

Welcome!

This training is provided by the

Michigan Association of Planning

A Chapter of the American Planning Association

Ann Arbor Office (Central Mailing)

1919 W. Stadium, Suite 4

Ann Arbor, MI 48103

Detroit Office

Grand Park Center

28 W. Adams St., Suite 1000

Detroit, MI 48226

About MAP

The **Michigan Association of Planning** ...

is a non-profit membership-based organization

established in 1945, providing value to land use decision makers for over 70 years

with almost 4,000 members from across Michigan, including:

- professional community planners
- local elected officials
- appointed land use decision makers such as planning commissioners and zoning board members

About MAP

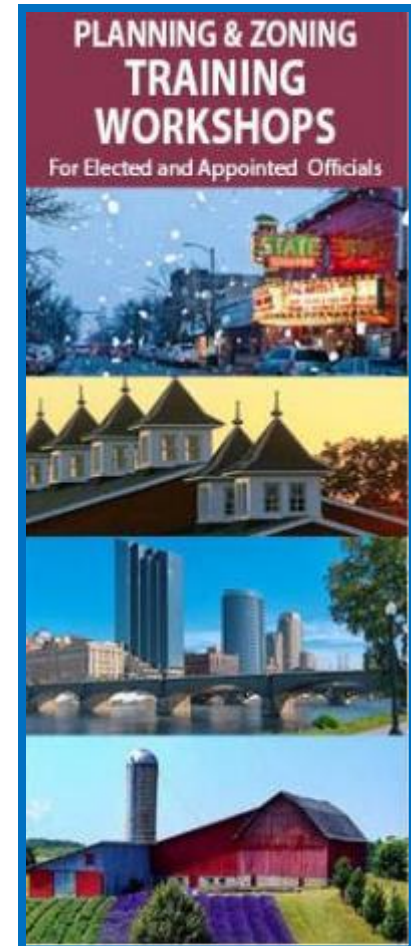
MAP provides:

Timely information that keeps you updated on current issues

Books and publications addressing your educational needs

On-site workshops customized and hosted by your community

Training workshops and conferences for officials scheduled throughout the state each year



Upcoming MAP Events

Officials Training Workshops

- Planning & Zoning Essentials
March 2 – Delta Township
March 8 – Frankenmuth
March 22 – Traverse City
- Risk Management
March 8 – Frankenmuth
- Community Engagement
March 15 – Kalamazoo
- Site Plan Review
March 15 – Waterford
- Advanced Zoning Board of Appeals
March 29 – Mt. Pleasant



Michigan Association of Planning

Planning & Zoning Basics



American Planning Association
Michigan Chapter
Making Great Communities Happen

What is Planning?



What is Planning?

“Good planning helps create communities that offer better choices for where and how people live. Planning helps communities to envision their future. It helps them find the right balance of new development and essential services, environmental protection, and innovative change.”



American Planning Association

Making Great Communities Happen

The Planning Commission

Appointed by local elected officials.

You were selected for a reason!

To guide the future of your community.

This training will help you make **effective decisions**.



The Planning Commission

Statutory Authority

Michigan Planning Enabling Act (MPEA)
enables establishment of a planning commission.



The **Michigan Zoning Enabling Act (MZEA)**
enables the development and administration of a zoning ordinance.

The Planning Commission

Authority and Responsibility

Michigan Planning Enabling Act (MPEA)

- Creation of the planning commission
- Creating and adopting master plans
- Capital Improvement Plans
- Public improvement approvals
- Subdivision regulations and reviews



The Planning Commission

Authority and Responsibility

Michigan Zoning Enabling Act (MZEA)

- Drafting/adopting zoning ordinance
- Rezoning/conditional rezoning
- Zoning approvals (special land use, site plan review, PUD)



The Planning Commission

Authority and Responsibility

- Study planning issues and educate the community
- Awareness of other entities
 - Downtown Development Authority (DDA)
 - Historic District Commission
 - Non-Motorized Transportation Committee
 - Parks and Recreation Commission
 - Brownfield Redevelopment Authority
 - Economic Development Corporation (EDC)
 - Planning and Development Regions

The Master Plan

The Master Plan - A statement of policy describing the desired physical development of the community



“The Top of the Box”

