

**Packet for August 3, 2021,
10:00 a.m.
Special Board Meeting**



Planning and Zoning Organization and Operation Recommendations

for Peninsula Township

May 29, 2018

Prepared by



**Networks
Northwest**

Talent / Business / Community

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Introduction

In May, 2018, Networks Northwest was retained by Peninsula Township to conduct an evaluation of its planning and zoning organization and operations for the purpose of improving communication, establishing consistent and effective processes, and increasing efficiency. The analysis includes an organizational review and evaluation of the Township's planning and zoning processes. In this report, we deliver a series of organizational, operational, and strategic recommendations that may be applied in their entirety or at the discretion of the Township. Consideration should be taken that these recommendations require changes to processes and practices which have been conducted in their current manner for a long-time. Change will require the understanding and cooperation of the elected officials and the staff of the Township with support of the public.

May 29, 2018

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Current Assessment

Networks Northwest conducted a series of interviews, reviewed existing plans and ordinances, studied meeting agendas and minutes, and sought other sources to make its assessment of the current planning and zoning operations of Peninsula Township. This assessment was necessary to support and provide additional guidance for the Township in improving its planning and zoning organization and operations, particularly in light of retaining a new Planning Director and Assistant Planner. Networks Northwest planners drew on their own experience and observations; considered comparison with best practices conducted by communities across Michigan; and acknowledged the requirements of the Michigan Planning Enabling Act and the Zoning Enabling Act.

Key Findings

Key findings of the current assessment are as follows:

- An unclear priority of planning projects has led to the starting of multiple efforts coinciding at the same time. A lack of prioritization and who is responsible for managing tasks has created a situation where many of these efforts started but have difficulty in being concluded.
- The Township Zoning Ordinance does not have well-defined processes and consistent standards for development reviews. The lack of charted processes used by Township staff leads to incomplete applications and haphazard follow-through of projects. In some cases, this has led to litigation.
- Lack of clear project tracking and an easily accessible filing system precludes timely access to project information and site histories.
- Unidentified roles and responsibilities leads to poor communication and lack of assurance that projects are appropriately guided through to completion. Consistent leadership and coordination of planning and zoning operations is absent.

Based on our assessment, we offer the following recommendations to be considered by the Township. Recommendations are broken down into the following categories: Organizational, Operational, Strategic, and Additional Recommendations. Organizational recommendations cover the structure needed for planning and zoning activities to function effectively and efficiently. Operational recommendations pertain to process and the flow of activities within the organization. Strategic recommendations offer the prioritization of Township activities based on the community's values, interest, and support. Additional recommendations are a couple of key considerations related to immediate activities.

Organizational Recommendations

Various roles and responsibilities must be in place in order to adequately and consistently conduct planning and zoning studies and processes. The following descriptions offer a brief overview of each role while also commenting on the important relationships between the roles.

Township Board

The Township Board provides essential leadership and oversight for the Township. Township Board members appear to have a good understanding of planning and zoning principles and value the importance of community planning. Their interest is to improve and elevate the overall planning and zoning program to better meet the expectations of the community.

The Township Board appoints several boards and commissions to carry out various functions of the Township. For the purpose of this report, the focus of organization was centered on the two primary boards affiliated with planning and zoning: the Planning Commission and the Zoning Board of Appeals. The Planning Commission is far reaching as it functions in the areas of policy and technical reviews, decisions, and recommendations. The Zoning Board of Appeals is limited and focused on its quasi-judiciary role in considering appeals and interpretations. These two boards are supported by the Planning and Zoning Departments which are supervised by the Township Board.

The Planning Commission

The Planning Commission acts as an advisory board to the Township Board on all planning and development issues and activities, including the following functions:

- Develop, adopt, and oversees implementation of the Master Plan
- Review and study opportunities and issues pertinent to the Township
- Be pro-active and innovative in the researching of all possible options for action
- Instruct the Planning Director to conduct research and draft zoning ordinance amendments
- Recommend a zoning ordinance and any subsequent amendments
- Perform site plan reviews
- Conduct special land use reviews
- Set priorities that will guide the Township toward the goals of the Master Plan

- Follow-through on other possible directives from Township Board such as Capital Improvement Plan (CIP) review, parks and recreation plan review, Purchase of Development Rights (PDR) review, etc.
- Maintain communication with other committees and boards
- Attend training sessions as applicable

The Township Planning Commission needs to be supported and provided with consistent professional planning expertise. Information such as applications when presented to the Planning Commission must be complete and thorough. Actions and communications of the Planning Commission must be carried by staff to the Township Board.

