



City of Saginaw
Zoning Ordinance Audit

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Summary

A Zoning Audit is a review of the Zoning Ordinance that evaluates and identifies outdated language, conflicting provisions, and confusing text, as well as opportunities for improvement. Areas that may conflict with state/federal law and case law are also identified. This report summarizes our findings from a review of Saginaw's Zoning Ordinance.

Guiding Principles for Zoning Ordinance Health.	
Generally, a healthy zoning ordinance follows these guidelines:	
a.	The Zoning Ordinance directs growth and development as envisioned in the community's master plan. The Zoning Ordinance is a well-structured and intuitively organized regulatory tool.
b.	The Zoning Ordinance language is clear, concise, and easy to understand.
c.	The Zoning Ordinance contains clear illustrations that help to explain text-based ordinance requirements.
d.	The Zoning Ordinance includes the Zoning Map for easy reference.
e.	The Zoning Ordinance is consistent with state and federal law as well as related case law.
f.	Outcomes are consistent and predictable

With these guiding principles in mind, we draw the following conclusions:

1. Conversion into the Clearzoning format will help to address many of the departures between Saginaw's Zoning Ordinance and the guidelines above. However, many additional improvements are recommended to ensure better adherence to the City's Master Plan, state and federal law, and urban planning best practices.
2. The City may wish to assess completed development projects from the last few years to evaluate how zoning affected desired outcomes. In addition, a review of variance requests may help identify areas of the ordinance that have proven to be overly burdensome for applicants.
3. The Zoning Ordinance should direct growth and development as envisioned in the City's Master Plan. As part of this update, the City may wish to consider refining and consolidating some zoning district boundaries to allow flexibility with redevelopment, preserve historic structures, ensure compatibility of uses, and evolve the Zoning Map to be consistent with the districts outlined in the Future Land Use Plan.

Organization and Format

Zoning ordinances should be structured in a way that is intuitive and easy to access information. Every ordinance should include zoning districts, use designations, standards, and procedural requirements, with information displayed in a manner that is user-friendly and prevents flipping between sections.

The new Clearzoning Ordinance will consolidate the Saginaw Ordinance into seven key subsections to improve ease of use and overall navigability:

1. Purpose and Intent
2. Definitions
3. Zoning Districts
4. Use Standards
5. Site Standards
6. Development Procedures
7. Administration and Enforcement

Summary of Priority Items

Following review of the audit, we focused on several “priority” items for the Planning Commission’s consideration. These are highlighted on the pages that follow, but include:

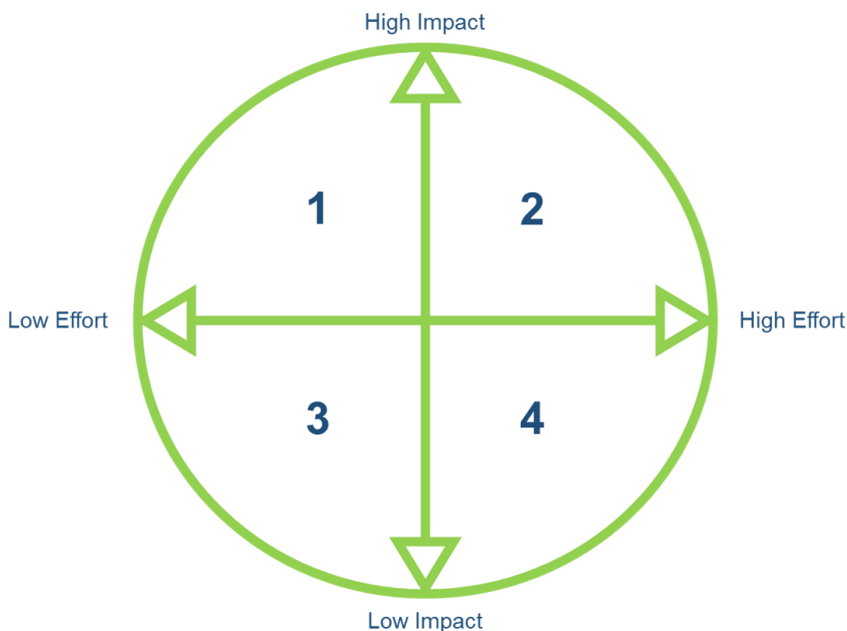
- Updates to Definitions
- Updates to District Regulations and Intent
- Updates to Form-Based Regulations
- Updates to Use Specific Standards
- Updates to Site Specific Standards
- Updates to Procedural and Administrative Standards

Planning Commission Input

We intend to gather Planning Commission input about the following items.

1. Does the audit cover all the potential uses?
2. Are there any other additional issues the Planning Commission would like to address?
3. Discuss implementation strategies for short-term and long-term amendments.
4. What are the items that the Planning Commission would like to prioritize?

An Action Priority Matrix like the one shown below could help the Planning Commission move forward on making updates to the Zoning Ordinance. It can include all the recommendations from the audit based on priority and effort. Potential impact would be determined based on discussions with the Planning Commission and input from legal counsel and staff. The effort is determined based on amount of research, discussion, and estimate time it takes to draft the language.





