

PLANNING & ZONING DEPARTMENT

2020 ANNUAL REPORT

STAFF:

Terry Moulthane, AICP, Planning & Zoning Manager

Scott McKillop, Community Development Planner

Lisa Griffiths, Planning & Zoning Administrative Assistant

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 two 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 & Adult-Use Recreational 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.



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BOARDS AND COMMITTEES:

Planning Department staff serves as City staff liaisons and/or are members of several 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 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)

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PLANNING COMMISSION:

Members

Lori Dufresne – President
Robert Shea – Secretary
Matt Lance
Ashley Dardas
Dan Matthews
Doug Rise
James Reaume

The Planning Commission activities for 2020 included the following:

Zoning Ordinance

City Staff received a final draft of the new city zoning ordinance and map. Due to the pandemic, this project was not completed in 2020 as anticipated. Public participation in the process is paramount so adjustments for the public input sessions will be made.

Recreational Marihuana

For the Recreational Adult Use regulations, the Planning Commission reviews site plans for new construction activities.

Training

Unfortunately, due the pandemic, no training workshops were attended by members.

Planning Commission Review Cases:

(5) Site Plan Reviews and (2) Public Hearing Special Use Cases:

Project Type	Location	Description	Recommendation to Legislative Body	Approved
Site Plan Review	Saginaw Street	Dow Y parking lot	N/A	Yes
Site Plan Review	616 Garfield Avenue	New provisioning center	N/A	Yes

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Project Type	Location	Description	Recommendation to Legislative Body	Approved
<i>Site Plan Review</i>	503 Morton	Medical marihuana grower facility	N/A	Yes
<i>Site Plan Review</i>	2709 S. Euclid Avenue	Medical marihuana grower facility		Yes
<i>Site Plan Review</i>	1515 N. Johnson Street	Medical marihuana processor & grower facility	N/A	Yes
<i>Special Use Public Hearing</i>	101 Picard Street	Wilkinson Minerals	N/A	Yes
<i>Special Use Public Hearing</i>	2648 Broadway Avenue	Use car sales	N/A	Yes
<i>Right of way vacation</i>	Elizabeth Street	100' alley	Yes	Yes
<i>Right of way vacation</i>	Bounded by Washington, Columbus, Saginaw Streets	Block alley vacation	Yes	Yes
<i>Rezoning</i>	715 Marquette Street	Property rezoned to M-1, Light Industrial	Yes	Yes
<i>Rezoning</i>	101 Salzburg Avenue	Strip of land rezoned to commercial-Putz Nature Park	Yes	Yes

Administrative Review Cases:

(11) Total Cases Reviewed by Staff:

Type of Project	Number Approved
<i>Cell Tower Colocations</i>	2
<i>Temporary Retail Structure (Tent)</i>	1
<i>Construction Under 3000 sq. ft.</i>	3
<i>Revised site plan for retention</i>	1
<i>Sidewalk cafes</i>	All submitted

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ZONING BOARD OF APPEALS/SIGN BOARD OF APPEALS:

Regular Members

William Darbee, Chair
Jan Rise, Vice-Chair
Christopher Greenleaf
Lonnie Dowd
Vacancy

Alternate Members

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

Charles Congdon
Larry Elliott

Annual Training

Unfortunately, due the pandemic, no training workshops were attended by members.

Public Hearings

Public hearing on matters of ZBA jurisdiction are conducted on an as-needed basis as appeals and applications are filed. Regular meetings are held on the second Tuesday of each month at 7:00 p.m. in the City Commission Chambers. The ZBA conducted (5) public hearings and the SBA heard (1) hearing during 2020:

Address	Type of Request	Granted/Denied?
1101 28th Street	Fence Regulation	Denied
101 Picard Street	Building Height/Parking Spaces/Landscaping Regulations	Granted
228 Washington Ave	Use Variance	Denied
505 N. Sheridan	Building Setback	Granted
1823 Broadway	Use Variance	Denied
3772 Wilder	Sign Regulation	Denied

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HISTORIC DISTRICT COMMISSION:

Members

The Historic District Commission (HDC) is a seven-member body whose authority is conferred by the city's historic preservation districts regulations. The commission presently has six members and one vacancy.

Mary Ewald-Sayles, Chair
Patty Dollinger (Resigned Oct. 15th)
Steve Goss
Christopher J. Ibanez (Term Expired May 1st)
Ashley Meier, Vice Chair
Grace Sayles
Adam Gac
Lorelie Doerr

(20) Historic District Work Review applications were reviewed and approved by the HDC during 2020. (6) were reviewed and approved by Planning & Zoning Department staff. The types of projects reviewed by the HDC and HPO were as follows:

Type of Project	Number Approved
<i>Alteration of Porch (front, side and/or rear)</i>	2
<i>New Construction</i>	1
<i>Cover Wood Siding with Vinyl Siding</i>	2
<i>Garage Door/Entry Door</i>	2
<i>Stairs</i>	2
<i>Replacement Windows</i>	12
<i>Masonry Repair with Mural</i>	1
<i>Roof Repair</i>	2
<i>Porch Repairs</i>	2
<i>Deck</i>	1
<i>Shed</i>	1
<i>Demolition</i>	1

Training

On November 19th, 2020, HDC members participated in a workshop conducted remotely by the Michigan State Historic Preservation Office to develop new design guidelines.

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Medical & Adult-Use Marihuana Applications:

During 2020, Planning & Zoning Department received 24 new applications to process for a total of (35) Medical and Adult-Use Recreational Marihuana Licenses. City Operating Licenses were issued to (5) facilities.

City Operating Licenses Issued in 2020

Address	Type of Facility	License Type(s)
4330 Wilder Rd	Medical & Adult Use	Provisioning Center & Retailer
200 13th Street	Medical & Adult Use	Secured Transporter (Adult-Use)
333 Morton Street	Medical & Adult Use	Grower (Adult-Use)
3772 Wilder Rd	Medical & Adult Use	Provisioning Center & Retailer
3976 Wilder Rd	Medical & Adult Use	Provisioning Center & Retailer

Number of Applications Received for 2020

Available License Types	Medical	Adult-Use Recreational	Total
Provisioning Center (Medical Only)	9	X	9
Retailer (Adult Use Only)	X	8	8
Grower – Class A	1	0	1
Grower – Class B	0	0	0
Grower – Class C	8	6	14
Microbusiness (Adult Use Only)	X	0	0
Processor	1	1	2
Secured Transporter	0	1	1
Safety Compliance	0	0	0
Total	19	16	35