The Zoning Board of Appeals

The Zoning Board of Appeals exists to make quasi-judicial zoning decisions. Specific functions include:

- Work with and support the Zoning Administrator in enforcement of the Zoning Ordinance
- Hear appeals of administrative decisions
- Decide on variance requests
- Provide Zoning Ordinance interpretations for the text and map
- Suggest Zoning Ordinance amendments to the Planning Commission
- Attend training sessions as applicable

Planning and Zoning Departments

The Township recently divided the planning and zoning functions into two separate departments. This configuration may work currently. However, since there is considerable overlap in the mission and purpose of these functions, it is recommended that this configuration be reviewed in the future to determine if reuniting the two functions would result in improved coordination, operations, and service. For the time being, defining the mission and purpose of each department is important to understand the role of each department and their associated interaction.

Planning Department

The Planning Department provides:

- Administrative support to property owners, the Planning Commission, the Zoning Board of Appeals, and the Township Board
- The Planning Director serves as the project point person and guides a project through the required township process
- Accurate, fair, and consistent plan and project reviews
- Studies and reports on various issues related to land and development
- Exemplary customer service

Zoning Department

The Zoning Department provides:

- Uniform enforcement of the Township Zoning Ordinance

- Issuance of permits
- Guidance through the land division process
- Exemplary customer service

Coordination between Planning and Zoning Departments

It is essential that there be coordination and collaboration between the Planning Department and the Zoning Department. For instance, as a Planning Commission prepares zoning text with technical assistance from the Planning Director, the Zoning Administrator can provide insight into practical applications of zoning regulations. In the case of site plan review, the Planning Department coordinates application and plan review with the Planning Commission while the Zoning Department reviews built developments to ensure compliance with plan approval. The two departments must maintain regular communication and establish a shared filing system that tracks applications based on property or parcel number.

Roles and Responsibilities of Planning & Zoning Staff

With the new Planning Director and Assistant Planner, it will be important for the staff to possess a good understanding of the composition of a planning department and the expectations it must meet to function adequately. The following descriptions of key staff in the Planning and Zoning Departments are provided as suggested roles and responsibilities:

Planning Director

The Planning Director is often considered the point person in any planning and zoning operation. The Planning Director develops goals and policies, directs planning initiatives, supervises staff, manages the Planning Commission, and informs the elected officials and the community on issues and projects.

Responsibilities typically include:

- Performs and manages planning projects, research and analysis, including the development of plans and studies
- Support the ongoing operations of the Planning Commission with advice, analysis and assistance as needed and requested
- Researches and drafts amendment language for the Planning Commission
- Write reports and draft Findings of Facts for site plan reviews and special use permit applications
- Create and keep up to date a tracking system for all Zoning Ordinance amendments, site plan review and special use permits
- Set Planning Commission agendas with input from the chair
- Create and disseminate the Planning Commission meeting packets
- Support the work of the Zoning Board of Appeals and Township Board as needed
- Serve as point person with regards to projects before the Township, including being liaison to the public, township officials, and any media
- Bring information on emerging topics to the attention of the Township Board and the Planning Commission

- Conduct other planning-related project work (such as recreation plan review, CIP reports, etc.) for the Township Board as required
- Provide monthly reports of projects and progress made to the Planning Commission and Township Board
- Maintain an accurate file system
- Oversee the employment of all planning support staff and assign duties to other as sees fit

Assistant Planner

The Assistant Planner's primary role is to support the functions of the Planning Department as directed by the Planning Director. Responsibilities typically include:

- Develops planning studies and reports in support of new and updated plans, programs and regulations
- Assists in the review of development proposals and site plans for conformance with codes, plans, and regulations
- Collects a variety of statistical data and prepare reports and maps
- Assists in the evaluation of rezonings, ordinance amendments, site plans, special use permits, and other proposals
- Provides information to the public regarding development regulations
- Assists in resolving citizen and customer issues
- Conducts field evaluations and assessments
- Update and maintain the Department filing system

Zoning Administrator

The Zoning Administrator is the individual responsible for the day-to-day administration and enforcement of the zoning ordinance. The Zoning Administrator is also valuable support for the Zoning Board of Appeals (ZBA) by ensuring that all relevant materials are provided and advising on important factual matters pertaining to the requests before them. Responsibilities typically include:

