

10/21/25

Dear Planning Commission –

This memo is to follow up on the questions Karin Offield shared with us during our 10/16/25 meeting. We addressed a few questions real time but I thought it would be helpful for the planning commission if I answered all that I could in writing. The challenge is that I can't speak for the whole planning commission so these are my own answers. Any mistakes of fact are also my own.

Bill Mulder

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## 60 Open Zoning Issues to Ponder

### Housing, Density & Neighborhood Character

#### 1. Lot Sizes in AG

**Issue:** Why were the minimum lot sizes in the AG district reduced from 12,000 sq. ft. to 10,000 sq. ft.?

**Point of View:** The draft code proposes a smaller minimum lot size. The intent appears to be to allow more flexibility and additional building sites, but does this reduce the average lot area previously required?

**Response:** The current zoning code says in the AR zoning district that single family buildings are subject to the setbacks, height, and lot coverage restrictions of the R1A district. Then it says that the minimum lot area is 12,000 ft<sup>2</sup> instead of 10,000 ft<sup>2</sup> in the current R1A district. The planning commission elected to standardize on 10,000 ft<sup>2</sup> for both the new RA and R1A districts. The minimum lot width remains 100'.

#### 2. Lot Area in R-1B

**Issue:** The change in minimum lot area for R-1B is confusing. Why was this altered?

**Point of View:** The draft reduces lot size requirements without clear explanation. We are asking for justification.

**Response:** The size and shape of existing lots in the current R1B and R1C are virtually indistinguishable in the real world. This map shows a large section of the R1B and R1C existing zoning districts. You can see that an artificial distinction never made sense. The combination of

districts is consistent with the goal to simplify the zoning code and make it more usable for residents.



### 3. R-1C Lot Sizes

**Issue:** The minimum lot size for R-1C has changed, but the draft does not clearly explain why or how this benefits residents.

**Point of View:** The reduction seems intended to allow more buildable lots. Residents want clarification on whether this aligns with neighborhood character goals.

**Response:** The lot size for the former R-1C zone did not decrease; rather the lot size increased by 364 sq. ft. from 6,500 to 6,864 sq.ft. The minimum dimensional requirement for lot width decreased by 5' because many of the lots in R-1C (and even R-1B) have smaller widths than 65', putting owners of smaller width lots at a disadvantage relative to neighbors. A zoning code cannot include explanations or the rationale behind the many decisions involved. Decisions about lot dimensions were based on the planning commission's best judgement of benefit to the community. On this topic, the decisions were consistent with the goal of providing more options for property owners; specifically bringing more existing lots into conforming status.

### 4. ADU Size in R-1B

**Issue:** After combining R-B and C districts, the new R-1B has smaller lot sizes (around 6,864 sq. ft.). But the code doesn't list the ADU size allowed. How do we know the footprint we're allowed to build if it can be 25 ft tall?

**Point of View:** The draft does not provide a clear standard. The omission makes it difficult for property owners to plan. In the past, ADU size was tied to lot size or main dwelling size, but that detail is missing here.

**Response:** The draft provides a clear standard for ADU maximum size. Section 7.2.1.B.3 (page 70) says that an accessory building cannot be more than 75% of its corresponding principal building's first floor footprint. If there are two accessory buildings on a lot, the total footprint of all accessory buildings shall not exceed 75%. Specific to ADUs, the zoning code sets a minimum size of an ADU at 350 ft<sup>2</sup> See page 70, section 7.2.2.B.5.

## 5. ADU Size in R-1E

**Issue:** What size ADU is allowed in the R-1E district? The old code (section 7.2.2.B.3) set the size at 75%, but that section is missing in the new draft.

**Point of View:** The 75% limit was removed in the draft. Without it, the maximum size of ADUs in R-1E is unclear.

**Response:** The 75% limit was not removed in the draft. The restrictions described above are in Section 7 – Supplemental Standard which apply in all zoning districts.

## 6. ADU Minimum Size

**Issue:** Why does the draft code leave out a minimum floor area for ADUs in some districts?

**Point of View:** The draft omits a specific minimum in some districts, which means ADUs could potentially be smaller than in the past. This may be an oversight or a policy choice to allow more flexibility.