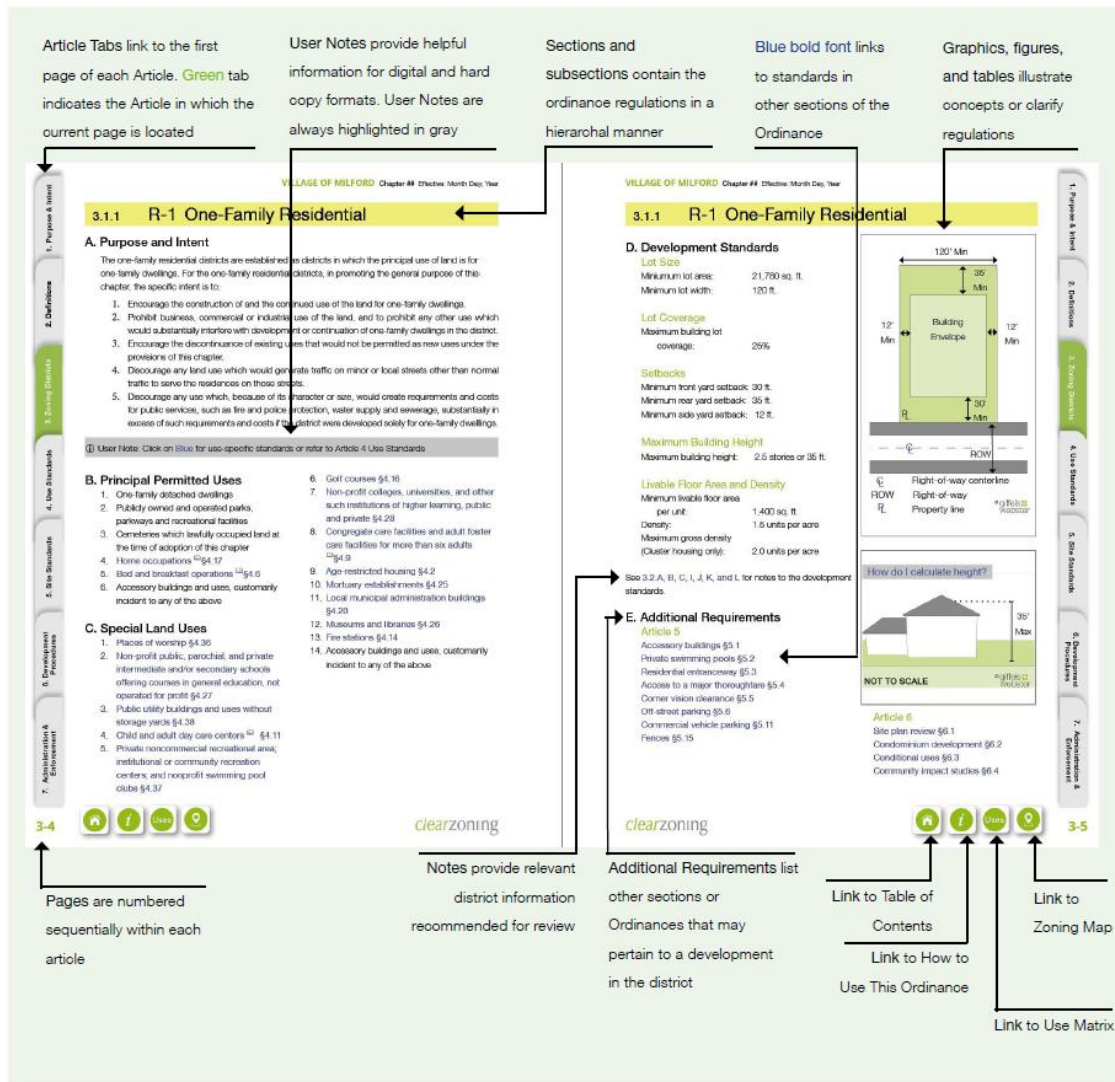
What is in this Audit?

This draft audit reviewed the overall health of the zoning ordinance with a focus on the following:

1. Review definitions to ensure they are current, reflect needs of today's residents and business owners, and consistent with applicable state laws and licensing provisions for certain land uses.
2. Review zoning district intent statements to ensure they describe the types of uses permitted and desired in light of the recently adopted Master Plan.
3. Review the structure of the ordinance to ensure information is organized in a manner that is intuitive and user-friendly.
4. Evaluate the requirements for individual land uses (principal permitted, administrative approval, special land use, planned unit development and the like) to ensure they incorporate up-to-date standards and approval criteria.
5. Review parking, landscaping, stormwater, signage, and other site standards, to ensure needs are adequately and fairly addressed and regulations are generally presented in a consistent and graphic manner.
6. Assess how the zoning ordinance reflects federal and state law, with special attention to RLUIPA, wireless communications facilities, content-neutral sign regulations, residential care facilities, and similar topics.

Clearzoning Conversion

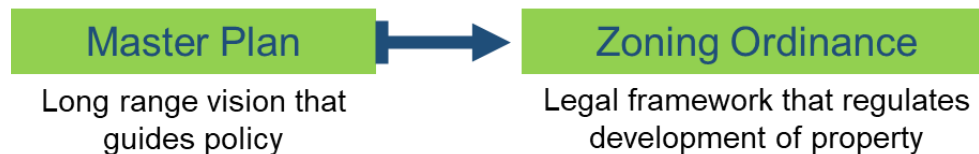
In addition to the recommendations in this audit, the Zoning Ordinance update will culminate in the conversion of the ordinance into the Clearzoning format, making it easier to use and interpret. Benefits of this transformation will include a clear organizational structure that makes sense, informative graphics, and linking between cross referenced sections. The content and page layout are designed to promote a clear understanding of the requirements, as well as quick retrieval of relevant standards, procedures, and other information.



Master Plan Alignment

Relationship Between the Master Plan and the Zoning Ordinance

Community master plans illustrate the vision for the future and contain guiding principles that help a community create land development policies and make land use decisions. In Michigan, the value of the master plan as an important community document is recognized, which is why the State of Michigan requires the master plan be reviewed every five years. This review allows communities to check in on their progress and ensure the vision and guiding principles are still relevant. The zoning ordinance is one of the primary tools for implementing a master plan; there should be a clear connection between master plan goals and the zoning ordinance. Many of the land use recommendations, goals and objectives found in Saginaw's Master Plan can be aided by amendments to the zoning ordinance. Amendments can range from minor changes to text all the way to the addition of new uses and creation of new districts.



