



Planning Commission

Annual Report

2023

INTRODUCTION

The [Michigan Planning Enabling Act](#) (MPEA) allows for the establishment of local Planning Commissions, Master Plans, and other associated activities. The City of Escanaba's Planning Commission is established in the city code of ordinances in Chapter 21, Article II and consists of 7 members. The Planning Commission is responsible for:

- Developing the community's Master Plan which provides a framework for orderly growth and redevelopment.
- Creating a zoning ordinance to translate master planning goals to land use regulations.
- Reviewing and approving development requests.
- Drafting a capital improvements plan.
- Studying special topics or conducting other special projects as requested by the governing body.

MEMBERSHIP

Planning Commission members for this reporting period were:

Seat	Name	Member Since	Term Exp.	Attendance		Training Hours Logged (4 required)
1	David Mason	9/2/2021	6/01/2024	2/2	(100%)	
2	James Hellermann, Chair	1/13/2014	6/01/2024	2/2	(100%)	
3	Kelli VanGinhoven	12/01/2022	6/01/2025	2/2	(100%)	
4	Roy Webber	6/09/2022	6/01/2025	1/2	(50%)	
5	Nevin Naser	1/07/2021	6/01/2023	2/2	(100%)	
6	Dominic Benetti, Secretary	2/01/2018	Resigned 2/6/2023	1/1	(100%)	0
7	Mark Hannemann	8/06/2020	Resigned 2/3/2023	1/1	(100%)	0
	Mark Sadowski	2/16/2023	6/1/2023	1/1	(100%)	
	Michael Harris	2/16/2023	6/1/2023	1/1	(100%)	

MEETINGS

The MPEA requires that local Planning Commissions meet at least four times a year. The Planning Commission meets regularly on the second Thursday of each month and held 12 regular meetings and 1 special meeting this year.

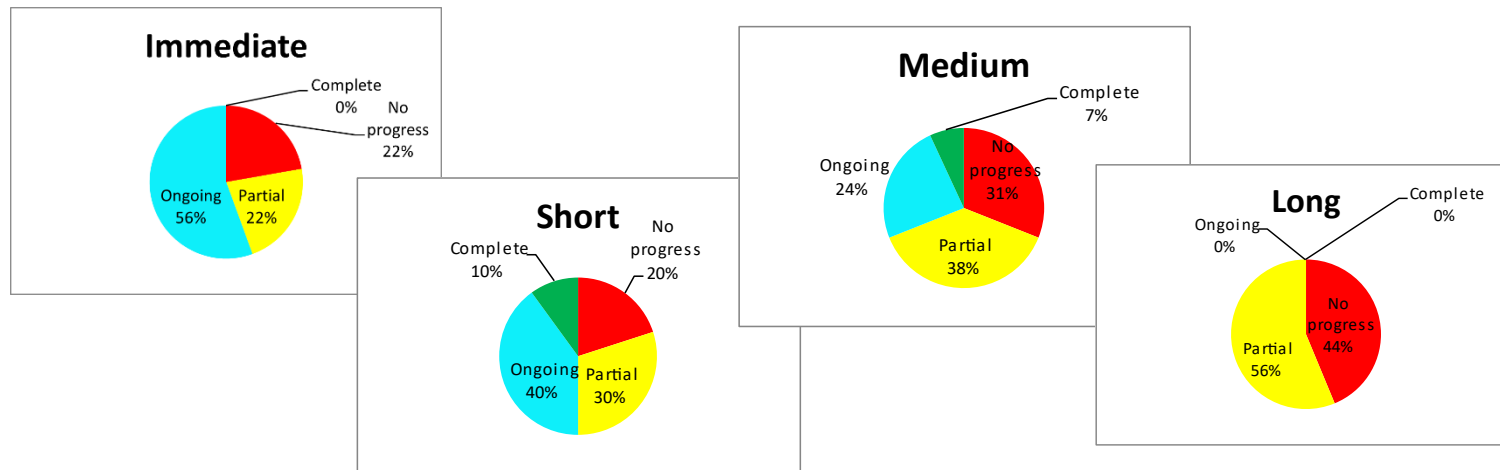
A Joint Meeting with City Council, Planning Commission, Downtown Development Authority, Historic District Commission, and Brownfield Redevelopment Authority took place on February 23, 2023. The agenda included a presentation of the Planning Commission's Annual Report, a discussion on how to strategically move forward with goals outlined in the Master Plan, and an update on RRC certification progress.