**Response:** The draft code does not leave out the minimum floor area for ADUs in some districts. The zoning code clearly sets a minimum size of an ADU at 350 ft<sup>2</sup>. See page 70, section 7.2.2.B.5. It applies in all zoning districts.

## 7. ADUs and Enlarged Homes

**Issue:** The draft allows ADUs to be attached in basements, upper floors, or additions. Does this mean the main home can keep expanding, effectively becoming much larger than the original footprint?

**Point of View:** As written, yes. This could significantly increase home sizes. Clarification is needed to prevent unintended overbuilding.

**Response:** All homes in all districts are subject to maximum lot coverage restrictions. They range from 25% - 40% in residential zoning districts and are shown clearly in Article 3 for each district. Those restrictions apply when a home is originally built and if it is reconfigured later.

## 8. ADUs in Duplexes

**Issue:** Are ADUs allowed in duplex districts? If so, how does ownership of two titles/deeds work? Would one ADU per duplex make it a triplex if built upstairs?

**Point of View:** The draft is unclear. Duplex ownership complicates ADU allowances. Residents want the city to clarify title handling and limits.

**Response:** ADUs would be allowed (by special land use) in the R-2 and RM zoning districts. The zoning code does not specify how property owners should title their property (this is the case for all types of property; not just ADUs). It is the owner's business.

## 9. ADUs and Utilities

**Issue:** If ADUs are allowed on every residential lot, potentially doubling the number of houses in town, why hasn't there been a review of utilities (water, sewer, electric)?

**Point of View:** No utility impact study has been presented alongside the draft. Residents should ask whether the City has evaluated infrastructure capacity before expanding ADU allowances.

**Response:** ADU allowances are not being expanded; they are being restricted. ADUs in the R1A and R1E districts will now require special land use approval rather than be by right. For reference, there is an average of 1.5 ADUs built per year. The utility load from 1.5 additional ADUs per year is miniscule. Additionally, the city DPW confirmed sufficient utility capacity for homes to be built on all vacant property in the city at the existing average density. Also, there is no sanitary sewer service west of Ann St.

## 10. Utility Lines for ADUs

**Issue:** Can ADUs have separate electric, gas, and sewer lines so utilities are not co-mingled with the primary home?

**Point of View:** The draft does not clearly require or prohibit separate utility connections. This needs clarification.

**Response:** An ADU may share utility connections with the primary residential building on the property or may have its own connections, or may have a mix of connections. The property owner has authority to decide what approach works best for them. This is consistent with the goals of reducing bureaucratic processes and providing more options for property owners.

## 11. Renting of ADUs

**Issue:** Can ADUs be rented? This was not clearly discussed.

**Point of View:** The draft is unclear. Renting rules need to be spelled out.

**Response:** ADUs may be rented long-term. This was clearly discussed when short-term rentals of ADUs were specifically prohibited. There are no “renting rules” for long-term rentals of homes or ADUs. That is the owner’s business.

## 12. ADUs and Business Use

**Issue:** The draft says ADUs cannot be used for business or occupation, but the use tables show allowances. Which is correct?

**Point of View:** The code is inconsistent. This should be clarified to avoid confusion.

**Response:** Section 7.2.11.1 says “The occupation must be carried out wholly within the principal building”.

## 13. Short-Term Rentals in ADUs

**Issue:** If ADUs are allowed everywhere, are they also allowed to be used for short-term rentals?

**Point of View:** The draft does not clearly separate ADUs from short-term rental rules. This could double the number of rental units in neighborhoods.

**Response:** Section 7.2.2.B.5 clearly says “An ADU shall not be used as a Short-Term rental.”

## 14. Co-Living in Every District

**Issue:** Does the draft allow co-living arrangements in every residential district? How does this fit with the character of single-family neighborhoods?

**Point of View:** The draft expands co-living into all districts. This raises concerns about density and neighborhood compatibility. Residents should ask for the rationale behind this change. Explain commercial co-living vs roommates.

**Response:** Co-living was removed completely from the draft code at the 10/16/25 meeting.

## 15. Employee Dormitories & Parking

**Issue:** If two lots are purchased uptown for employee dormitories: Do the two co-living homes need to be 1,400 ft apart (about 5 blocks)? If not, can parking for both be combined? If employees have partners living with them, does that change occupancy? How is parking for 12+ cars handled?