The 2022 Master Plan was the culmination of community planning efforts to establish Saginaw's long-term vision. The plan provides the basis for zoning policy and standards. The City should continue to update this plan every five years, consistent with the Michigan Planning Enabling Act.

The Master Plan goals are listed below. Within each goal is a list of corresponding objectives and strategies aimed at moving the goal forward. A brief assessment of how the Zoning Ordinance advances these goals and progresses plan objectives is provided.

Master Plan Alignment

When considering land use policies, zoning changes and development review, it is helpful to consider the three Master Plan goals below.

2022 Master Plan Goals

1. Develop strong and stable neighborhoods that are desirable and have a unique sense of place.
Objective 1.1: Land Use
Objective 1.2: Housing
2. Create a viable and attractive community.
Objective 2.1: Economic Development
Objective 2.2: Parks and Recreation
3. Provide adequate and cost-effective public services.
Objective 3.1: Transportation
Objective 3.2: Placemaking
Objective 3.3: Hazard Mitigation
Objective 3.4: Asset Management

Vision Statement

The Master Plan was written in alignment with the vision statement adopted by City Council.

Saginaw, through collaboration and public/private ventures, will be a welcoming community that promotes neighborhood growth, stimulates business development and innovation; and fosters entertainment, and educational opportunities for all.

The goals and objectives section provides a planning framework for the recommendations in the plan, including future land uses and prospective zoning ordinance changes. In addition, the plan outlines a vision for future growth and development that helps to guide the Planning Commission through decision making.

Zoning Strategies to Implement the Master Plan

A zoning ordinance regulates the use of land. Adopting regulations that support the goals of the Master Plan helps ensure that future development will be in line with the community's goals and vision. It is one of the most important implementation tools at the City's disposal.

An amended zoning ordinance can also be supported by other policies that encourage redevelopment, upgrades to existing development, and the maintenance of property. The following pages include a summary of master plan recommendations by goal along with zoning changes that may be considered as a part of this update.

Master Plan Implementation Items				
Goal	Objective		Task	Zoning Changes
Develop strong and stable neighborhoods that are desirable and have a unique sense of place.	Land Use	1.1.1 Prioritize redevelopment areas	No zoning tasks identified	
		1.1.2 Develop a zoning plan that relates to Future Land Use categories	Formulate future development goals through collaboration with representative groups in areas identified in the future land use map.	Consider new districts and district regulations that align with the Future Land Use Map and community intent.
			Conduct a block-by-block analysis within the defined area to determine appropriate future land use and zoning plan.	
			Based upon input from the representative group's vision, formulate zoning classifications and standards that would define and support the vision.	

Master Plan Implementation Items				
Goal	Objective		Task	Zoning Changes
Develop strong and stable neighborhoods that are desirable and have a unique sense of place.	Land Use	1.1.3 Revise the zoning ordinance to allow reuse of vacant and abandoned property	Identify vacant and abandoned property areas that no longer fit. the zoning classification they are in, or, areas included in the future land use map under a zoning classification that is undefined in the current zoning, and formulate future development goals through collaboration with representative groups.	Address zoning barriers, identify process improvements and offer additional flexibility when appropriate.
			Based upon input from the representative group's vision, formulate zoning classifications and standards that would define and support the vision.	
		1.1.4 Revise zoning ordinance to provide for a range of appropriate building and construction forms	Update the zoning ordinance to align with the goals and zoning recommendations from the master plan.	Convert the ordinance into the user-friendly, easy to navigate Clearzoning format, with clear graphics and logical organization.
			Consider a complete rewrite of the zoning ordinance.	
			Evaluate and streamline requirements and regulate for the kind of development that is truly desired. Make the ordinance and zoning map accessible online. Ensure the ordinance portrays clear definitions and requirements. Include easily understood graphics, tables or charts in the zoning ordinance.	

Master Plan Implementation Items				
Goals	Objectives		Task	Zoning Changes
Develop strong and stable neighborhoods that are desirable and have a unique sense of place.	Land Use	1.1.4 Revise zoning ordinance to provide for a range of appropriate building and construction forms	Consider expanding the Form Based Zoning Code as part of the proposed zoning ordinance rewrite.	Review the RMU District provisions and consider the appropriate subdistricts and building types (new or expanded) for other areas in the City.
		1.1.5 Enhance the riverfront attractiveness through place making	No zoning tasks identified.	
	Housing	1.2.1 Provide quality infrastructure, public services, and public safety to sustain strong neighborhoods	No zoning tasks identified.	
		1.2.2 Ramp up housing renovation, infill construction and development	Identify appropriate locations for senior-specific and “Missing Middle” housing types within the City of Saginaw.	Review zoning districts and consider the appropriate locations for new housing types, particularly those that serve seniors.
			Update zoning ordinance to allow for the following types of building forms where appropriate: ADU’s, townhouses/ rowhouses, triplexes, quadplexes, 6-plexes, stacked flats, residential above commercial, micro units, tiny houses.	
		1.2.3 Update the zoning ordinance to include flexible zoning techniques	Adopt zoning classifications that will shape inviting, walkable, vibrant communities, rather than inhibit them.	Review all zoning standards to consider walkability and vehicle dependency.

