

2017 PLANNING & ZONING DEPARTMENT REPORT

Staff:

Terry Moulthane, AICP, Planning & Zoning Manager

Scott McKillop, Community Development Planner

Amy McDonald, Community Development Specialist

RESPONSIBILITIES

The Planning Department is responsible for the administration of the Zoning Ordinance Master Plan and the Historic Preservation Ordinance. Professional support is provided to the Planning Commission, Zoning Board of Appeals, Historic District Commission and three Citizens District Councils. Other planning and zoning functions include community planning, park planning, transportation planning and community development projects. Staff also provides professional assistance to homeowners, businesses and developers on issues ranging from determining the appropriate location for a new garage to creating a site plan for new development. The primary aim of the Planning Department is to maintain the long-term sustainability of the community, economy, and environment, with prompt, professional service and a philosophy that inspires creative solutions.

Daily Activities

1. Interpret and enforce the zoning ordinance regarding land use, physical development, historic preservation, and signs.
2. Review site plans and building permits for compliance with applicable zoning ordinances and laws.
3. Review infrastructure plans to ensure that appropriate development/design standards are consistent with the City's Master Plan and existing land use.
4. Provide technical assistance and information to City boards and committees, other City staff and the public.
5. Conduct planning studies regarding community development, transportation, housing, infrastructure, land use, and historic issues as necessary.



BOARDS AND COMMITTEES

Planning Department staff serves as City staff liaisons and/or are members of a number of city and community boards and committees.

Planning Commission. The Planning Commission consists of seven members authorized with overseeing zoning and planning related matters. The Planning Commission reviews and approves site plans, and special uses for new developments. It makes recommendations to the City Commission on rezoning's and public right-of-way vacations. The Commission also prepares reports and plans relating to land use, transportation and recreation. The Planning Commission meets on the third Wednesday of each month.

Historic District Commission. The Historic District Commission (HDC) consists of seven members and is authorized to review applications for work to resources within the city's historic districts. When reviewing applications, the HDC applies the Secretary of the Interior Standards for Rehabilitation. The HDC meets twice a month on the second and fourth Wednesday of each month from April to September and one meeting a month October to March.

Zoning Board of Appeals. The Zoning Board of Appeals (ZBA) is a quasi-judicial board, which consists of five members and has the authority to hear and decide appeals where it is alleged that there is an error in an order, requirement, permit, decision, or refusal made by an official, board or commission in carrying out or enforcing the provisions of the zoning ordinance. The ZBA also has the authority to hear and decide requests for interpretation of the zoning ordinance and zoning map. Its decisions may be appealed to the Circuit Court or Court of Appeals. The ZBA meets on the second Tuesday of each month.

Citizens District Councils. Planning & Zoning Department staff serve as the City's staff liaison to the Midland-Salzburg, Columbus Avenue and South End Citizens District Councils. In this capacity, they attend regular and special Council meetings and are responsible for keeping the members informed of City related activities that affect their neighborhoods and oversee CDC related projects and developments.

Other Boards and Committees. Planning Department staff also represents the City on the following committees:

- Bay City Area Transportation Study (BCATS) Policy Committee
- Bay City Area Transportation Study (BCATS) Technical Committee
- Bay County Gypsy Moth Advisory Committee
- Downtown Development Authority (DDA)

2017 PLANNING COMMISSION ANNUAL REPORT

Planning Commission members:

Lori Dufresne – President

Mary Ewald Sayles – Vice-president

William Branigan – Secretary

Chris Girard

Gerald Green

Richard Milster

Robert Shea

The Planning Commission activities for 2017 included the following:

Master Plan

Under contract with Carlisle/Wortman Associates, Inc. of Ann Arbor, the City developed and adopted a new Master Plan. The Master Plan is a general statement of the City's goals and policies and provides a comprehensive view for the community's future. The goals and policies outlines in the Master Plan guide city staff, the Planning Commission, and the City Commission in their deliberations on zoning, economic development, transportation improvements, capital investment, and other matters relating to land use and development. The Master Plan provides the statutory foundation upon which zoning decisions are made. The Michigan Zoning Enabling Act (P.A. 110 of 2006, as amended) requires that the zoning ordinance be based on a plan and is reviewed every five years.

Zoning Ordinance Amendments.

Article XX Signs from Chapter 122 was repealed and were replaced by a separate sign code in the City Code of Ordinances, Chapter 85. The process for revising the zoning ordinance is governed by chapter 122-561 of the City Code of Ordinances and by the Michigan Zoning Enabling Act, PA 110 of 2006, as amended.

Bay City Park and Recreation Plan

The City of Bay City Park and Recreation Plan is a five-year planning document used for both short-range objectives and long-range goals for the City's park and recreation needs. The recreation plan was amended to include a new project for the Imagination Play Station being located on the Middlegrounds.