**Point of View:** The draft allows dormitory spacing of 1,400 ft between residences that allow co-living. Parking requirements are based on the number of residents, but the code does not clearly address co-mingled parking or occupancy limits if non-employees also reside there. This is a policy question for the Commission to clarify.

**Response:** Co-living was removed completely from the draft code at the 10/16/25 meeting.

## 16. Co-Living and Cluster Housing

**Issue:** Co-living and Cluster Housing are mentioned in Article 3 but not fully discussed with the public. Can this be addressed now?

**Point of View:** These housing types may not be completely new to Harbor Springs but need open discussion. Residents want to know where they apply and how they affect density.

**Response:** Co-living was removed completely from the draft code at the 10/16/25 meeting. Cluster Zoning (now called “Open Space Preservation) is detailed in Section 10.5 which says that “no increase in density of use of a site is permitted”.

## 17. Cluster Housing Revisions

**Issue:** In January, Cluster Housing was removed, then placed in overlays, and now only appears in the glossary with a lengthy definition. Where can I find it now? Can you explain it to us?

**Point of View:** Cluster Housing has shifted throughout the drafts. The current placement leaves its rules unclear.

**Response:** Open Space Preservation is fully detailed in Section 10.5. It has been discussed in detail at multiple PC meetings and our fall open house meetings.

## 18. Cluster Housing & Utilities

**Issue:** How does Cluster Housing work in practice? Can ADUs within clusters have separate utility lines from the main home?

**Point of View:** The draft does not explain. Questions remain on how utilities and density will be managed.

**Response:** Cluster Zoning requires special land use approval. In that process, the planning commission reviews all aspects of an application and site plan including utilities if applicable. No increase in density is permitted. This is clearly stated in the draft zoning code – Section 10.5.

## 19. R-1A Neighborhood Character

**Issue:** R-1A is supposed to focus on “maintaining existing character.” How does adding co-living, Cluster Housing, or Planned Developments fit with that stated goal?

**Point of View:** The draft’s expanded uses appear inconsistent with the neighborhood’s stated purpose. Clarification is needed on how these changes align with the city’s own objectives.

**Response:** Co-living was removed completely from the draft code at the 10/16/25 meeting. Planned Development will not be permitted in R1A (10/16/25 meeting). Open Space Preservation remains an option in R1A and requires special land use approval. During that process the PC and neighborhood can provide input about whether a request is a good fit for a particular area.

## 20. Changing Neighborhood Character

**Issue:** How do these zoning changes affect the traditional character of neighborhoods?

**Point of View:** The draft expands density and uses in ways that may not align with stated goals of preservation.

**Response:** I do not understand this question since the draft zoning code has very similar minimum lot dimensions as the current zoning code. There is no discernable change in density between current and proposed.

## 21. Multi-Family in RM Districts

**Issue:** Does the draft expand the number of multi-family units allowed in the RM district, and if so, by how much?

**Point of View:** The density provisions appear broader, but the actual limits are not spelled out. This should be clarified before approval.

**Response:** There is no change.

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# Building Form, Height & Setbacks

## 22. Building Heights

**Issue:** What are the new height limits for buildings? Do elevators, tanks, fans, fire walls, antennas or parapet walls count toward the height? Where is this explained in the draft code?

**Point of View:** Height definitions vary across sections of the draft. Certain rooftop features may

be exempted, while others count toward total height. Residents should review the definitions and height table in the zoning draft to confirm where exceptions apply. The Planning Commissioners should discuss this with the community.

**Response:** Disagree. Section 5.23, Permitted Height Exceptions is clear and applies in all districts. The maximum building height for each zoning district is shown in the tables in Section 3.4.X.

### 23. Community District Building Heights

**Issue:** Is it true that buildings in the Community District can be up to 40-ft high? Why is that allowed, and why isn't there a maximum floor area listed?

**Point of View:** Yes, the draft sets a 40-ft maximum height. The rationale appears to be to allow larger mixed-use or commercial buildings. Floor area maximums are not listed, leaving total building size open-ended. Up to subjective review?

