

PLANNING & ZONING DEPARTMENT

2019 ANNUAL REPORT

STAFF:

Terry Moulthane, AICP, Planning & Zoning Manager

Scott McKillop, Community Development Planner

Lisa Griffiths, Planning & Zoning Administrative Secretary

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 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 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 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
2 Vacancies
Gerald Green (Resigned October 2019)
Richard Milster (Resigned May 2019)
Chris Girard – Vice-President (Resigned November 2019)

The Planning Commission activities for 2019 included the following:

Zoning Ordinance

The Planning Commission received a draft section of the new city zoning ordinance; final adoption in 2020.

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.

Recreational Marihuana

For the Recreational Adult Use regulations, the Planning Commission held a public hearing to amend the zoning ordinance adding zoning regulations. Planning Department staff plays a key role in the marihuana regulations.

Training

Lori Dufresne, Chris Girard, and Ashley Dardas attended a Michigan Association of Planning Officials® Site Plan Review workshop in Frankenmuth on March 13th, 2019.

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Planning Commission Review Cases:

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

Project Type	Location	Description	Recommendation to Legislative Body	Approved
<i>Site Plan Review</i>	405 Morton Street	Medical marihuana grower facility	N/A	Yes
<i>Site Plan Review</i>	Uptown Phase 2	New retail space and residential dwelling units on the second and third floors	N/A	Yes
<i>Site Plan Review</i>	2006 Raymond	4080 sq. ft. storage building	N/A	Yes
<i>Site Plan Review</i>	3762 E. Wilder	Harbor Freight retail store		Yes
<i>Site Plan Review</i>	2435 Marquette	Medical marihuana processor & grower facility	N/A	Yes
<i>Special Use Public Hearing</i>	315 3 rd Street	Indoor car dealership	N/A	Yes
<i>Special Use Public Hearing</i>	400 N. Madison	Conversion to 10 efficiency sized apartments	N/A	Yes

Administrative Review Cases:

(11) Total Cases Reviewed by Staff:

Type of Project	Number Approved
<i>Cell Tower Colocations</i>	3
<i>Temporary Retail Structure (Tent)</i>	1
<i>Construction Under 3000 sq. ft.</i>	3
<i>Addition of Drive-Thru Lane</i>	1
<i>Trash Receptacle</i>	1
<i>Container Pub</i>	1
<i>Installation of ATM Kiosk</i>	1

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ZONING BOARD OF APPEALS:

Regular Members

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

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

Jan Rise, Kellie Berry, and Lisa Griffiths attended a four-hour Michigan Association of Planning Officials® ZBA training workshop in Frankenmuth on March 13th, 2019 and Chris Greenleaf attended the Site Plan Review workshop.

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 seven public hearings during 2019:

Address	Type of Request	Granted/Denied?
<i>1700 S. Erie</i>	Undersize Lot Split	Granted
<i>2006 Raymond</i>	Building Setback	Granted
<i>210 Fillmore Place</i>	Garage Setback	Granted
<i>1006 N. Wenona</i>	Building Setback	Denied
<i>100 Patterson</i>	Building Setback	Granted
<i>406 E. Ionia/409 Mundy</i>	Building Height	Denied
<i>603 Taylor</i>	Area Regulations	Granted

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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
Patty Dollinger
Steve Goss
Christopher J. Ibanez
Ashley Meier
Grace Sayles
Vacancy
Ashley Smith (Resigned July 2019)

Twenty-eight Historic District Work Review applications were reviewed and approved by the HDC during 2019. Six 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>	10
<i>New Construction</i>	5
<i>Cover Wood Siding with Vinyl Siding</i>	4
<i>Doors</i>	5
<i>Demolition</i>	1
<i>Replacement Windows</i>	10
<i>Masonry Repair</i>	1
<i>Fire Repair</i>	1
<i>Porch Repairs</i>	4

Training

HDC members were treated to an excellent in-house training workshop conducted by the Michigan Historic Preservation Network during the evening of November 13th, 2019. The City of Saginaw's HDC joined us for and split the cost of the workshop