Non-motorized Plan

Under contract with Rowe Professional Services Company of Flint, the City developed a non-motorized plan. The purpose of the plan is to expand the menu and scope of the existing Bay City Area Transportation Study (BCATS) Non-Motorized Plan 2011 prepared by the Bay County Transportation Planning Division. In addition, the recently adopted City Master Plan developed policies and strategies for a strong transportation system that offers many options and supports the creation or enhancement of multi-modal amenities that can provide strong functional connections throughout the city. The Bay City Non-Motorized Plan specifically fulfills a strategy within the Master Plan to identify and recommend specific improvements to the transportation system.

Training

The Michigan Association of Planning Officials offered a training workshop held in Frankenmuth titled Planning & Zoning Essentials. The 4 ½ hour training session was attended by two Planning Commission members: Chris Girard and Lori Dufresne.

Development review cases:

Project type	Location	Description	Recommendation to legislative body
Revised site plan	606 N. Euclid Avenue	Special use and site plan approval for a 1,305 square foot restaurant with drive through service.	N/A
Site Plan Review Bay City Housing Commission multiple family dwelling units	207 E. Vermont Street	Four buildings containing townhome apartments.	N/A
Site Plan Review Gougeon Brothers	100 Patterson Avenue	1,360 SF addition on the west side of the building and a 7,072 SF addition on the south side of the existing building.	N/A
Municipal construction project	2905 N. Water Street	Bay City Light & Power Trumbull electric substation.	Yes
Municipal construction project	Bicentennial Park, also known as Realtor's Park	Gateway Corridor Beautification Committee of the Bay Area Chamber of Commerce installation of an art piece sculpture and sidewalks.	Yes
Street right of way vacation	S. Sheridan Street	S. Sheridan Street south of the south right of way line of 24 th Street.	Yes
Street right of way vacation	McKinley Street	West of the right of way line of Saginaw Street.	Yes
Rezoning	605 Salzburg Avenue	Rezone from M-2, General Industrial, to C-2-A, General Business.	Yes

2017 ZONING BOARD OF APPEALS ANNUAL REPORT

Zoning Board of Appeals members:

Regular Members

William Darbee – Chair
 Jan Rise – Vice-chair
 Anthony Dier – Secretary
 Lonnie Dowd
 Christopher Greenleaf

Alternate Members (Two alternate members are appointed to serve when a regular member is unable to attend a meeting or declares a personal/professional conflict of interest)

Charles Congdon
 Vacancy

The Zoning Board of Appeals meets on as-needed basis. The board held public hearings during the months of April, June and November to consider applications requesting relief from zoning regulations governing minimum distances between buildings and lot lines.

Address	Type of Request	Variance Granted?
416 Michigan Avenue	Non-use variance. Relief from regulation governing minimum distance between garage and rear lot line.	Yes
100 Patterson	Non-use variance. Relief from regulation governing minimum distance between building and front lot line.	Yes
2004 S. Sherman Street	Non-use variance. Relief from regulation governing minimum distance between homes and rear lot line.	Yes

Training

The Michigan Association of Planning Officials offered a Zoning Board of Appeals training workshop held in Frankenmuth. The 4 hour training session was attended by five Zoning Board of Appeals members: Charlie Congdon, Lonnie Dowd, Chris Greenleaf, Jan Rise and past member Julie Ulman.

2017 HISTORIC DISTRICT COMMISSION ANNUAL REPORT

Historic District Commission members:

- Mike Wittbrodt – Chair
- Mary Ewald Sayles – Vice-chair
- Alan Flood - Secretary
- Barbara Appold
- Justis Heppner
- John Horwath
- Joel La Brie

The Historic District Commission (HDC) processed 35 Historic District Work Review applications during 2017. Thirty-three of the applications were approved. Action of three of applications was postponed pending applicants’ provision of information deemed necessary to a decision on the work proposed. One of the three postponed applications was approved during the January 10th, 2018 HDC meeting as indicated below.

Applications by type of project approved (or postponed) by the HDC are listed in the following table.

Type of Project	Status of Applications Filed
Alteration of Porch (front, side and/or rear)	8 approved as-submitted; 1 postponed.
Cover wood siding with vinyl siding	2 approved as-submitted.
Doors	2 approved as-submitted.
Demolition	4 approved as-submitted; 2 postponed* .
In-ground pool	1 approved as-submitted.
Metal roof	1 approved as-submitted.
Replacement Windows	10 approved as submitted.
Signs (no longer subject to review by HDC)	4 approved as-submitted.
* Case HDC 17-30 (demolition - 1818 Center Avenue) was postponed on October 11th, 2017. HDC authorized home’s demolition on January 10 th , 2018.	