Master Plan Implementation Items				
Goal	Objective		Task	Zoning Change
Develop strong and stable neighborhoods that are desirable and have a unique sense of place.	Housing	1.2.3 Update the zoning ordinance to include flexible zoning techniques	Revise Planned Development District (PDD) classification to allow timely and predictable review and approval for flexibility within appropriate abandoned or underutilized areas.	Review and update PDD regulations to allow appropriate flexibility, while ensuring desired community benefits.
		1.2.4 Identify sub-area planning and applicable zoning changes	Consider stakeholder uses.	Consider regulations that will enhance flexibility for residential development, while protecting Saginaw's unique historic character.
			Meet with representatives from Covenant and St Mary's to coordinate their development plans that may include possible new/renovated housing developments.	
			Update the zoning ordinance to allow mixed-use building forms by-right in identified areas of concentrated development while preserving historical assets.	
Create a viable and attractive community.	Economic Development	2.1.1 Leverage our position in the Great Lakes Bay Region with existing economic cluster (Manufacturing and Healthcare)	Ensure zoning codes are written clearly to be easily understood by industry and development professionals.	Convert the ordinance into the user-friendly, easy to navigate Clearzoning format, with clear graphics and logical organization.
		2.1.2 Center on developing a diverse job base	Identify areas within the City with potential for new industry types.	Review and update uses identified in the ordinance.

Master Plan Implementation Items				
Goal	Objective		Task	Zoning Change
Create a viable and attractive community.	Economic Development	2.1.2 Center on developing a diverse job base	Modify zoning codes to include flexible regulations to eliminate barriers to development for new industry types.	Update and clarify process for unlisted uses.
		2.1.3 Center on developing a diverse job base	Collaborate with the Riverfront Development Commission to identify the boundaries for an entertainment district.	Consider boundaries of new entertainment district overlay.
			Create an overlay zoning district that promotes walkability and the development of entertainment businesses, housing, public gathering spaces and other related features. Capitalize on the entertainment venues already existing in the city core. Focus on pedestrian oriented public spaces and developments.	
		2.1.4 Market the City regionally as well as globally	No zoning tasks identified.	
		2.1.5 Assemble and market vacant properties to attract new investment	Create language in the zoning ordinance that allows for a Planned Development District (PDD) to capitalize on the utilization of the property.	Review and update PDD regulations to allow appropriate flexibility, while ensuring desired community benefits.

Master Plan Implementation Items				
Goal	Objective		Task	Zoning Changes
Create a viable and attractive community.	Economic Development	2.1.6 Encourage new mixed-use developments that include public access and enhance natural amenities	Introduce ordinance changes that allow mixed-use buildings by-right in designated areas of concentrated development. Proposed changes to include: build-to-lines, open storefronts, outdoor dining, minimum ground floor transparency, front facing doorways, parking located in the rear of the building.	Review the RMU District provisions and consider the appropriate subdistrict regulations and design standards.
	Parks and Recreation	2.2.1 Create a parks management system that is sustainable	No zoning tasks identified.	
		2.2.2 Provide safe, clean, and well-maintained parks and facilities	No zoning tasks identified.	
		2.2.3 Develop a financial strategy to sustain and enhance City parks	No zoning tasks identified.	
		2.2.4 Capitalize on the importance and function of community and regional parks	No zoning tasks identified.	
		2.2.5 Provide safe non-motorized travel network linking various parks to the central park area	No zoning tasks identified.	
Provide adequate and cost-effective public services.	Transportation	3.1.1 Provide strategic enhancements to the City's gateways	No zoning tasks identified.	
		3.1.2 Provide and pursue multi-modal transportation alternative to improve connectivity	No zoning tasks identified.	
		3.1.3 Incorporate complete streets principles and practices to create a transportation network	No zoning tasks identified.	
	Placemaking	3.2.1 Capitalize on the City-wide and regional importance of the Saginaw River as an asset for economic development	No zoning tasks identified.	

Master Plan Implementation Items			
Goal	Objective		Zoning Changes
Provide adequate and cost-effective public services.	Placemaking	3.2.1 Capitalize on the City-wide and regional importance of the Saginaw River as an asset for economic development	No zoning tasks identified.
		3.2.3 Utilize Redevelopment Ready Communities best practices to create a strong vision for redevelopment in Saginaw.	No zoning tasks identified.
	Hazard Management	3.3.1 Utilize the County's Hazard Mitigation Plan to protect the residents, visitors, and property within the City	No zoning tasks identified.
	Asset Management	3.4.1 Update the asset management strategy to address all public infrastructure needs	No zoning tasks identified.

In addition to this list, the Master Plan highlights key priorities. Among those listed is,

“Zoning Ordinance Re-Write: Based on the new land use categories shown on the Future Land Use Map, new zoning districts will need to be drafted. The new zoning categories will permit new kinds of activities and uses in the City, all intended to encourage new economic development while addressing ways to right-size City infrastructure and services.”

This rewrite will help accomplish many of the key objectives identified in the plan, making significant progress towards the City's three main goals.

Zoning Ordinance Review



Definitions

Every zoning ordinance must include specific and comprehensive definitions to provide legal clarity and reduce ambiguities. This ensures that all stakeholders, from local government officials to property owners and developers, have a shared understanding of the rules and regulations established in the ordinance. This clarity not only enhances compliance, but also reduces the likelihood of costly disputes and legal challenges. In addition, clear definitions help to preserve the integrity of the ordinance by making it easier to manage consistent application of the rules. The recommended updates to definitions outlined below will provide greater clarity throughout the development process.

Clear and easy-to-understand definitions are critical for all ordinances.

The not only help applicants, staff, and decision-makers understand regulations, but also aid in review and enforcement. Improvements to the definitions will help provide clarity to the ordinance to maintain consistent application and interpretation to the greatest extent possible. Confusing terms that require complex logical exercises in order to resolve an interpretation should be redefined in the simplest manner possible.