- Interpret and enforce the Zoning Ordinance
- Receive and process land use permits, site plan reviews, and special use requests
- Assist and guide property owners through the zoning and appeal processes
- Work with ZBA Chair on meeting agendas
- Write reports and draft Findings of Facts for ZBA cases
- Create and disseminate the ZBA meeting packets
- Create and keep up to date record-keeping systems for all land use and special land use permits
- Track and retain records for all ZBA hearings
- Oversee code enforcement processes which includes:
 - Oversee employment of all code enforcement and zoning support staff
 - Creation and operation of a violations bureau
- Provide monthly reports of projects and progress made to the Planning Commission and Township Board

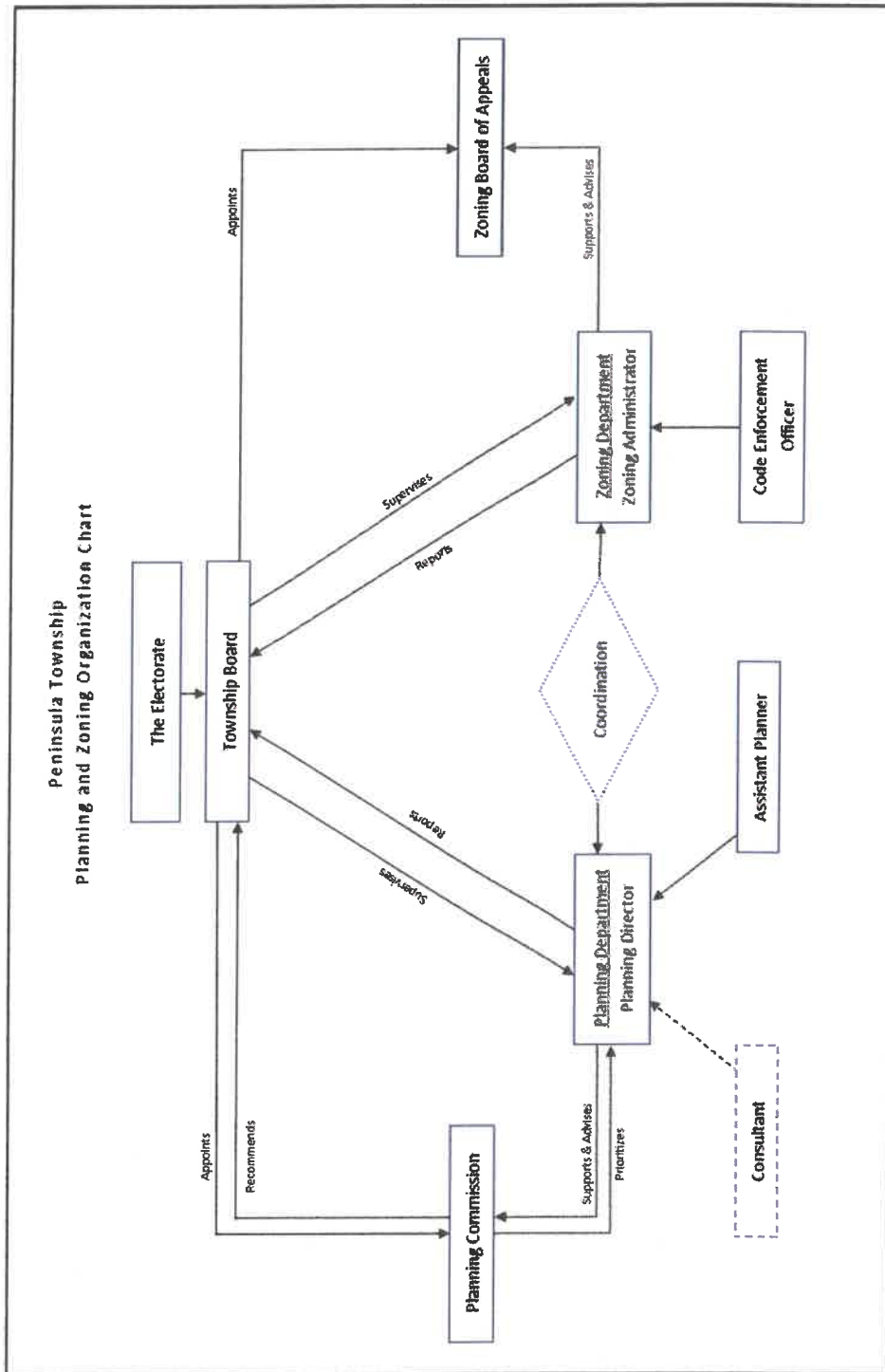
Consultants

There are two types of professional consultants that may be retained by the Township Board. Consultants such as attorneys and engineers are used on a daily or regular basis to provide continuous legal and technical services to the Township. These consultants also provide important expertise and assistance to planning and zoning operations. The Planning Director and Zoning Administrator should have regular communication with these consultants. Given the sensitive and unique landscape of Peninsula Township, the Township may want to consider utilizing an environmental consultant for development standards and reviews to ensure the application of best management practices for stormwater, coastlines, and other areas.