**Response:** The PC elected to continue the same dimensions for the Community district as exist in the current zoning code. I do not recall any concerns about the existing standards.

### 24. Height in CBD (35 ft vs. 38.6 ft)

**Issue:** The CBD chart shows 35 ft plus 42 inches, equaling 38.6 ft. Is the true maximum 35 ft or 38.6 ft?

**Point of View:** The draft's height table is inconsistent. Clearer rules are needed.

**Response:** Disagree. The 35' maximum height is clearly described in section 3.4.10. as is the 42" mechanical equipment specification and setback requirements.

### 25. Roof Decks, Elevators, Rooftops

**Issue:** How are features like roof decks, parapets, or elevators measured in building height?

**Point of View:** The draft is unclear. Without clarification, these features may exceed limits.

**Response:** Disagree. Section 5.23, Permitted Height Exceptions wording is clear and applies in all districts.

### 26. Heights in B-2 District

**Issue:** Is the General Business B-2 district limited to 30 ft? Do decks and rooftops count?

**Point of View:** The draft mentions 30 ft but does not explain what is included. This requires clarification.

**Response:** Section 3.4.12 shows that the maximum height is 35'. Section 5.23, Permitted Height Exceptions is clear and applies in all districts.

#### 27. Height Definitions (Draft 8.7.25)

**Issue:** Section 3.3.4.b defines height in ways that are confusing—existing, finished, average, absolute. Which is correct?

**Point of View:** The draft provides multiple definitions throughout the draft but for me without clarity. Can you explain?

**Response:** Article 14 – Definitions and Article 15 – Illustrations describe these regulations.

#### 28. Setback Reductions

**Issue:** Can the Planning Commission change or reduce setbacks in the RM district? Was this power allowed in the old code?

**Point of View:** The old code included limited circumstances where setbacks could be reduced. The new draft appears to expand the Commission’s discretion, but residents should request clarification on the scope of that authority.

**Response:** The PC is charged with setting all the specifications in the zoning code other than those that might be governed by other laws. There is nothing in the draft zoning code which expands the PC’s discretion.

#### 29. Setback Differences Between Districts

**Issue:** Why do setback rules vary so much between districts, even when lots are similar sizes?

**Point of View:** The draft applies different standards inconsistently or on purpose?

**Response:** Disagree that setback rules vary so much between districts. Lot minimum dimensions vary between districts. Setback requirements are proportional to lot minimum dimensional requirements i.e., bigger lots will have greater setbacks generally. Decisions about dimensional requirements were based on the current zoning code, known issues that have affected property owners, and ideas for improvement.

#### 30. RA District Floor Area Rules

**Issue:** Article 7 rules on floor area in the RA district are confusing. Why are they so strict, and why must accessory buildings resemble the principal building even when unrelated?

**Point of View:** The draft applies uniform standards, but this may over-regulate accessory structures. Residents should ask why flexibility is not allowed.

**Response:** Dimensional requirements are clear and consistent in their application across zoning districts. Virtually all input the PC received from community members is that accessory buildings should reflect the aesthetics of the principal building.

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## Land Use & Commercial Activity

### 31. Living Space Above Garage

**Issue:** If I build a living space above my garage to use as a home office, is that allowed? The draft (p. 12 of 161) says accessory buildings can't be used for any business or occupation. What does this mean in practice?

**Point of View:** The language is restrictive. As written, an accessory structure cannot be used for commercial or occupational purposes, even if the activity is a home-based business. Clarification is needed from the Planning Commission.

**Response:** A property owner may use a home office in any structure but may only operate a home occupation (see Section 7.2.11) in the principal building. The language is intended to be restrictive.

### 32. Home Occupations and Commercial Use

**Issue:** Does allowing home occupations mean commercial uses are now permitted in residential districts? Are signs allowed?

**Point of View:** The draft blurs the line. Short-term rentals and multiple employees housing resemble commercial activity. So how will limits be enforced?

**Response:** Home Occupations are allowed under the current zoning code and in the draft updated zoning code. Signs are restricted.

### 33. Planned Developments and Retail

**Issue:** Planned Developments can include retail. If allowed in residential districts, could this turn much of town into a commercial hub?

