

2018 PLANNING & ZONING DEPARTMENT ANNUAL REPORT

Staff:

Terry Moulthane, AICP, Planning & Zoning Manager

Scott McKillop, Community Development Planner

Amy MacDonald, Community Development Specialist

RESPONSIBILITIES

The Planning Department is responsible for the administration of the Zoning Ordinance Master Plan and the Historic Preservation Ordinance. The Department has also been directly involved with the City Code of Ordinance for Medical Marihuana Facilities.

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. Interpret and assist with Medical Marihuana facility locations and review of all applications received.
3. Review site plans and building permits for compliance with applicable zoning ordinances and laws.
4. Review infrastructure plans to ensure that appropriate development/design standards are consistent with the City's Master Plan and existing land use.
5. Provide technical assistance and information to City boards and committees, other City staff and the public.
6. 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) consists of five regular members and two alternate members, all of whom are appointed by the city commission. The ZBA is authorized by state statute to grant use and non-use variances, interpret the city's zoning regulations, the location of zoning district boundaries, and hear appeals of orders issued in the administration of the city's zoning regulations. Its decisions may be appealed to the Circuit Court or Court of Appeals. The ZBA also acts as the city's Sign Board of Appeals as established by Chapter 85 (signs) of the city's code of ordinances. The ZBA meets on the second Tuesday of each month as necessary.

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)

2018 PLANNING COMMISSION ANNUAL REPORT

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 2018 included the following:

Zoning Ordinance

Paul Montagno from Carlisle Wortman Associates did a presentation to the Planning Commission relating to the new city zoning ordinance.

Bay City Park and Recreation Plan

The City of Bay City partnered with Bay County to complete a five-year recreation plan used for both short-range objectives and long-range goals for the City's park and recreation needs. The recreation plan was prepared by Spicer Group in 2018 and adopted in 2019.

Training

Training for Planning Commission and City Commission. Presenters: Dick Carlisle, AICP, PCP and Paul Montagno, AICP from Carlisle | Wortman Associates, Inc.

- A. Roles and Responsibilities
- B. Statutory Authority
- C. Master Plan
- D. Zoning Ordinance
- E. Making Effective Decisions
- F. Risk Management
- G. How to Run An Effective Meeting

Development review cases:

Project type	Location	Description	Recommendation to legislative body
Special use	200 S. Henry Street	Proposed residential dwelling unit located on the first floor of commercial building.	N/A
Special use and site plan review	111 N. Madison Street and 501 Columbus Avenue	Bay City Housing Commission multiple family apartments and townhouse development	N/A

Special use and site plan review (withdrawn)	900 and 908 N. Madison Avenue	Miller Valentine Group for a multiple family apartment building development	N/A
Site plan review	1200 & 1206 Columbus Avenue	Parking lot for Bay City Players.	N/A
Street right of way vacation	Marsac Street @ 21 st Street	Marsac Street right of way vacation.	Yes
Special use and site plan review	1113 Center Avenue	Multiple family residential 12-unit	N/A
Special use and site plan review	1603/1601 Woodside Avenue	Dollar General retail store.	N/A
Special use and site plan review	1601 Kosciuszko	Catholic Diocese to locate the office for Catholic Family Services to the former Rectory of St. Stanislaus Church.	N/A
Alley right of way vacation	Between Broadway and Marsac Streets	Vacate the alley in the block bounded by 36 th , 37 th , Broadway Avenue, and Marsac Street.	Yes, recommendation deny
Site plan review	1108 N. Water Street	new retail space and residential dwelling units on the second and third floors	N/A
Site plan review	2709 S. Euclid Avenue	Medical Marihuana Grower Facility	N/A
Site plan review	1601 Garfield Avenue	Medical Marihuana Grower Facility	N/A
Special use	1201 Lewis Street	Group Child Care Home	N/A

2018 ZONING BOARD OF APPEALS ANNUAL REPORT

Regular Members

William Darbee, Chair
 Jan Rise, Vice-chair
 Christopher Greenleaf, Secretary
 Kelly Berry
 Lonnie Dowd

Alternate Members

Two alternate members are appointed to serve in place of regular members who may be unable to attend a meeting, or have a conflict of interest with a matter subject board jurisdiction.

Charles Congdon
 Vacancy

Annual Training

Four members attended a four-hour Michigan Association of Planning Officials® ZBA training workshop; Jan Rise, Charles Congdon, Christopher Greenleaf.

Public hearing on matters of ZBA jurisdiction are conducted on an as-needed basis. Six ZBA public hearings were conducted. One Sign Board of Appeals hearing was conducted.

Address	Type of Request	Granted/Denied?
501 Columbus	Request for variance from building height regulations.	Granted
106 S. Linn	Request for use variance from zoning district regulations.	Granted
1200 Columbus	Request for variance from landscaping regulations.	Granted
Bay City Housing Commission	Appeal of Planning Commission Decision on Request for Special Use	Granted
718 Stanton	Request for variance from rear lot line setback regulations.	Granted
708 6 th	Request for use variance.	Granted
921 N. Henry	Appeal of order issued under city's sign regulations.	Denied

2018 HISTORIC DISTRICT COMMISSION ANNUAL REPORT

Members

Barbara Appold
Mary Ewald Sayles
Steve Goss
Ashley Meier
Justis Heppner
Ashley Smith
Vacancy

Twenty-three Historic District Work Review applications were reviewed by the HDC during 2018. Four were reviewed by the HPO. Thirty-three were approved; one was postponed pending the applicant's provision of information deemed necessary to a decision on the work proposed. Two previous years applications that had been postponed pending applicants' provision of information deemed necessary to issuance of notices to proceed were approved, as well.

The types of projects reviewed by the HDC and HPO were as follows.

Type of Project	Approved, Denied or Postponed
Alteration of Porch (front, side and/or rear)	Six approved
New construction	Two approved
Cover wood siding with vinyl siding	Two approved
Doors	Two approved
Notice to Proceed (demolition)	Four approved (including two from previous years)
Replacement Windows	Five approved
Signs	Two approved

Training

HDC members will participate in an in-house training workshop conducted by the Michigan Historic Preservation Network during early 2019.