Definitions should use terms that are commonly understood or otherwise defined in the ordinance. For example, many definitions use the term abutting to describe adjacency. However, this term itself is undefined in the ordinance, making it difficult to assess whether “abutting” lots may be separated by water bodies, rail lines, or rights of way, or if this term only applies to lots with shared boundaries.

Simple, clear graphics help illustrate the text.

All graphics will be updated as a part of the update to the Clearzoning format. However, in the future, graphics may help to clarify terms that are easier to understand visually, such as the definition of building height of the many various subdefinitions of “lot”.

The definitions should differentiate between similar terms clearly to avoid confusion and overlap, but too many similar definitions should be avoided.

Definitions for synonyms or like-terms should be consolidated or cross referenced. Other terms may require separate and distinct definitions. For example, instead of including a definition for “Restaurants” the ordinance cross references the definition of “Drive-In Establishment.” Although the ordinance defines “Drive-In Establishments” as a type of restaurant, the service to motor vehicles is distinctively unique to these uses. Given the differences in characteristics, it is important that restaurants are defined clearly as a separate type of use.

Add clarifications to consider when an unusual situation may occur.

For example, the definition for building height does not specify if rooftop equipment is included in the total measure of height. Add clarity as to what is included and what is excluded.

Definitions should be updated to include current terminology and be consistent with state and federal laws as well as case law.

Terms defined by the State of Michigan often do not need to be defined again in local ordinances. This keeps the local ordinance consistent with state law. For example, the ordinance should include separate definitions for “family” and “group” childcare, as such terms are defined by the state, and reference the state definition therein.

Terms should be defined in a single subsection of the ordinance.

The Clearzoning conversion will remove definitions that are embedded in regulations or other sections of the ordinance and relocate them into the definitions section with other important terminology. For example, in the solar energy systems regulations, the ordinance includes a separate subsection of definitions. As a part of the updated ordinance, all important terms will be clearly defined in the definitions section.

Terms that correspond with regulations should be defined.

When a term is mentioned in the ordinance, it should not be subject to interpretation or difficult to understand. For example, “assembly halls” are listed as a permitted use in some districts, without a definition explaining what this term means. Different interpretations of what does and does not constitute an assembly hall may occur as a result.

References to state agencies should be updated.

The ordinance includes some outdated references to state agencies, for example the Michigan Historical Center should be State Historic Preservation Office, and the Department of Health should be updated to the Department of Health and Human Services.

New uses added to the ordinance should be defined.

Any new uses added to the ordinance should have a corresponding definition that highlights any distinguishing characteristics. In particular, new missing middle housing types added to the ordinance should include corresponding definitions.

Definitions should be separate from standards.

The Clearzoning conversion will move all district, site, or use-specific standards from definitions into the appropriate subsection. This ensures that standards are not overlooked, as definitions are often only referenced for clarification. For example, the definition of “retaining walls” includes requirements for retaining walls, stating that all posts, braces, or pilasters must be placed on the inside of the wall, retaining walls may only be painted in one color, and no sign or advertisement may be affixed thereon.

Fair Housing

Fair housing is the right to choose housing free from unlawful discrimination. The Federal Fair Housing Act (FFHA) and Michigan laws protect people from discrimination in housing based on the following protected classes: race, color, religion, sex (including sexual orientation and gender identity), national origin, familial status, disability, marital status, and age.

The FFHA prohibits municipalities and other local government entities from making zoning or land use decisions or implementing land use policies that exclude or otherwise discriminate against individuals protected by fair housing law, whether intentionally or by discriminatory effect. Discriminatory effect can be established by showing that an action, such as a zoning decision, while facially neutral, has either an adverse impact on a particular minority group or harm to the community generally by the perpetuation of segregation.

The FFHA also requires municipalities and local governments to make reasonable accommodations to zoning and land use rules, policies, practices and procedures as necessary to provide an individual with a disability equal housing access.

Reasonable accommodations, as defined by the FFHA, are changes in rules, policies, or practices that are necessary to afford persons or groups of persons with disabilities equal opportunity to use and enjoy housing. The FFHA requires municipalities to make reasonable accommodations in land use and zoning policies and procedures.

In addition, the following definitions may be reviewed as a part of the ordinance update:

- **Food** should be redefined to explain what food is. Currently, the definition only explains that frozen desserts and nonalcoholic beverages are considered as food.
- The definition of lot should be rewritten. Currently, the definition states that lots are intended to be occupied by a building. However, lots may be preserved or maintained in a natural state. While the definition acknowledges that open space may be included as a part of a lot, it implies that lots are not intended for use as open space alone.
- The definition of **dwelling, single family** should be reviewed to only include characteristics pertaining to the definition. Standards should be included in the use standards for single family dwelling units. In addition, the definition of single-family dwelling specifies that these uses must comply with the minimum floor area requirements of this code, strict requirements such as these should be included in the use standards section of the ordinance. Structures smaller than the minimum floor area that are used as single-family dwellings may exist as nonconformities, and should also meet the definition of dwelling, single family.
- The definition of **dwelling, multiple** is likely frequently used, and should be as clear about the relationship of a family occupying a dwelling unit as possible. If the definition of **dwelling unit** is clear in that one family shall occupy one dwelling unit, and physical parameters of such dwelling unit are adequately covered, then the multiple family dwelling definition should simply clarify the fact that the multiple dwelling is a building or portion consisting of a particular number of dwelling units. References to cooking facilities, independent living, etc. do not need to be included as long as the definition utilizes the defined term “dwelling unit.”
- The definition of **family** may be reviewed to consider whether a greater number of non-related persons may qualify as a family. The ordinance caps the number of non-related persons at three maximum members, which is rather low compared to many communities and can be burdensome to low-income populations and contribute to local housing shortages.
- **Site condominiums** should be defined and referenced in the ordinance consistent with the Condominium Act.