- Guide for the future
- Basis for zoning

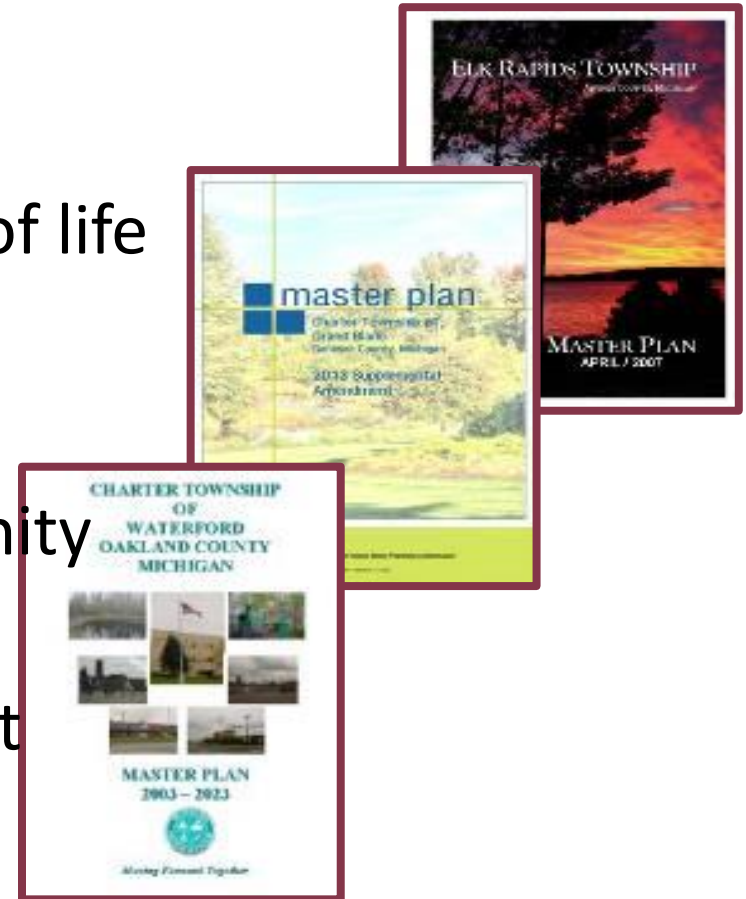
Why Do We Need a Master Plan?

- **Required** by MZEA if your community has a zoning ordinance
- A zoning ordinance shall be based upon a plan designed to promote the public health, safety, and general welfare, to:
 - Limit the improper use of land
 - Conserve natural resources and energy
 - Ensure appropriate locations of land uses
 - Avoid the overcrowding of population and provide adequate housing for all demographics
 - Provide efficient transportation systems and networks
 - Reduce hazards to life and property
 - Facilitate adequate provision of public utilities and services

Why Do We Need a Master Plan?

The Master Plan...

- Enhances and improves quality of life
- Anticipates and accommodates community changes
- Identifies and advances community goals
- Provides a basis for development regulations (implementation)



Creating a Successful Master Plan

What's in a Master Plan?

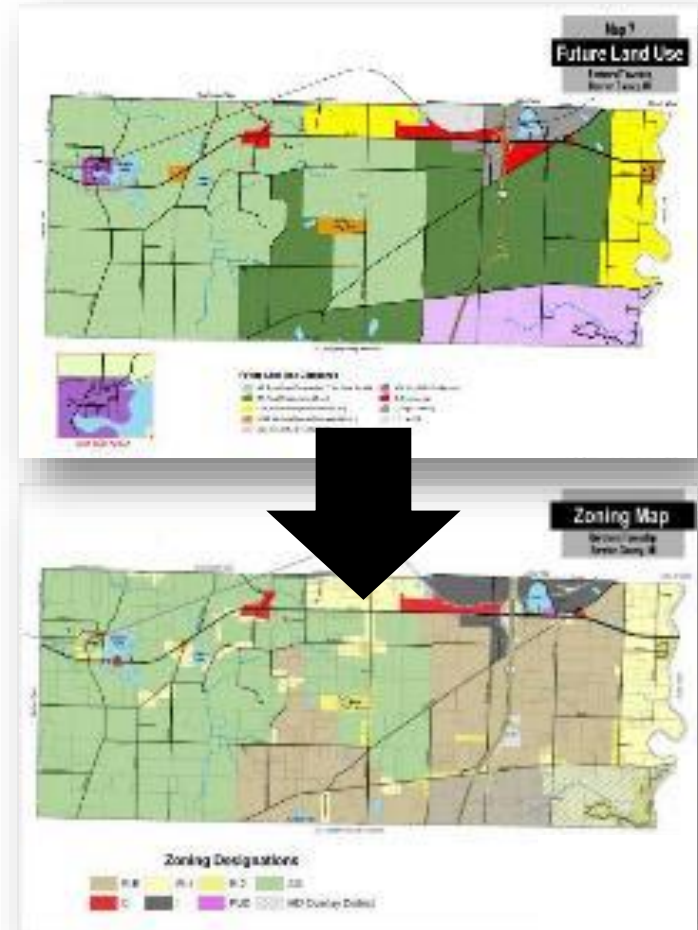
- Future Land Use Map
 - Demographics and background information
 - Community-wide Vision
 - Goals, objectives and actions
 - Housing and neighborhoods
 - Economic development, commercial and industrial, local jobs
 - Environmental protection
 - Infrastructure
 - Transportation
 - Implementation Plan
 - Capital improvements
 - **Zoning Plan**
- Placemaking
 - Smart Growth
 - Sustainability
 - Complete Streets
 - Aging in Place
 - Community Health
 - Green Infrastructure
 - Climate Resiliency