Other professional consultants may be used for specific projects. For example, a planning consultant may be retained to assist in developing a new master plan. For these project-based situations, the consultant should be under the supervision of the Planning Director. In essence, the consultants are providing added capacity to planning and zoning staff as well as additional technical expertise and resources.

Organization Chart

The following suggested organization chart with communication flow illustrates the roles and relationships amongst boards and officials.



Operational Recommendations

Once a community is organized for planning and zoning activities, its operations require accessibility, transparency, and integrity. The Planning and Zoning staff must utilize sound planning principles to guide land use proposals, develop and administer the regulatory process, and deliver responsive customer service by being accountable to the Township Board, the Planning Commission and constituents of the Township.

Planning Projects

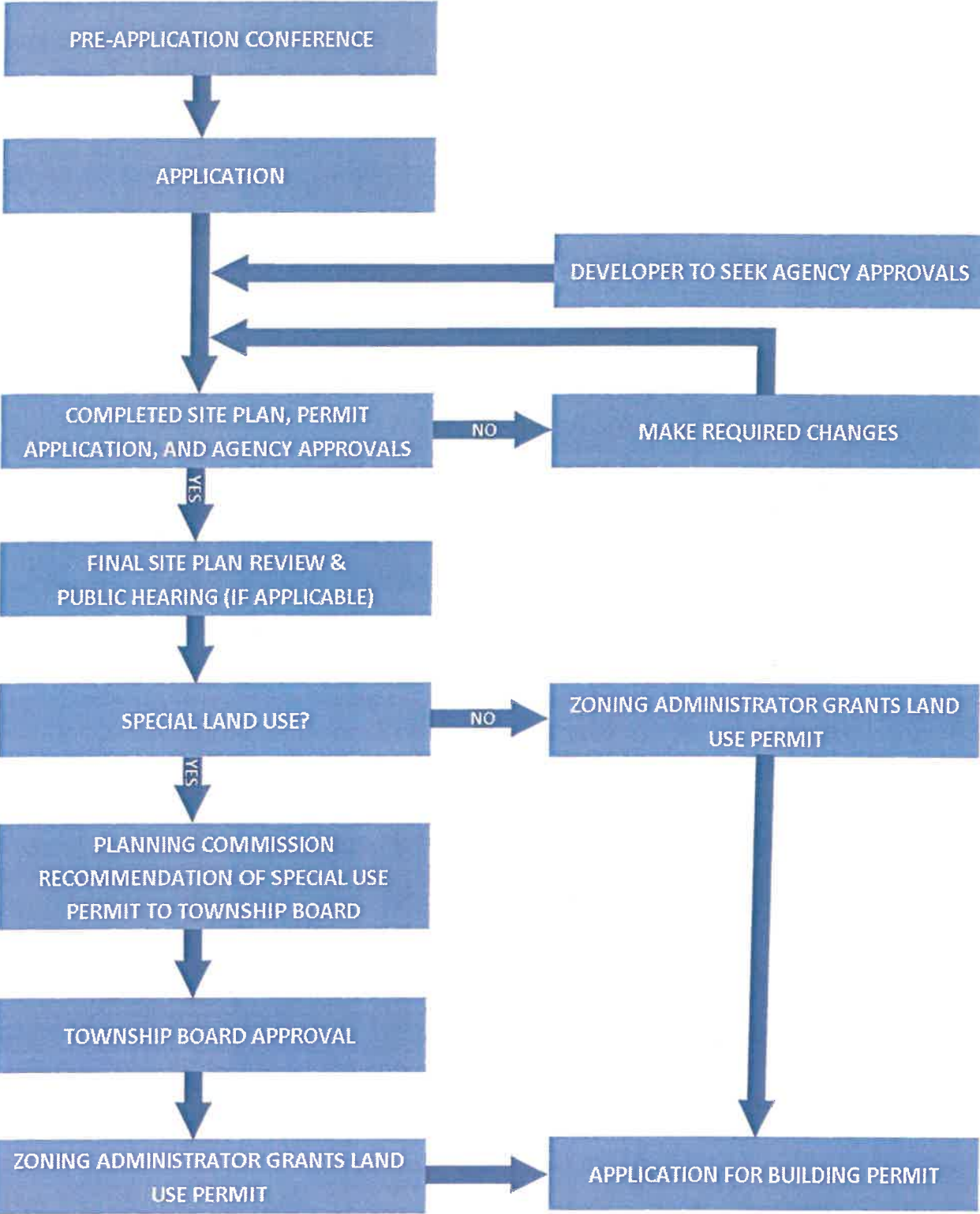
Planning projects conducted by the Township require professional management from the moment of initiation to their completion. The Planning Director is the lead coordinator and facilitator of the planning projects. The Planning Director, with support of staff, needs to utilize solid communication and strong organization skills, including the ability to coordinate and manage internal and external influences. Project management requires clear identification of scope, resources, and timeline.