Districts and Uses

Existing zoning districts and their permissible uses should be analyzed closely to ensure the districts have a logical, but discernible pattern from one district to the other.

General Findings

The intent of a zoning district should align with the vision and goals of the Master Plan. Generally, the intent statements for all districts should be reviewed after the completion of a Master Plan update. The intent statements provide guidance for interpretation and consideration for rezoning requests.

As a part of the ordinance update, we will review the list of permitted and special land uses in each district to review alignment with each district's established intent. We will consider opportunities to consolidate like-districts to ease regulation and reduce the overall number of districts on the Map.

Consolidation of uses may help with understanding as well as help the ordinance to stay current. By defining a group of uses through a definition, the list of uses may be able to be slimmed down. This may include uses related to retail, food services, personal service establishments, etc., where the impacts of activities may be mitigated through standards rather than by specific types of uses.

The district regulations include many cross references to other sections of the ordinance, including site plan review standards, area, height, bulk, and placement requirements, and performance standards. As a part of the Clearzoning conversion, these standards will be referenced as needed without unnecessary repetition. The new format's hyperlinking and easy to use navigation will ensure standards do not get lost.

Uses should only be listed in the district regulations. Definitions for uses should be provided in the definitions, and any use specific standards should be cross-referenced and located in the use standards section. As a part of the Clearzoning conversion, these provisions will be appropriately relocated.

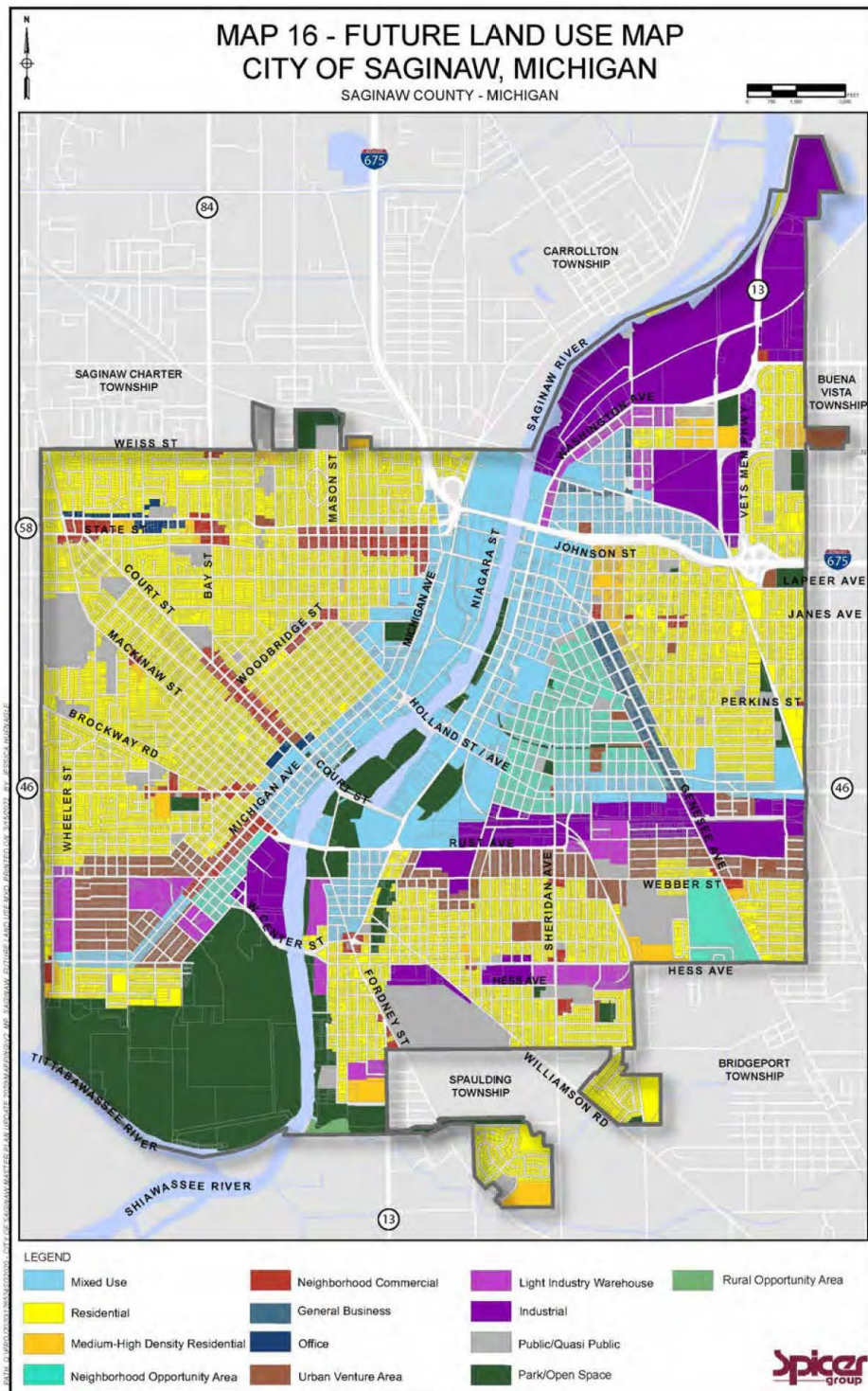
Future Land Use Categories and the Zoning Plan

The Future Land Use Map illustrates where the City intends to locate general land use categories into the future. The map is accompanied by text that describes the categories shown on the map. Both elements are intended to guide any zoning amendments that may be needed to realize the vision of the plan, but also to provide the City support for land use policies and decisions (like a Planned Development District (PDD) or a rezoning application.