Creating a Successful Master Plan

Zoning Plan

- Required when a zoning ordinance/map is adopted
- How future land use categories relate to zoning districts

Master Plan Designation	Corresponding Zoning District	Relationship between Master Plan and Zoning Ordinance
Single-Family Residential, generally with densities ranging from 4 to 5.5 units per acre	R-1 Single Family Residential	Allows maximum density of 4 units/acre
	R-2 Single Family Residential	Allows maximum density of 4 units/acre
	R-T Two Family Residential	Allows maximum single family and two-family with a maximum density of 8 units/ acre
Multiple-Family Residential, with a maximum density of 14 units per acre	RM-1 Multiple Family Residential	Allows range of residential uses, including single family, two family and multiple-family residential. Emphasis of district is the development of apartment style dwellings
Office	OS-1 Office Service	As stated in master plan, district allows a variety of business and professional offices.



Creating a Successful Master Plan

Capital Improvements Plan (CIP)

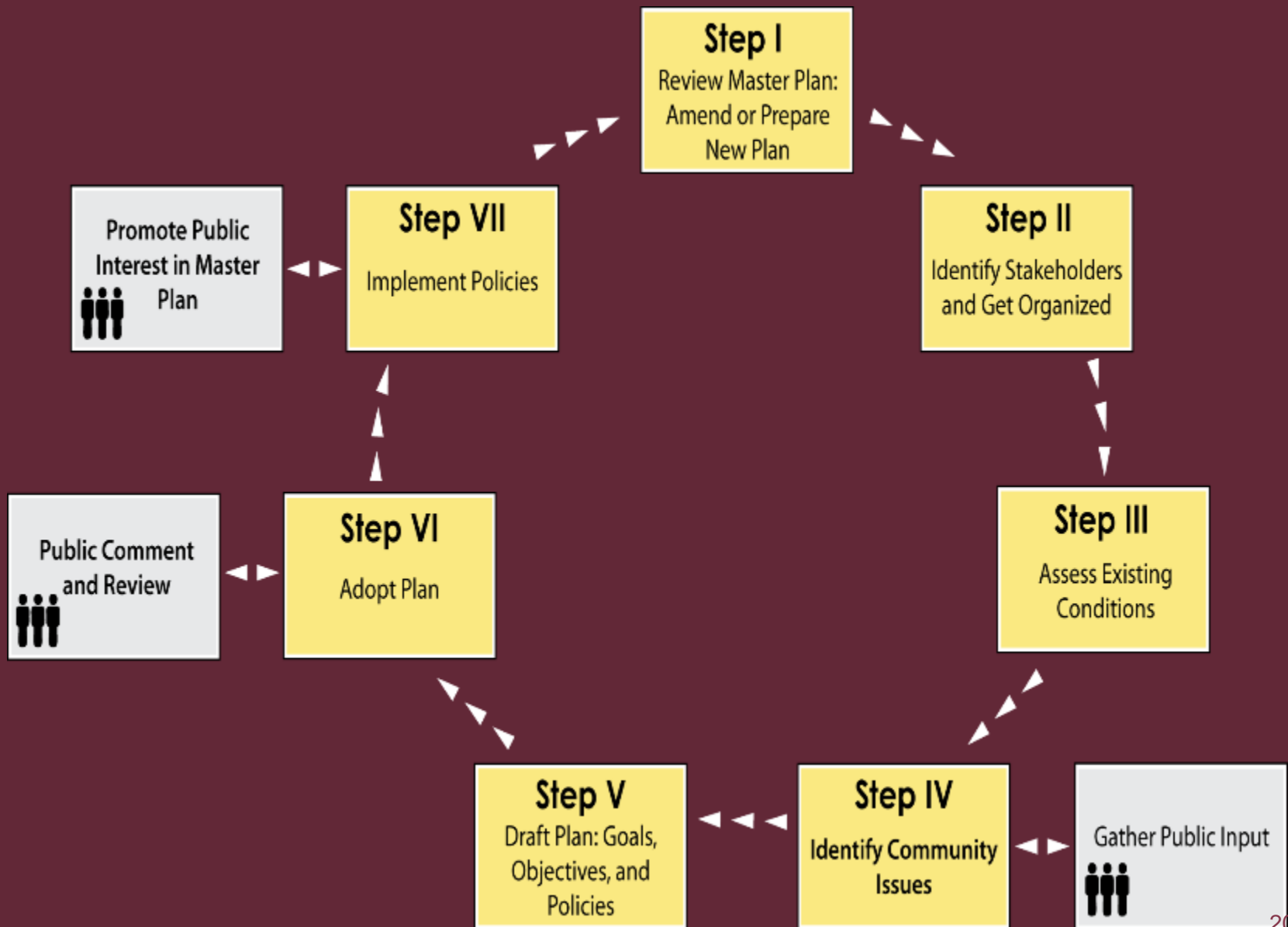
- 6-year plan, updated annually
- Used to coordinate master plan policies and recommended capital improvements with community's budget
- Responsibility of planning commission (per statute), but requires coordination with professional staff and elected officials