**Point of View:** Yes, PDs allow discretionary uses. This could expand commercial areas beyond current districts.

**Response:** The Planned Development language would allow limited commercial uses that are integral to the residential uses in the PD. At the 10/16/25 meeting, we limited PD applicability to a handful of districts and put a percentage limit on commercial floor space and usage types within a PD in a residential district.

#### 34. Florist Shop Size Restriction

**Issue:** Why does the draft limit florist shops to 1,000 sq. ft. or less?

**Point of View:** The restriction seems arbitrary. It may be intended to limit scale, but it could also discourage viable businesses. The reasoning should be explained.

**Response:** This restriction only applies to a florist shop in the RA district. This is a carryover from the current zoning code. I believe that the historic intent was to prevent a very large retail business from operating in this district.

#### 35. Lodging in B-1

**Issue:** Did lodging get added to the B-1 district? What does this mean for the surrounding area?

**Point of View:** If lodging is allowed, it could change the character of B-1. Residents should ask for clear restrictions.

**Response:** Lodging Establishments would be permitted in the B-1 district by special land use. That process considers input from the neighborhood.

#### 36. Laundromats on Community Property

**Issue:** Why can't a laundromat be built on community property?

**Point of View:** The draft excludes it without explanation. This restriction may be arbitrary?

**Response:** Cannot answer this opinion question but laundromats are not allowed in this district under the existing zoning code.

#### 37. Farm Stores in R-Ag

**Issue:** Why is a farm store listed as a Special Land Use (SLU) in R-Ag? The Right to Farm Act allows them by right.

**Point of View:** The draft may conflict with state law. Farm-related uses should align with existing rights.

**Response:** The Right to Farm Act applies to every property in every zoning district in the state. If a commercial farm operator in Harbor Springs would like to invoke those rights, they are free to do so and to configure their property in a way that is consistent with the act.

### 38. Farmstand Setbacks

**Issue:** Why must a farm stand accessory building be set back 100 ft from the road?

**Point of View:** The rule may be intended to reduce roadside clutter, but it could make small farm stands impractical.

**Response:** I can't answer this opinion question but the farmstand setback is a carryover from the current zoning code. Also see above response about the Right to Farm act.

### 39. Mobile Home Park District

**Issue:** What happened to the additional requirements for the Mobile Home Park (MHP) district (sidewalks, lighting, carports, signage, skirting, tanks)? Are they still in place?

**Point of View:** The draft seems to omit them. Is the city involved in how MHP standards will be governed?

**Response:** Many regulations are covered in the Michigan Mobile Home Commission Act. If a local unit of government wants standards that exceed those in the act, then the local ordinance needs to be approved by the Mobile Home Commission. Additionally, mobile home parks have their own regulations and standards. I see no benefit to imposing additional city regulations.

### 40. Religious Institutions in ROS

**Issue:** At one meeting, there was discussion of religious institutions in the ROS district. What was decided?

**Point of View:** The draft has not clarified this. A final decision is still needed so I understand.

**Response:** The draft is completely clear on this. The regulated uses table shows that religious institutions are permitted in the ROS district.

# Environment, Overlays & Public Lands

## 41. Overlay Districts and Environmental Protections

**Issue:** Overlays were not fully discussed for public review. Items like neon signage came up, but wetlands and sand dunes were skipped. Why aren't they included and protected?

**Point of View:** The draft overlays focus on signs and general standards. Wetlands and dunes are not explicitly covered, leaving gaps in environmental protections.

**Response:** A zoning overlay may or may not be the best way to accomplish what residents in a particular neighborhood feel is beneficial. Residents could bring a specific proposal for a future update of the zoning code. Additionally, they could explore imposing neighborhood – specific rules under a homeowners' association or condominium association.

## 42. Article 4 Overlay District

**Issue:** Article 4 Overlay was expected to be advertised and discussed to protect wetlands and dunes and maybe more environmental concerns. Why hasn't this happened?

**Point of View:** The draft does not fully develop overlay protections. Residents are asking for stronger environmental overlays before adoption.

**Response:** Cannot answer this opinion question for the whole PC. Residents could bring a specific proposal for a future update of the zoning code.