Section 33 (2) (d) of the Michigan Planning Enabling Act (Act 33 of 2008) requires that Master Plans adopted after September 1, 2008 include a Zoning Plan that explains how future land use categories in a plan relate to the zoning districts incorporated in a community's zoning ordinance.

FUTURE LAND USE	ZONING DISTRICT(S)
Mixed Use	RMU
Residential	R-1
Medium-High Density Residential	R-3 and R-4
Neighborhood Opportunity Area	No corresponding zoning district
Neighborhood Commercial	No corresponding zoning district
General Business	B-1, B-2, and B-3
Office	RO-1
Urban Venture Area	No corresponding zoning district
Light Industry Warehouse	M-1
Industrial	M-2 and M-3
Public/Quasi-Public	Various
Park/Open Space	Various
Rural Opportunity Area	No corresponding zoning district

The table above relates Saginaw's 2022 Master Plan Future Land Use categories with the City's current zoning districts.



Residential Districts

The City of Saginaw has five residential districts with a broad range of densities, including R-1, Single-Family Residential District; R-1A, Agricultural Residential District; R-2, Two-Family Residential District; R-3, Low Density Multiple Dwelling Residential District; R-4, High Density Multiple Dwelling Residential District.

The Future Land Use Plan recommends the following changes to residential:

Areas currently zoned R-1 generally align with the similar Future Land Use designation, “Residential.” Although this designation is primarily reserved for single-family uses. However, the Master Plan also recognizes that tracts of land within a residential district may be assembled to permit the pursuit of a planned unit development, and the possibility for a greater mix of uses and densities.

The Future Land Use Plan aligns R-3 and R-4 zoning districts with a new medium-high density residential Future Land Use designation. This new designation is generally characterized by low-density multiple-family dwellings and complementary cultural, religious, or educational uses, unless surrounding conditions and site design make the site amenable to greater density, including high-rise apartment structures.

Potential Zoning Actions:

Single- and Two-Family Residential Districts

The Planning Commission may wish to consider accessory dwelling units as a housing option in any district where single-family residential is permitted. Corresponding regulations that address the impact of accessory dwelling units on surrounding properties may be considered. These types of units should be reserved for sites where either the ADU or principal structure are owner-occupied.

The Planning Commission may wish to consider a more inclusive term for “churches, convents, rectories, and other facilities normally incidental thereto” such as “places of worship.” In addition, in the R-1 District, these uses are listed as special land uses, but other places of assembly, such as community centers, are listed as permitted uses. The Planning Commission may wish to review these standards to ensure that the City does not accidentally discriminate against religion, as places of worship should be treated consistently with other places of public assembly.

The R-1A District includes many uses that are not residential or agricultural. The Future Land Use Map also excludes an agricultural designation. The Planning Commission may wish to consider appropriately reclassifying this district, as residential or as otherwise aligned on the Future Land Use Map.

The Planning Commission may wish to consider permitting day care centers and adult day care centers as a special or permitted land use in the R-1 District. Often, these facilities are located within residential structures, and this restriction may limit opportunities to strengthen the local workforce and provide much needed resources for families.

Multiple Family Districts

The Planning Commission may consider missing middle options (including townhomes, triplexes, quadplexes, etc.) and multi-family options (including stacked flats, residential above commercial, apartment buildings, etc.). This may be incorporated as a change to the definitions or listed within districts where such uses are permitted.

In the R-3 and R-4 Districts, multiple-family residential dwellings are only permitted on lots with access to a major or secondary thoroughfare. The Planning Commission may wish to consider flexibility to allow three- or four-unit residential structures on smaller collector roads.

Office District

The City of Saginaw has one office district, RO-1, Restricted Office District. The Future Land Use Map recommends that this district remains as “Office”.

Potential Zoning Actions:

Many of the office uses included as special land uses would be harmonious with surrounding residential and meet the district’s intent of providing employment opportunities near housing. The Planning Commission may wish to consider allowing business offices, professional and government offices, including executive, administrative, professional, accounting, real estate, clerical, stenographic, and drafting as a permitted use.

Furthermore, as this district permits a considerable variety of uses, the Planning Commission may wish to consider a name that better reflects the intent and uses in this district. As demand for office uses has declined in recent years, a broader name that better reflects the uses permitted would provide greater visibility for new development potential in this district.

Business Districts

The City of Saginaw has four business districts: B-1, Local Business District, B-1A, Interchange Business District, B-2, General Business District and B-3, Central Business District.

The Zoning Plan aligns these districts with a single, broad “General Business” Future Land Use designation. The General Business designation mostly includes the areas currently zoned for business uses along Genesee Avenue. Other areas currently zoned for business are shown on the Future Land Use Map as Neighborhood Opportunity Area, Neighborhood Commercial, and Urban Venture Area.

Potential Zoning Actions:

The Planning Commission may wish to consolidate the B-1 and B-1A zoning districts. The B-1A District has a statement of purpose distinguishing the district as one that is intended for activities and services that are oriented to automobile traffic at interchange areas of feeder roads and expressway/freeway facilities. However, the uses and requirements within the B-1A District are the same as those in the B-1 District, resulting in no practical difference between the two districts.

It does not appear that B-3 is represented on the zoning map anymore. If the RMU districts resulted in the reclassification of all lots classified B-3, then the district should be removed from the zoning text as well.