Capital Improvements

- New road
- New fire station
- Water/sewer lines
- Parkland acquisition
- Community center

Creating a Successful Master Plan





Creating a Successful Master Plan

Public Participation and Community Engagement

- Ensures accountability and transparency
- Represents community views/character
- Identifies issues/concerns
- Opportunity for education
- Encourages broader range of ideas
- Builds community relationships
- Should occur before the public hearing required for plan adoption



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Creating a Successful Master Plan

Basic Ingredients

- Inventory of existing conditions (land use, demographics, housing, natural features, etc.)
- Research on future trends
- Identification of community concerns and preferences
- “Best practices”
- Goals and Objectives (Critical Element)



Creating a Successful Master Plan

Goals and Objectives

Which goal will lead to the most effective actions?

“The Township will maintain its rural character.”

“New development in the Township will be designed to preserve natural features, rural views, and prime agricultural land to maintain the township’s rural character.”

Creating a Successful Master Plan

Goals and Objectives

Goal

Improve public access to the waterfront

Objectives

- 1) Construct a public boat launch and parking lot in Shoreline Park
- 2) Stripe bike lanes on Center Street to provide non-motorized access to Shoreline Park
- 3) Install signs directing travelers to Shoreline Park

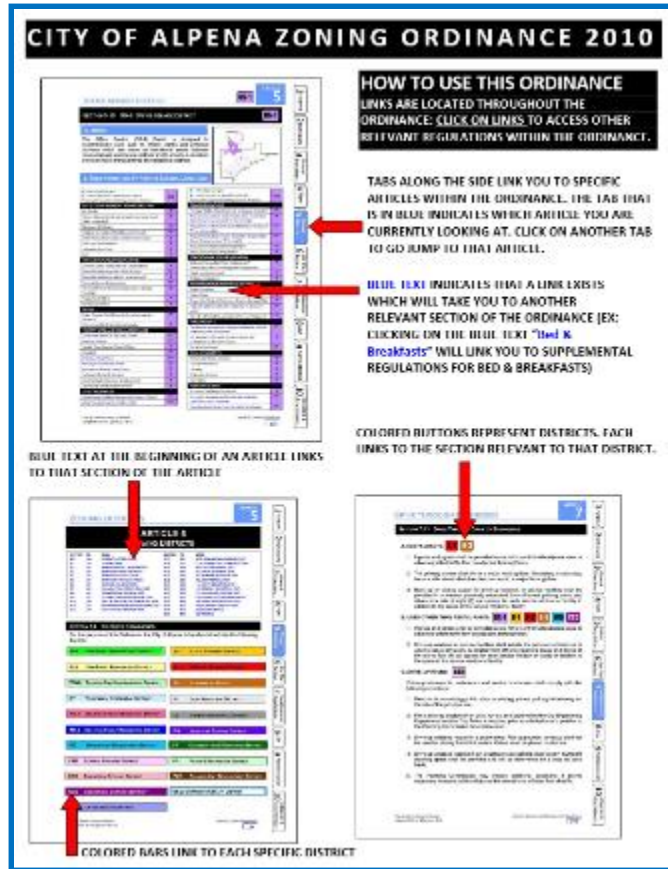
Zoning Basics

- Zoning must be **based on a plan**
- Zoning regulations **run with the land** and approvals do not change with ownership
- Zoning decisions are **permanent**, unless temporary by their nature (e.g. mineral extraction).