## 43. Overlay Additions Requested

**Issue:** We want overlays added for wetlands and dunes. This request has also been raised in the Glenn Drive petition. Also that 'new roads' be curtailed.

**Point of View:** Overlays can add critical protections. The community has repeatedly requested them, but they have not been added to the draft.

**Response:** Please see response to #41, above.

## 44. Waterfront Protections

**Issue:** The waterfront is considered a community resource. How will decisions ensure protection against over-development while still allowing limited public, private, and business uses?

**Point of View:** The draft permits a mix of uses. Residents want to know how the city will balance development with long-term protection of the waterfront.

**Response:** The existing and proposed zoning codes regulate public and private use of the Waterfront district. I cannot answer about the writer's perception of over development.

#### 45. Conservancy Lands

**Issue:** Why don't district boundaries include conservancy properties? Shouldn't those lands remain outside city zoning controls? Shouldn't these lands be clearly shown on the City maps?

**Point of View:** Conservancy lands often follow separate rules, but the draft is unclear.

Clarification is needed on jurisdiction.

**Response:** The current and proposed zoning maps clearly show all properties within the City of Harbor Springs. This includes conservancy properties as well as those owned by other public and private entities. All properties are in a zoning district. Some properties may have conservation easements or other restrictions which are not part of a zoning code. Ownership of properties is not shown on a zoning map.

#### 46. Waterfront ADUs

**Issue:** In the Waterfront District, can an ADU be as large as the principal building? Why would that be allowed?

**Point of View:** The draft appears to allow this. It may encourage oversized ADUs in sensitive areas.

**Response:** ADUs are not allowed in the Waterfront district today or in the proposed update. See the permitted uses table in Article 3.

#### 47. Community Parks Classification

**Issue:** Section 2.3.2 (page 5) leaves open questions about how community parks are classified within districts.

**Point of View:** The draft is unclear. Parks may need their own district classification or a clearer definition to ensure consistent protection.

**Response:** Parks were moved to the Community district. The proposed zoning map is clear on this topic.

## Infrastructure, Schools & Traffic

### 48. Parking Requirements for ADUs

**Issue:** Are additional parking spaces required when an ADU is built?

**Point of View:** The draft mentions parking in some cases but not consistently. This could create overflow parking problems.

**Response:** **Section 7.2.2.B.8** – “Parking for the ADU shall be provided on the same property as the principal residential structure and include one off street parking space per ADU”. This applies to all newly built ADUs.

### 49. School District Impacts

**Issue:** Has anyone reviewed how doubling housing units through ADUs will affect local public and private schools and class sizes?

**Point of View:** No study has been presented. The impact on school capacity is an open question.

**Response:** This question is based on a severely flawed assumption (my opinion). We average 1.5 new ADUs per year. That rate is not expected to change significantly. Does the writer have other data or assumptions to share with us? Further, the proposed ordinance as it relates to allowing ADUs is more restrictive than the current code.

### 50. Traffic Impacts of Increased Density

**Issue:** Has there been a traffic study to evaluate how more ADUs, co-living, and cluster housing will affect local streets?

**Point of View:** No traffic impact analysis has been included with the zoning draft. Residents are requesting one.

**Response:** See above answer. Also, we have had cluster zoning in our zoning code for decades.

### 51. Infrastructure Costs

**Issue:** Who pays for infrastructure upgrades if density increases — residents through higher taxes, or developers through fees?

**Point of View:** The draft does not specify. This is a policy decision that should be addressed before adoption.

**Response:** In the case of a Planned Development, the following is specified in Section 10.2.6.C “The PD option may be used only when the proposed land use will not materially add service and facility loads beyond those considered in the City of Harbor Springs Master Plan, and other public agency plans, unless the proponent can prove to the sole satisfaction of the City that such added loads will be accommodated or mitigated by the proponent as part of the PD.”

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## Design Standards & Community Identity

### 52. CBD Design Standards

**Issue:** Why weren't design standards for the Central Business District discussed? The idea of using 'cottage architecture' as a standard vs. newer vertical styles (p. 30) never came before the community. What makes the streets interesting is that they are not defined by the identical setbacks, heights, or facades, there is a natural rhythm and streetscape scale that has variety. In the current zoning and proposed zoning codes is a certain rigidity about use and scale that tends to create houses that are all exactly alike and that is not what a form based code tries to create. We want to add new design standards.