MASTER PLAN REVIEW

The Planning Commission is responsible for regularly reviewing and updating the Master Plan to ensure it continues to be relevant to the community’s needs. The community’s current Master Plan was adopted in 2016. The MPEA requires that a formal review (and update or reaffirmation) occur at least every five years. Most recently, the Planning Commission performed a 5-year review in May 2021 and affirmed that the current plan was adequate.

Attached to this report is a matrix outlining all goals, objectives, and actions of the Master Plan. Attempts were made to document progress to date with specific comments from various departments and external groups involved. The following charts summarize completion statuses of the Plan’s 66 action items:

Color	Status	Economy	Housing	Natural Resources	Land Use	Facilities & Services	Recreation	Transport	Total	%
Red	No Progress	9	1	3	0	0	1	6	21	32%
Yellow	Partial Completion	12	3	2	1	0	3	5	25	38%
Green	Complete	1	0	0	0	0	2	0	3	5%
Cyan	Ongoing (no definable completion point)	5	1	0	0	4	6	1	17	26%
	TOTAL ACTION ITEMS	27	5	5	1	4	12	12	66	100%



Meager progress has been reported on several action items in 2022, with three items moving from No Progress to Partial Completion and one item achieving Complete status. The number of actions that have no discernable completion point continues to be problematic. Additionally, the City continues to operate without a strategic plan to achieve these goals in a coordinated way between Council, boards & commissions, departments, and external groups.

ANNUAL MASTER PLAN REVIEW QUESTIONS			
CRITERIA	YES	NO	Comments
Have development patterns changed significantly since the plan was written and adopted?		X	Development patterns have not changed significantly since the plan was written and adopted.
Does the adopted zoning ordinance align with the goals of the plan?		X	Although several zoning district changes were made in 2021 and 2022 to align with the Master Plan, little progress has been made to accomplish these goals overall. Renewed efforts to address these matters will take place in 2023.
Have there been any major changes, such as utility lines, major road improvements, large development approvals, etc.?	X		<p>The Electric Department has been engaged in consistent efforts to improve reliability and efficiency of electric service and street lighting throughout the City. Construction of a circuit joining multiple distant substations began in Fall 2022, the objective being improvement to service reliability across the City. Over 2021 and 2022, 49 new streetlight poles have been placed throughout Escanaba, including 7 on Loren W. Jenkins Dr., 26 aluminum replacements on Ludington St. (18 of them in 2022), and 16 on various side streets as part of a Council initiative.</p> <p>Public Works also undertook major work in 2022, including the complete roadway replacement of S. 15th St. from 1st Ave. S. to 5th Ave. S.</p> <p>Water/Wastewater is engaged in numerous upgrade projects. Many of W/WW's projects have been spurred on by State requirements, but a great deal of work is necessary due to the age and condition of sections of these systems.</p>
Have there been instances when the Planning Commission or elected body has departed from the plan?	X		While Council's pursuit of the former Delta County Jail site redevelopment holds promise for economic development and the positive reuse of vacant land, it does conflict with the Master Plan. Action Item E6 specifically identifies this property to be developed as waterfront public access. This Action Item references the North Shore Master Plan, which states that "[waterfront development] should be of the proper scale to complement, not compete with the downtown," and that hotels, condominiums, and attached retail space "[do] not appear to be the most appropriate use for waterfront property...".
Are the goals and priorities of the plan in sync with the goals and priorities of appointed and elected officials?	X		While a cohesive effort is certainly absent, many appointed and elected City officials express strong interest in carrying out goals and tasks outlined in the Master Plan.
Does the plan address the location and types of land uses frequently requested?	X		The Plan does address the location and types of land uses frequently requested.
Have there been other studies completed that change the relevancy of the plan?		X	The Five-Year Recreation Plan was last updated in 2021.

CAPITAL IMPROVEMENT PLAN REVIEW

The Planning Commission is responsible for recommending a prioritized Capital Improvement Plan (CIP) to City Council. The CIP ties planning goals to budgetary investments over the next six years.

Annual CIP updates are done in tandem with budgeting processes. Department Heads begin updating existing project information and submitting new project requests in January, then the City Manager, City Controller, and Planning & Zoning Administrator compile, review, and prioritize these requests in February. The Planning Commission reviews a draft CIP in March/April and makes a recommendation to City Council. Finally, Council reviews and adopts the recommended CIP in conjunction with the budget in May.