- Ordinance may provide for expiration of approvals if not acted upon.



MSU Extension: Schindler

The Zoning Ordinance



Question

What is zoning?

Simple Answer

An ordinance (map and text), adopted by a local government, that regulates development of land, uses, activities, and structures

The Zoning Ordinance

Master Plan

Zoning Ordinance

Long Range



Immediate

Guidance



Regulatory

Policy



Enforced

The Zoning Ordinance

The best time to update the Zoning Ordinance is...

- A. Whenever we get sued, and lose
- B. When our attorney or planner tells us
- C. Whenever something comes up we didn't think of
- D. After the master plan is completed
- E. Once a year
- F. All of the above

The Zoning Ordinance

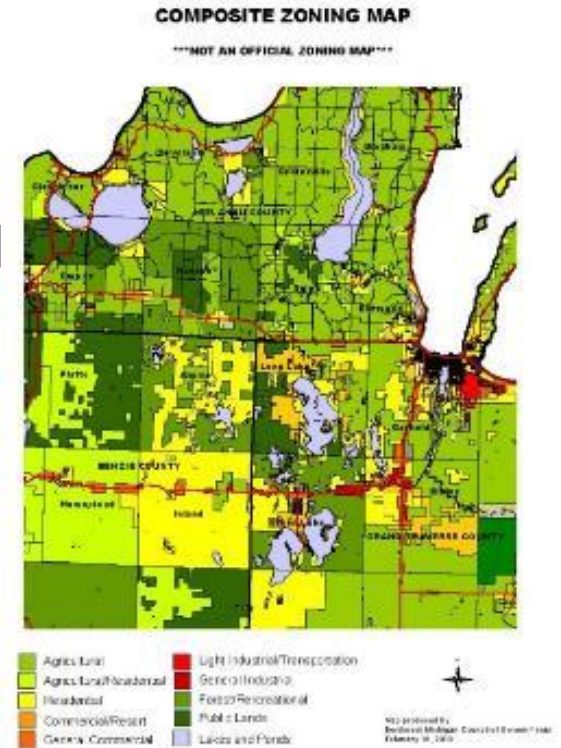
Example Content and Organization

1. Title, Scope, Purpose
2. Definitions
3. General Provisions
4. Zoning Districts and Zoning Map (area, height and placement)
5. Development Requirements (i.e. parking, signs, landscaping, lighting, access management, floodplains)
6. Zoning Review Rules and standards (Site Plan Review, Special Land Uses, PUDs)
7. Zoning Board of Appeals
8. Administration and Enforcement (Amendments, Nonconforming Regulations)

The Zoning Ordinance

Zoning Districts

- Purpose and Intent
- Allowed land uses (Permitted/Special Land Uses). If not listed, the use is not allowed
- Development regulations (lot sizes, setbacks, building heights, etc.)



The Zoning Ordinance

Text Amendments

Like the master plan, the zoning ordinance is not cast in stone – it too must keep up with the times

- Clarify existing language
- Add new language
- Change procedures and requirements

Caution: Review the entire ordinance for possible unintended effects of amendment!