Zoning Processes

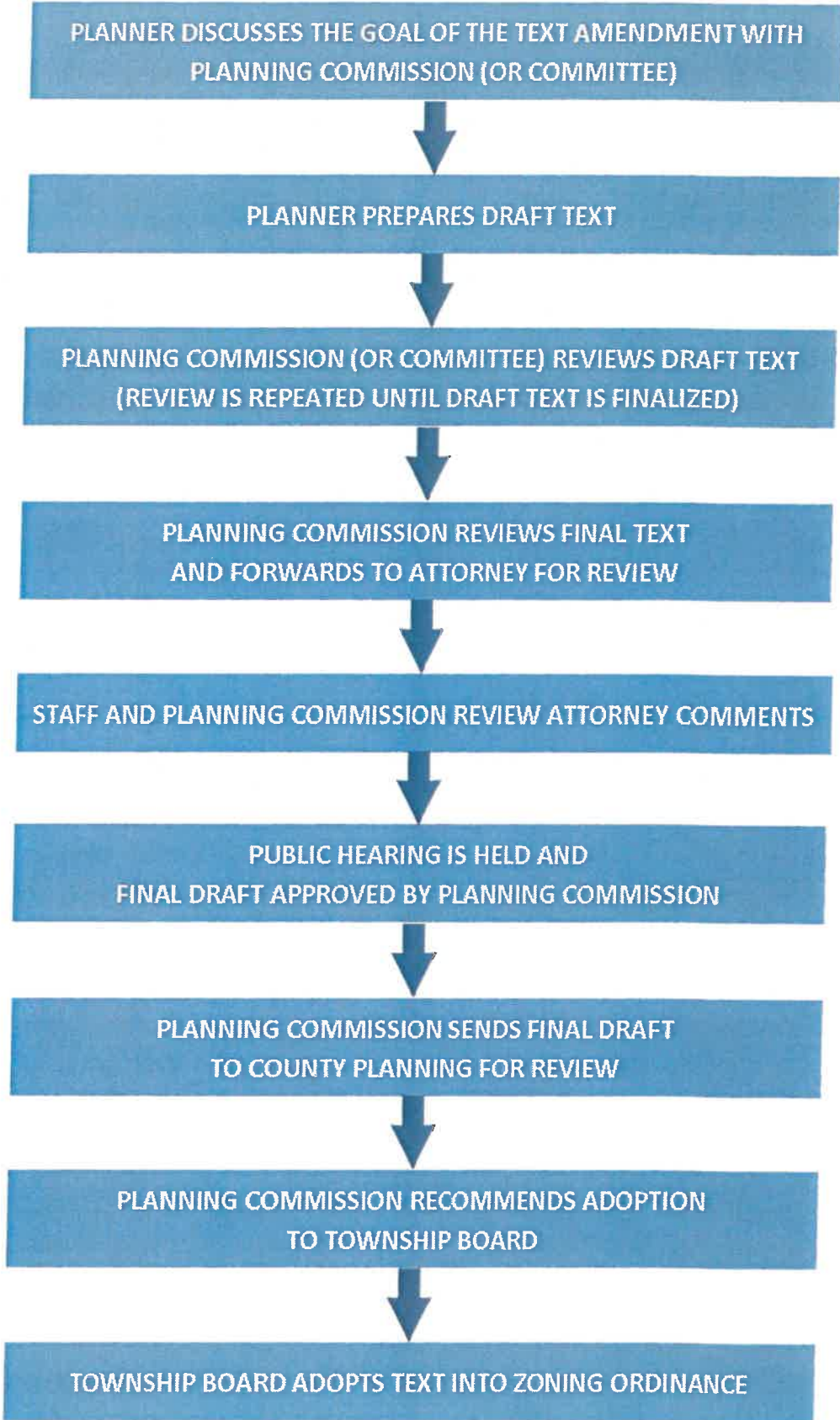
Zoning processes can be cumbersome, frustrating, and time consuming for those not familiar with the road map and nuances of the processes. Flow charts and checklists act as a quick reference for staff as well as educate individuals with the know-how needed to access critical information in the approval process. An understanding of the permitting and approval process will improve the efficiency of the process for both the private and public sector, in return creating a more successful project from the onset.