Listed below are CIP projects which were completed this year:

Department	Project Description
Recreation	Tennis Court Replacement- Ludington Park Rebuilt the Ludington Park Tennis Courts (four courts total). Courts are now able to accommodate both pickleball and tennis.
Water/ Wastewater	Turbidity Meter Replacement Replaced existing turbidity meters (measures suspended solids in liquids) at water plant and integrated with SCADA (supervisory control and data acquisition) system per EPA & state rules and regulations.
Water/ Wastewater	Replace Ludington Street Lift Station Automatic Generator Replaced an existing automatic emergency back-up generator to power the lift station during power failures.
Water/ Wastewater	Effluent/Bypass/ De-Watering Pump Purchased a pump capable of providing capacity requirements (appx. 1.2 million gallons/day) in accordance with the needs of the upcoming WWTP Improvement project. Pump will also double as a by-pass pump in times of sewer repairs, and triple as a de-watering pump for City construction projects in areas of ground water.
Water/ Wastewater	23rd Avenue Lift Station Automatic Generator Purchased and installed an on-site automatic emergency back-up generator to power the lift station during power failures.
Water/ Wastewater	BOD Incubator Replaced an existing unit used for biological testing.
Water/ Wastewater	Locator for Under Ground Pipe/ Cable Purchase a new locator for conducting Miss Dig work.

ZONING ORDINANCE TEXT AMENDMENTS & REZONINGS

Zoning is the legal mechanism which turns planning goals into reality via land use and physical regulations. It is imperative that a community maintain an up-to-date zoning ordinance which aligns with those goals and addresses emerging trends. Throughout the year, the Planning Commission discussed and took action on the following amendments:

Topic	Summary	PC Recommend Date	City Council Approval Date	Ord. #

The Planning Commission is also responsible for making recommendations on rezoning requests. Such requests must align with the master plan’s future land use map. However, no re-zonings that occurred this year.

Based on discussions regarding the need to increase housing options, it has been determined that a mixed-use district would be best suited near-downtown areas, specifically in “Neighborhood enhancement Areas” as indicated in the 2016 Master Plan’s Map 13. Tasks which would help achieve this goal include:

- Seek public engagement to further develop the new district’s purpose and requirements.
- Amend the Zoning Ordinance and Map with new zoning district text and boundaries.

DEVELOPMENT APPLICATION REVIEWS

Site plan review is a primary role of the Planning Commission and helps ensure that new development in the community aligns with the zoning ordinance requirements. Prior to Planning Commission review, staff conducts an internal review process as well. Planned Unit Developments (PUDs) have an additional layer of review and approval by City Council.

Project type	Location	Description	Status	Date of Action
Special Land Use	923 Ludington Stret	Upper Shelf Farms, LLC.- Marihuana Retailer	<p>A motion was made by Van Ginhoven, seconded by Mason to approve the site plan for Upper Shelf Farm’s LLC. at 923 Ludington Street conditioned upon the applicant providing screening for the loading and unloading area and working with administration to attain compliance with exterior building materials requirements. A roll call vote was taken, and the MOTION PASSED unanimously.</p> <p>A motion was made by Webber, seconded by Van Ginhoven, to approve the special land use permit for Upper Shelf Farms, LLC. at 923 Ludington Street. A roll call vote was taken, and the MOTION PASSED unanimously.</p>	1/12/2023

Special Land Use	2430 Ludington Street	Joyology— Marihuana Retailer	<p>A motion was made by Naser, seconded by Van Ginhoven, to approve the site plan for Joyology at 2430 Ludington Street conditioned upon the applicant connecting the existing sidewalk on Ludington Street and the proposed sidewalk on 26th Street, and that all new sidewalks have a minimum width of six feet.</p> <p>A motion was made by Hellermann, seconded by Mason, to approve the special land use permit for Joyology at 2430 Ludington Street conditioned upon a false window being installed on the west wall in compliance with marihuana establishment façade requirements.</p>	2/9/2023
Special Land Use	1005 Ludington Street	Light Up 906— Marihuana Retailer	<p>A motion was made by Van Ginhoven, seconded by Naser, to approve the site plan for Light Up 906 at 1005 Ludington Street conditioned upon the applicant providing signage at the back of the building indicating a) no customer parking in rear, b) no customer entrance in rear, and c) temporary unloading area location, including hours for unloading within those prescribed for deliveries by Ord. 1269, Sec. 5(e).</p> <p>A motion was made by Naser, seconded by Van Ginhoven, to approve the special land use permit for Light Up 906 at 1005 Ludington Street.</p>	2/9/2023

ZONING BOARD OF APPEALS ACTIVITY

The Zoning Board of Appeals (ZBA) is tasked with hearing appeals, zoning ordinance interpretations, and variance requests. The ZBA consists of six members. There are currently no vacancies on the ZBA that need to be filled.