The Zoning Ordinance

Map Amendments (Rezoning)

Considerations

- Consistency with the master plan
- Capability of the site to accommodate allowed uses
- Compatibility of all allowed uses with the surrounding area
- Reasonableness of existing zoning

Deviations from the Master Plan are not recommended, but if made, should be explained

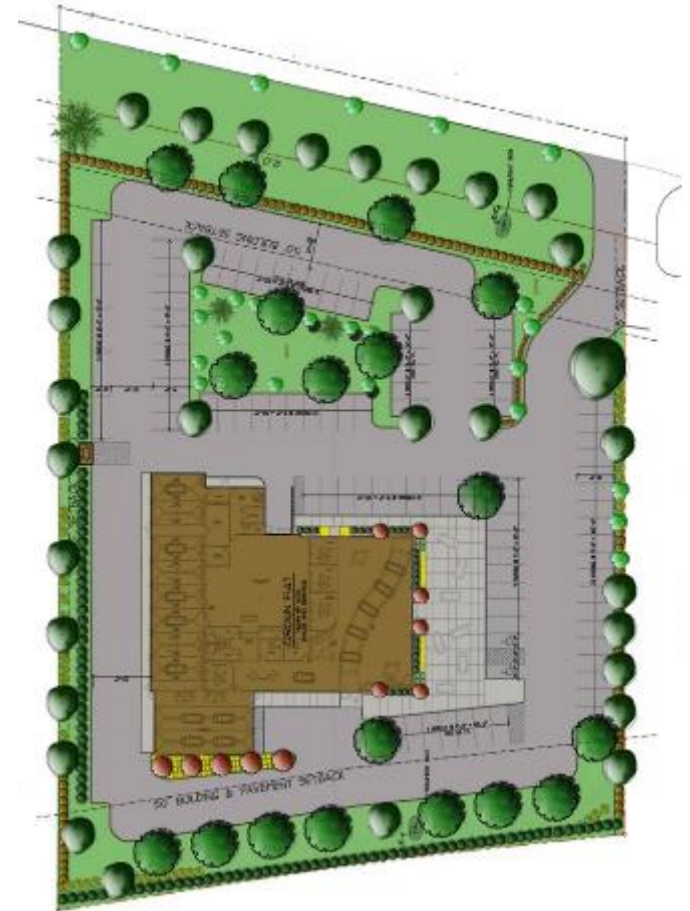
Rezoning should not be done with site plans as all uses must be considered, not just one that may be proposed

Zoning Approvals

Special Land Use

Site Plan Review

Planned Unit Development



Zoning or Rezoning Approvals

Zoning Ordinance Requirements

1. Uses/activities requiring review
2. Standards for decisions
3. Application and review process
4. Approving body or official

All must be specifically written into the ordinance

Zoning Approvals

Decision Guidelines

- Are review standards met?
- Are all ordinance requirements met?
- ***If all standards and requirements are met, approval MUST be granted!***
- Document reasons for approval or denial

Zoning Approvals

Special Land Use

Definition: A use that is considered generally compatible with other allowable uses in the district, but only in certain locations, and requiring additional review and approval

This is a DISCRETIONARY decision

Example: Community Commercial District

Permitted Uses

- *Retail uses*
- *Restaurants without drive-through facilities*
- *Offices*
- *Banks without drive-through facilities*

Special Land Uses

- *Drive-through uses*
- *Vehicle sales and service*
- *Vehicle fueling stations*

Zoning Approvals

Special Land Use

Review Standards - Examples

General/Discretionary

The project will be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the intended character of the general vicinity.

Specific/Nondiscretionary

The use shall have direct access to a major arterial street, as designated in the master plan.

Zoning Approvals

Site Plan Review

Review Standards

- Zoning requirements
- Building arrangement
- Parking and loading
- Natural features/landscaping
- Lighting/Signs
- Vehicle and pedestrian circulation
- Stormwater and utilities
- Other local requirements...



After Approval

- Changes only with mutual consent of community and applicant
- Drop dead dates

Required for all special land uses and planned unit developments, and most larger new developments.