Gourdie-Fraser, Inc. (GFA) has provided flow charts for Site Plan Review (SPR) and zoning permits. Summarized flow charts are provided as a starting point for the purpose of informing applicants, officials, and the public. These flow charts include Site Plan Review (SPR)/Special Use Permit (SUP) Reviews and Zoning Ordinance Text/Map (Rezoning) Amendments.

Site Plan Review (SPR)/Special Use Permit (SUP) Review



Zoning Ordinance Text/Map (Rezoning) Amendment



Development Review Checklists

The Planning Department and the Zoning Department should develop and utilize checklists for the review and processing of project applications. GFA has provided a checklist for site plan/special use permit review. This checklist may be refined and improved as its applied on a regular basis. The checklist should become a part of the official file of each project application and posted on the Township website for use by those individuals submitting plans to review requirements that will be required and reviewed by staff. The following zoning ordinance amendment checklist illustrates one way of keeping track of all the details involved in making an amendment.

Zoning Ordinance Amendment Checklist	
_____	Title of Zoning Ordinance Amendment _____
_____	Township Ordinance Number
_____	Planning Commission Zoning Ordinance Amendment Number
_____	Legal Review
_____	Public Notice Publication Date
_____	Notices Mailed (Map Amendments)
_____	Public Hearing Posted
_____	Public Hearing Date
_____	Copy Available at Office
_____	Copy Available Online
_____	County Planning Commission Review
_____	Township Board Meeting
_____	Publication of Adoption
_____	Effective Date
_____	Copy of adopted ordinance to Township Clerk
_____	Official Zoning Ordinance Updated and Annotated
_____	Copies of new ZO pages to PC, ZBA, Staff, Legal Counsel
_____	Update website
_____	Store computer files
_____	Store paper files
_____	Ordinance Binder Updated

Filing System and Project Tracking

Records of activities and actions are essential to a sound planning and zoning operation. A centralized filing system makes operations be organized, systematic, efficient, and transparent. It also helps all people who should be able to access information to do so easily.

Peninsula Township needs a detailed, up to date filing system for all project applications and permits. This system should be shared by the Planning Department and Zoning Department with each project application receiving its own file and identification by property or parcel number. All staff and officials involved in the review of applications and permits should be able to fully and easily access the filing system.

The Township may investigate acquiring permitting software which improves project tracking, data collection and reporting, and may even provide online access to the public.

Monthly reports should be developed and distributed to the Township Board, Planning Commission, and posted on the Township website that summarizes the work activities of the Planning Department and the Zoning Department. The monthly report may include number of permits issued, status of planning projects, and any other pertinent information.

Strategic Recommendations

Strategic planning is an organizational management activity that is used to set priorities and focus energy and resources to ensure that work is moving toward common goals. A strategic plan is a document used to communicate the actions needed to achieve those goals. The Township should seriously consider developing a strategic plan. While such exercise applies to the entire Township organization, it does have direct benefit to the planning and zoning functions of the Township by gauging community interest and support on issues and prioritizing planning activities. By being performed on a regular basis it maximizes limited resources and provides clear communication of community-wide priorities.