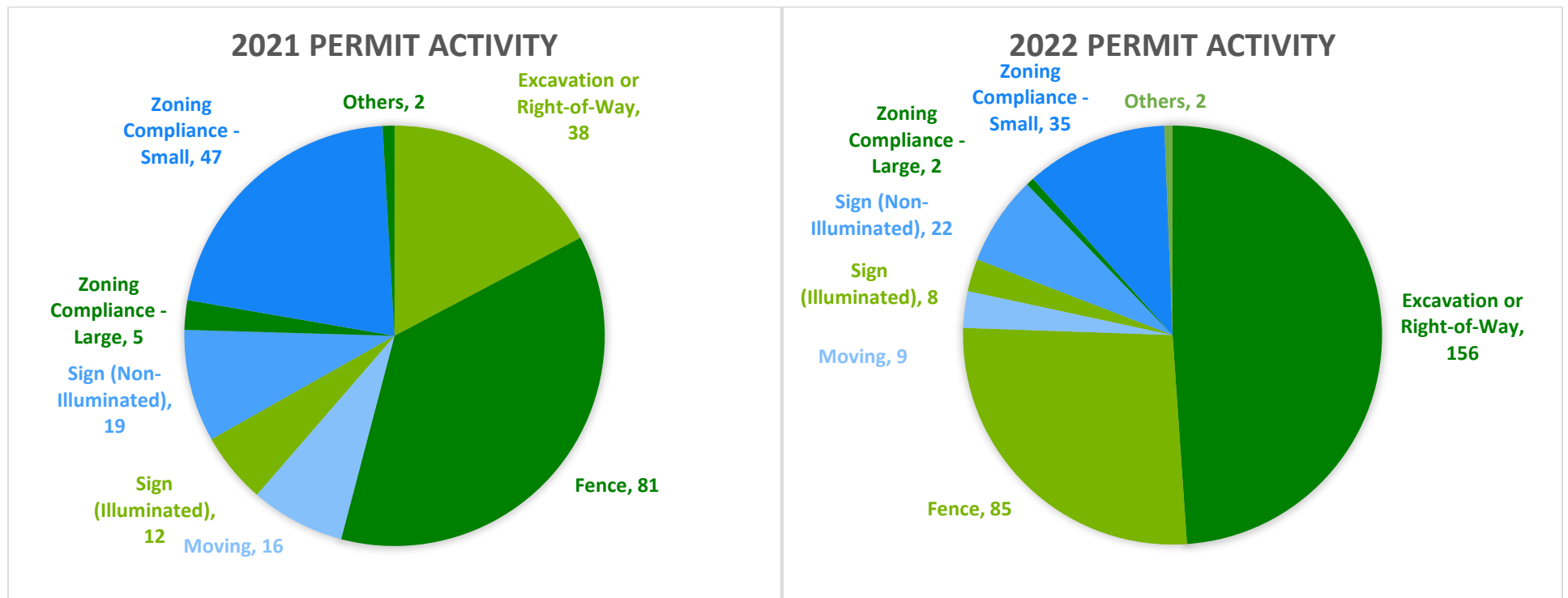
The ZBA meets quarterly on the first Tuesday of January, April, July, and October for regular meetings, and can be called for special meetings between. One regular meeting was held in 2022, in which training and housekeeping business was addressed. There was one appeal, for an interpretation and dimensional variance that was held in 2022.

Appeal Type	Location	Description	Status	Date of Action
Dimensional Variance Request	536 North Lincoln Road	Applicant requested a 70' reduction of the 100' distancing restriction between marihuana establishments and one-family dwellings per Zoning Ordinance Sec. 205.6.8.3.		3/7/2023

PERMIT ACTIVITY

While large-scale zoning permits and Special Land Uses are reviewed as site plans by the Planning Commission, the Zoning Administrator is authorized to review and make decisions on most small-scale zoning permits, fence permits, and sign permits. Following is a summary of all land use permit activity for the year.

Permit Type	# Approved	Fees Collected	# Denied	Reasons for Denial
Zoning – Large				
Zoning – Marihuana				
Zoning – Small				
Fence				
Sign				
TOTALS				



ZONING VIOLATIONS

Enforcement of the zoning ordinance is critical to maintaining the integrity of the adopted ordinances. It is intended that most violations are handled through a simple owner notification, followed by a voluntary plan to bring the violation into compliance. Serious infractions or prolonged non-compliance may be enforced with municipal civil infraction citations.