Zoning Approvals

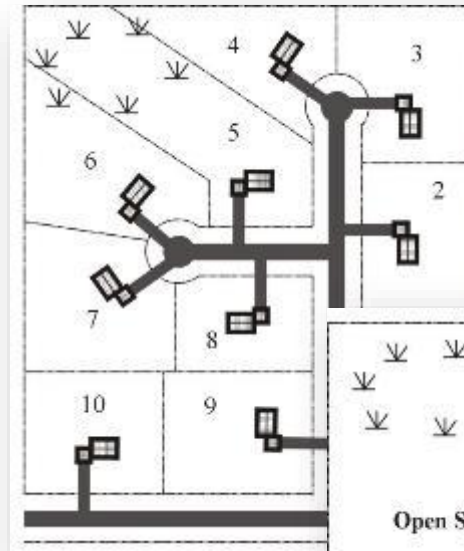
Planned Unit Development (PUD)

Provide flexibility in certain situations.

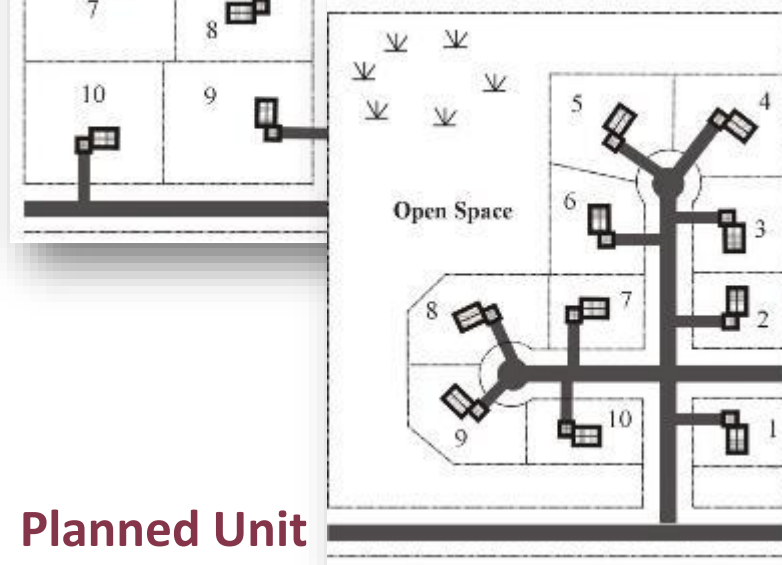
May allow mix of uses/densities

Flexibility granted for higher design standards

May include agreements (condition of approval) to ensure timing and compliance



Traditional Development

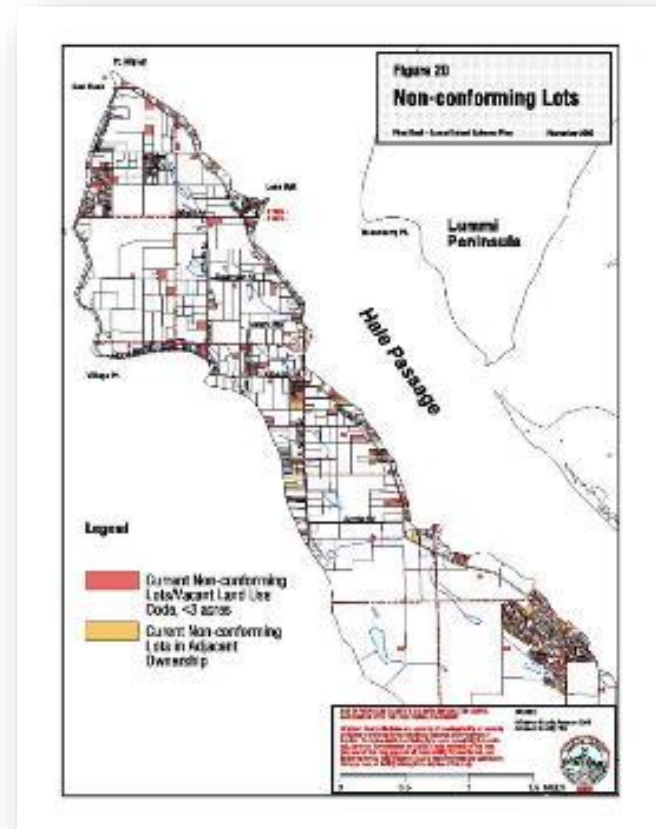


Planned Unit

Zoning Approvals

Nonconformities

Definition: A building, use, or lot that, when established, met the requirements of the zoning ordinance, but currently no longer complies with the ordinance



Zoning Approvals

Nonconformities - Types

- **Nonconforming Use** = Use of a building or site that does not comply with allowable uses. Regulations: abandonment (intent to abandon), expansion/substitution.
- **Nonconforming Structure or Site Improvement** = Buildings or site improvements (parking, landscaping, etc.) that do not comply with dimensional standards. Regulations: rebuilding (act of God), enlargement/expansion/alterations.
- **Nonconforming Lot** = Parcels that do not comply with dimensional standards. Regulation: lots in common ownership (optional); otherwise, must be permitted to be used.