Community Survey

A community survey gauges the interest level of the residents on a variety of issues. A community survey was last conducted by the Township in 2006. A new survey is needed to once again identify the priorities of the community and the level of support for various issues or initiatives. Furthermore, regularly scheduled surveys (i.e., every four years) would allow for trend data to be gathered and recognize the change in issues and opinions. A community survey provides the foundation for development of a strategic plan.

Strategic Plan

The strategic plan is an organizational proactive function led by the Township Board to organize Township government for operational efficiency and sets up a sense of direction by:

- Providing consensus on key issues and outlining strategies to address them
- Illustrating a commitment to, and capacity for, implementing the strategies
- Clearer communication of planning and zoning priorities internally within the Township operations and externally to the community
- Improves cooperation among those pursuing strategic objectives, particularly Township officials and staff
- Establishes more effective management control of strategic initiatives

Using the input from the community survey, the strategic plan can prioritize planning and zoning projects and related projects. The strategic plan is often linked to the budget process so that project priorities are appropriately funded. The plan may be updated annually or every two to three years. Gauging successful plan implementation can be accomplished through the following activities:

Monthly Reports

Monthly reports by the Planning Department and Zoning Department show how their activities support the strategic plan and result in implementation of the plan.

Capital Improvement Plan (CIP)

The Michigan Planning Enabling Act requires creation and adoption of a capital improvement plan (CIP) for any township, alone or jointly with one or more other local units of government that owns or operates a water supply or sewage disposal system. The Act directs that a planning commission, after

*Priority #1
Public hearings
forums are
secondary*

adoption of a master plan, shall annually prepare a capital improvements plan of public structures and improvements. The CIP shows the order of their priority, estimates of time and cost of the public structures and improvements within the ensuing 6-year period. The CIP may be used to prioritize specified planning projects that may require expenditures for a consultant or other resources not typically budgeted (i.e., master plan, corridor plan). Presently the Township does not have a CIP and needs to establish one in conformance with the Planning Enabling Act.



Meetings

It was observed that the Township relies on several committees and subcommittees to address a variety of issues and projects. While committees can facilitate dialogue and use the collective knowledge and judgement of a number of people on complex subjects, they can also become unwieldy without having specific tasks, deadlines, and defined support.

Before committees are appointed, there should be a written description of the purpose of the committee, specific duties of the committee, and the timeline of the committee. A good committee chair should be assigned that understands the content of the committee and leads the committee in working effectively in its meetings. The committee shall follow clearly defined agendas and its assigned timeline. In its work, the committee must maintain accountability and reporting to its board or commission.

To ensure effective meetings, all meeting packets should contain all appropriate and required information. If an application is incomplete, then it should not be placed on an agenda. Furthermore, the use of pre-application meetings and study sessions allow for more free flow of discussion on a topic before it is submitted for formal review.

Additional Recommendations

Planning Staff Hiring

In the hiring of new planning staff, it is recommended that the hiring of the Planning Director be considered first. For those interviews, we recommend including the Planning Commission Chair and Zoning Administrator as those positions are key in their interaction with the Planning Director.

It is further recommended that the hiring of the Assistant Planner be delayed until the Planning Director is hired. As supervisor of the Planning Department staff and its operations, the Planning Director should be part of hiring decision for the Assistant Planner.

Zoning Ordinance Re-write

A re-write of the Township Zoning Ordinance has been underway for approximately two and a half years. A generalized timeline and process for completion has been defined by the Zoning Re-write Committee, however, there is some concern whether there is sufficient support to approve a complete revision of the Zoning Ordinance. At least a six-month moratorium on the zoning ordinance re-write is recommended until the new Planning Director acclimates to the Township organization and operations. Coordination by the new Planning Director and the current Zoning Administrator is imperative to ensure the new Zoning Ordinance is fully implemented and managed appropriately. This pause will allow for creation of a clearly supported completion plan to make the re-write fully successful.

Conclusion

The Planning Department and the Zoning Department are often the Township's most significant "public facing" service areas with planning and development projects that are highly visible in the community. Operations that reflect the priorities and values of the community are essential for the Township to meet the demand for development and to protect its unique qualities. The recommendations identified in this review are essential for consistent and efficient operations in planning and zoning. It is expected that the new Planning Director will be primarily responsible for implementing these changes with the continued support of the Township Board and other Township staff.