could prevent a reasonable request from going forward.

Hitz said that the rule can unintentionally skew decision making.

Hrydziuszko did not think it was the Commission’s or Council’s duty to decide on the character of someone’s neighborhood. She said the Planning Commission’s job is to look at the merit of the fence for a specific application.

O’Gorman said he is neutral on the issue and does not think the 200’ rule should prevent reasonable fence applications from being approved.

George suggested exploring what other communities have in their fence ordinances.

There was discussion about whether the 200’ rule was a legitimate concern. The Commission and Council had questions about how many fences were approved using this rule. Administration will do a comparative analysis and follow up.

**D. IDENTIFY AND CORRECT ANY INCONSISTENCIES**

Stec commented on performing an ordinance clean up and noted that Municode is currently working on an analysis of the entire Municipal Code. He suggested doing an annual clean up to provide more clarity to residents.

The Planning Commission agreed to flag any inconsistencies in the Zoning Ordinance if they come across them.

**INITIATIVES**

**A. ENGAGE IN REDEVELOPMENT READY COMMUNITIES (RRC)**

Campbell stated that the Village Council passed a resolution to engage in the Redevelopment Ready Communities Program. He said Administration is currently finishing up required training. The next step will be for the RRC staff to review the Village’s documents and suggest streamlining processes.

**B. SOUTHFIELD ROAD**

Stec commented on engaging with neighboring communities along Southfield Road. He discussed a possible project that would transform Southfield Road into a boulevard with a median. He said that the upfront financial aspect is the biggest hurdle for the communities involved.

There was discussion about the possible boulevard and a request to extend it north to 14 Mile Road.

Campbell informed the Council and Commission about Oakland County's Mainstreet Program, which would help with branding and identifying the Village of Beverly Hills by providing cohesive landscaping, etc. He said they focus on small businesses and would be of no cost to the Village.

#### **MASTER PLAN**

Stec talked about preparing for a comprehensive review of the Village Master Plan, which he suggested be done in 2026.

Drummond commented on the Action Items that the Planning Commission has worked on the last few years.

George said that there could be better dialogue and more steps taken to make the Village Overlay District a reality.

There was discussion about how the RRC program could breathe some life into the Village Overlay plans and that it could help cover costs for technical reviews and an implementation plan.

#### **DEVELOPMENT/REDEVELOPMENT GUIDES**

Stec stated that he is currently working up updated development/redevelopment guides for both residential and commercial properties. He is working on checklists and looking for consistency.

#### **PUBLIC COMMENTS**

John Luscombe, Woodhaven, stated that the Village has a choice whether or not to enforce outdated rules in the Ordinance. He said the Southfield Road boulevard plan sounds like a terrific idea. He said curbs in intersections would cause issues. He stated that there is a ton of potential in the Village. He was impressed by the amount of homework the Commission and Administration have done on these topics.

#### **ADMINISTRATION COMMENTS**

Campbell thanked the Council and Commission for attending. He noted that the Michigan Planner Course was available for Commissioners to attend.

Stec stated that he is looking forward to this year.

#### **PLANNING COMMISSIONER COMMENTS**

Westerlund welcomed the new members.

Jawad said that he thinks the Southfield Road project will move forward since it contains high accident areas.

Copeland said it was good to see everyone.

Drummond thanked everyone for attending the meeting.

**VILLAGE COUNCIL COMMENTS**

White thanked the Commission for all the work they do.

O’Gorman thanked the Commission.

Abboud said the Commission has done good work. He thanked Administration as well.

Hrydziusko thanked the Commissioners for all the time they spend volunteering for the Village. She suggested looking at the air conditioner language in the Ordinance. She said she would like to see the Commission and Council collaborate more.

George said he thinks the Planning Commission and Council needs a better feedback mechanism. He appreciates having a liaison at the meetings to report back. He thanked the Commissioners for doing work that benefits the community.

**ADJOURNMENT**

Motion by Westerlund, second by Copeland to adjourn the meeting at 9:16 p.m.

Motion passed.

**Andrew Drummond**  
**Planning Commission**  
**Chairperson**

**John George**  
**Council President**

**Kristin Rutkowski**  
**Village Clerk**