Making Effective Decisions

Authority

Roles and Responsibilities

Elements of Effective Decisions

Risk Management

Roles and Responsibilities

Planning Commission (Appointed)

- Master Plan
- Zoning Ordinance
- Subdivision
- Zoning Reviews
- Site Plan Review
- Annual Report

Legislative Body (Elected)

- Appointments
- Ordinance Adoption
- Zoning Reviews
- Budgets
- Master Plan (optional)

Zoning Board of Appeals (Appointed)

- Variances
- Appeals
- Interpretations
- Other Duties

Roles and Responsibilities

Working Together

Community

- Cross membership (required and recommended)
- Communication (minutes, reports)
- Joint meetings, master plan

Region

- Master plan sharing
- Cooperative planning – corridors, public facilities, etc.
- Joint planning commissions



Roles and Responsibilities

Purposes of Zoning

- Protect property values
- Protect natural resources
- Prevent nuisances
- Ensure land use compatibility
- Prevent overcrowding
- Prevent overuse of land



Elements of Effective Decisions

Information



Preparation



Deliberation



Documentation

Elements of Effective Decisions

INFORMATION

Initial Contact

- Inform applicant of forms, filing dates fees and meetings
- Never answer questions from memory
- Note all contacts

Application Process

- Application forms
- Accept only complete applications
- Application deadlines

 **TOWN OF BLUFFTON**
ZONING PERMIT APPLICATION

Greenville Management Customer Service Center
20 Bridge Street
Bluffton, SC 29910
(843) 785-4522
www.townofbluffton.com
applications@townofbluffton.com

Applicant		Property Owner	
Name:		Name:	
Phone:		Phone:	
Mailing Address:		Mailing Address:	
E-mail:		E-mail:	
Town Business License # (if applicable):			
Project Information			
Project Address:			
Project Location:			
Zoning District:		Acreage:	
Tax Map Number(s):			
Project Description:			
Minimum Requirements for Submittal			
<input type="checkbox"/> 1. Narrative describing reason for application and compliance with applicable UDC standards.			
<input type="checkbox"/> 2. An Application Review Fee as determined by the Town of Bluffton Master Fee Schedule. Checks made payable to the Town of Bluffton.			
Disclaimer: The Town of Bluffton assumes no legal or financial liability to the applicant or any third party whatsoever by approving the plans associated with this permit.			
I hereby acknowledge by my signature below that the foregoing application is complete and accurate and that I am the owner of the subject property. As applicable, I authorize the subject property to be posted and inspected.			
Property Owner Signature:		Date:	
Applicant Signature:		Date:	
For Office Use			
Received By:		Date Approved:	
Received By:		Date Approved:	

Town of Bluffton Zoning Permit Application Effective Date: 11/29/2011

Elements of Effective Decisions

PREPARATION

Before the Meeting

- Read application materials
- Do a site visit

Site Visits

- No “Ex parte” contacts
- Written permission to enter site
- Use review standards to guide visit



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Elements of Effective Decisions

DELIBERATION

Rules for Speakers

- Respectful, civil discourse
- Comments through the Chair
- Follow rules for speaking time
- Spokesperson

Rules for Decision Makers

- Communicate procedures
- Comments through the Chair
- Deliberate in the open
- Express opinions
- Use ordinance standards for decisions



Elements of Effective Decisions

DOCUMENTATION

Motions must contain:

- Maker/second
- Request
- Action
- Findings of fact (additional, formal documentation)
- Reasons (support for decision – related to review standards)
- Conditions (as applicable)
- The vote



Motions must be clear to all and in proper form

Elements of Effective Decisions

DOCUMENTATION

- May be attached to any affirmative decision
- Must be reasonable and bear a relationship to the review standards



If this condition was not attached to the decision, the review standards would not be met and the request denied

Making Effective Decisions

Planning

Have a plan and stick to it

Patience

Not everything will happen in your term; adopt a long-range perspective

Persistence

Take advantage of the opportunities to implement the Plan; they don't come along very often