Following is a summary of zoning ordinance enforcement cases for the year:

Type	Open	Closed	TOTAL
Easement Encroachment			
Fence	1		
Sign	1		
Zoning	1		
Excavation			
TOTAL			

Citations Issued – 2
 District Court Hearings – 1

Sign Ordinance Enforcement:

It has become evident that many signs throughout the city have been installed without a sign permit. With a permit, a sign would be considered legal nonconforming (“grandfathered in”), giving it legal right to continue as approved in the permit even if it did not meet current ordinance regulations. However, without a valid permit on file, a sign cannot be confirmed legal nonconforming (“grandfathered in”), and instead would be considered a violation, meaning enforcement action must be used to bring the sign into compliance with current ordinances through the permit process, or be removed.

Recognizing that:

- Some signs have existed in a state of violation for quite some time;
- The city has not consistently identified nor taken enforcement action on these types of violations in the past;
- The city wants to protect its right to enforce its sign ordinance in the future while continuing to move signs into greater compliance with current ordinances;

An amnesty policy/plan was approved by City Council in 2022 to allow for a grace period to get existing signs (including the re-facing of existing sign structures) permitted and legally protected, within certain parameters. It is anticipated this process will take 12-24 months, after which full enforcement of the sign ordinance will occur.

PUBLIC ENGAGEMENT

Redevelopment Ready Communities Best Practice 1.4 includes an annual summary of public engagement activity in the community, guided by the community's goals and tools outlined in an adopted Public Participation Plan; The City of Escanaba's Public Participation Plan was last updated and adopted in February 2020.

Planning Commission Public Engagement	Jan. 12	Feb. 9	Mar. 9	Apr. 13	May 11	Jun. 8	Jul. 13		Aug. 10	Sep. 14	Oct. 12	Nov 9.	Dec. 14	Total
Attendance by General Public <small>(not part of commission, staff, or applicants)</small>	43	34												
Public Comment on Agenda Items	0	0												
General Public Comment	5	5												
Zoning Ordinance Amendments														
# of Public Hearings	1	2												
# of Comments	4	7												
Development Projects														
# of Public Hearings	0	0												
# of Comments	0	0												
Other Public Hearings														
# of Public Hearings	0	0												
# of Comments	0	0												

TRAININGS RELATED TO PLANNING, ZONING, AND DEVELOPMENT

GOALS AND WORK PLAN – 2022

Below are the goals outlined for 2022 and their status:

2022 Goals	Status
<p>1. Create a mixed-use district for the near-downtown areas, including zoning ordinance text and re-zoning of parcels to form the district boundaries.</p>	<p>No Progress. Long-term planning & zoning projects were put on hold after Roxanne Spencer, the previous P&Z Administrator, left the position in spring.</p>
<p>2. Continue to amend the Zoning Ordinance in small portions to address the 2019 Zoning Audit findings and to continue to improve the clarity, organization, and user-friendliness of it. If funding is made available in the budget, begin the process of hiring a consultant to assist in doing a complete overhaul.</p>	<p>On Hold. Due to budgetary concerns. Instead, recommendations for amendments have been handled internally in smaller portions at a slower pace until funding is made available.</p>
<p>3. Revisit the Sidewalk Infill Plan with City Council to improve walkability throughout the city.</p>	<p>On Hold. A Public Hearing by City Council was held in July 2020, but the project was put on hold due to economic concerns and the COVID-19 pandemic. The Planning Commission requested that approval be made to commence implementation of the plan within the next six months.</p> <p>City Council voted to postpone the sidewalk infill plan until further information was gathered from the Public Works Department and legal advice was obtained to determine if they could add a clause to the current recommendation of the ordinance.</p>

GOALS AND WORK PLAN - 2023

Bearing in mind the difficulties which fell on the Planning & Zoning Department in 2022, a productive schedule is planned for 2023.

1. Continued Zoning Ordinance Amendment

Amendments which should be undertaken include the following topics:

- Improvement and better integration of marijuana-related language into appropriate sections.
- Revision of setback and area requirements the Central Commercial District (E3).
- Optimization of Chapters 17-20 (Parking and Circulation Requirements, Site Plan and Sketch Plan Standards, Development Standards, Signs).

2. Create a Mixed-Use District

This zone should be for near-downtown areas, specifically in “Neighborhood Enhancement Areas” as indicated in the 2016 Master Plan’s Map 13. Tasks which would help achieve this goal include:

- Seek public engagement to further develop the new district’s purpose and requirements.
- Amend the Zoning Ordinance and Map with new zoning district text and boundaries.

3. Undertake “Placemaking” Asset Inventory and Assessment

Identified in Action Item E4 of the Master Plan. Preliminary work should be done to establish how to determine placemaking standards and concepts.