**Point of View:** The draft leaves design standards vague. Residents should ask for clarity on whether traditional forms will guide new development.

**Response:** The planning commission approved the CBD building design standards as they appear in the draft figuring that they are a significant benefit to the community. If there are additional ideas which could be standalone or part of a possible historic district, those could be examined in the future.

### 53. Who Defines Harbor Springs' Identity?

**Issue:** Is Beckett & Raeder “painting the picture” of Harbor Springs for us, rather than the community defining it ourselves?

**Point of View:** Consultants often provide descriptive language, but the question is whether their version reflects local values. Residents may wish to insist on language grounded in community input.

**Response:** Community consensus defines and redefines our identity through the Master Plan process. Further, the importance of community consensus is evidenced by the significant

evolutionary changes to the proposed draft resulting from suggestions and concerns voiced by all segments of the HS community.

#### 54. **Descriptive Language in the Code**

**Issue:** In the last PC meeting, there was talk of removing the descriptive, “tour-guide” style sections about town character. Should consultants be writing that narrative?

**Point of View:** Removing narrative language may strip context from the code. The community must decide whether to keep, revise, or replace these sections with locally written descriptions.

**Response:** The PC settled on the language which can be seen in the 10/16/25 draft. It was a PC member who suggested removing the language referred to in this question – not our planning consultant.

## Process, Transparency & Baseline Code

#### 55. **Repealed Code vs. 2005 Code**

**Issue:** At meetings, most changes have been framed using the repealed code as the baseline. Only one commissioner spoke up for the 2005 code. Does this approach make sense?

**Point of View:** Using the repealed code as a starting point shapes the entire draft. Some residents argue that the 2005 code, which voters upheld, should be the reference point.

**Response:** Through multiple public meetings; open houses, town hall meetings, PC meetings there was widespread agreement from the community that the current format is so flawed and antiquated that it did not make sense to work from that. The PC formally decided early in the year to update our zoning code for 2025 using the superior format. After that decision, we examined every word to develop the proposed zoning code update.

#### 56. **Use of Repealed Code**

**Issue:** The draft appears to be built on the repealed Beckett & Raeder Code #439, even though it was rejected by voters. Why was this used as a foundation?

**Point of View:** Much of the language mirrors the repealed code. The Planning Commission should explain why it served as the starting point despite public rejection.

**Response:** See above answer. Also, it is inaccurate to call it Beckett & Raeder’s Code #439; it was the work of our planning commission and city council.

**57. Regulated Uses Table Symbols**

**Issue:** In the Regulated Uses Table, supplemental asterisks are missing. What do they mean, and why are they not shown?

**Point of View:** Asterisks usually refer to footnotes or conditions. Without them, it is unclear whether restrictions apply. This appears to be either an omission or a formatting error.

**Response:** Asterisks do appear in the Regulated Uses Table on pages 7-9. See Accessory Dwelling Units, Bed and Breakfast, Multi-Family and Home Occupations.

**58. Transparency of Changes**

**Issue:** Why hasn't the Planning Commission provided a side-by-side or redline comparison between the old code and the new draft?

**Point of View:** Without a comparison, residents must parse long documents on their own. A redline version would improve transparency.

**Response:** The PC has been working with redline versions of the old (repealed) zoning code since the beginning of the year as the basis for our decisions. Redlined versions of each article were included in planning commission meeting packages for all to work from.

**59. Issue:** If a subject is not found in the proposed code, does that mean it's allowed everywhere? It's hard to grasp these conditions.

**Point of View:** There was a lot of discussion that if not put somewhere, a use could be put anywhere.

**Response:** If a "use" is not specified or defined in a zoning code, it is not allowed anywhere.

**60. Public Participation**

**Issue:** How will the community's comments from open houses and hearings be recorded, tracked, and addressed before final adoption?

**Point of View:** No clear feedback loop has been presented. Residents are asking for a process to ensure input is documented and acted on.

**Response:** Most PC members attended at least one fall open house session. The 4 main themes from the open houses were presented to the planning commission at the 9/18/25 meeting. The remaining three were reassessed and modified at the 10/16/25 meeting.