The ordinance allows the Planning Commission to determine whether “similar uses” may be permitted in the business districts. As a part of the zoning ordinance update, the Planning Commission may consider review standards to guide this type of decision making. In addition, the Planning Commission may create a process for considering uses that are not listed in the ordinance and are also not similar to any other listed use.

Industrial Districts

The City has three industrial districts: the M-1, Light Industrial District and M-2, General Industrial District, and M-3, Heavy Industrial District. The Zoning Plan aligns the M-1 District with a “Light Industry Warehouse” Future Land Use designation and M-2 and M-3 are consolidated into a single “Industrial” Future Land Use designation.

The Master Plan describes Light Industry Warehouse as a designation with relatively lower intensity industrial activities, such as light manufacturing, warehousing, and wholesaling. The Plan notes that these uses may be integrated with surrounding areas with few adverse impacts.

The Industrial designation is intended to permit more intensive industrial uses where additional buffering, transportation access, and public services may be necessary.

Potential Zoning Actions:

As research and development uses are becoming more prevalent, often investing-in and redeveloping older industrial sites, the Planning Commission may wish to consider allowing research and development as a permitted use in the M-1 District.

Pickle processing is a very specific use, listed as a permitted use in the M-1 District. The Planning Commission may wish to create a broader category of food processing uses.

The ordinance allows many special land uses that are not compatible with M-2 and M-3 District uses, such as ancillary barber and beauty shops, eating and drinking establishments, and hotels and motels. The Planning Commission may wish to review the compatibility of these types of uses with the intent of these districts.

New Zoning Districts

While most of the zoning districts in the Zoning Plan align with existing districts, the Zoning Plan also included recommendations for new zoning districts that are comprised of a variety of existing districts. A summary of each of these proposed Future Land Use designations is included below. The Planning Commission will use these recommendations to guide the creation of new districts and changes to the Zoning Map.

Neighborhood Opportunity Area

"This category includes traditional neighborhoods next to employment centers, e.g., hospitals, manufacturing facilities, and former public uses that present growth opportunities for new investment and a comfortable, high-quality urban living. These traditional neighborhood areas include many existing vacant residential structures and over time, are expected to be either rehabilitated or demolished, providing new possibilities for business expansion and the development of new neighborhoods that are well-buffered while remaining connected to the existing urban fabric. To help preserve existing neighborhoods that are primarily single-family residential, such as the Cathedral District, the City will need to develop restrictive zoning overlays that would contain registered rentals, preserves historic assets desired by the neighborhood, and provides flexibility for other mixed uses. This land use category does not correspond to any of the existing districts in the City's zoning ordinance."

The **Neighborhood Opportunity Area** future land use designation is geographically situated in a few different areas of the City but is predominantly in the City's Cathedral District neighborhood.

Currently, this area is primarily zoned R-1, Single-Family Residential, confined to mostly single-family residential uses. With many redevelopment opportunities, vacant land, and proximity to amenities and employment centers, like Ascension St. Mary's hospital, additional flexibility is needed to attract new investment.

Consideration towards missing middle housing, smaller-scale mixed use, and live-work units might leverage new investment and the comfortable, high-quality urban living imagined in the future land use plan. The Master Plan's Housing Analysis appendix acknowledges the need for new housing construction here, stating "new housing (varying in density) should be constructed within existing neighborhoods, as well as redevelopment of currently vacant properties."

An overlay district to ensure consistent design aesthetics with respect to the historic homes may be appropriate for this neighborhood. Making sure zoning provisions and historic district ordinance provisions are compatible and not contradictory will be important in ensuring predictable and fair development review processes. In addition, this neighborhood may be considered as a part of the RMU District expansion.

In addition to the Cathedral District, this designation is also assigned to the former Saginaw Raceway property. However, the Planning Commission should be mindful of the different conditions between these areas. Given the scale of this site, there is potential for larger redevelopment projects than may be possible in the Cathedral District. In addition, as more of an isolated site, scale and consistency with the surrounding neighborhood may be less of a development consideration.

Neighborhood Commercial

“This category is intended to provide a transition from the Mixed-Use district to less intense office uses, some multiple-family housing, and lower density residential uses that are compatible with single-family residential. This commercial designation provides for, when appropriate, adjustments to zoning restrictions to permit commercial uses with standards that encourage neighborhood access to these businesses as well as encourage compatibility among these lower intensity uses and associated residential areas. This land use category does not correspond to any of the existing districts in the City’s zoning ordinance.”

The **Neighborhood Commercial** future land use designation is scattered along major corridors surrounded by residential uses. Most of the areas designated for Neighborhood Commercial are west of the Saginaw River.

The Planning Commission may wish to consider permissible uses that meet the intent of providing a smaller, neighborhood level commercial feel. This will include some smaller mixed-use opportunities and compatible missing middle housing options.

It is important to distinguish intent between the General Business District future land use designation and the Neighborhood Commercial District future land use designation. Careful consideration of the appropriate uses will be key to ensuring the success and compatibility of neighborhood businesses with surrounding residential. Uses should cater to foot traffic and meet the needs of neighborhoods. To create a district that is amenable to both commercial and residential uses, the Planning Commission should restrict any noisy, high-intensity, or auto-centric uses, such as drive-throughs, car washes, and automotive service centers.

Urban Venture Area

“The Urban Venture Area designates transitional areas for a range of innovative uses, when deemed appropriate for a given context to ensure compatibility with adjacent uses. Vacant land and vacant buildings are reinvented to permit a range of uses meant to stabilize the long-term integrity of these traditional urban areas. The Urban Venture Area allows single-family residential uses on large lots, multi-family and senior living facilities (skilled nursing, assisted living, independent living), art studios, parks, open space, community gardens, greenhouses, farm markets, home occupations, and small business start-ups. Considerations to allow new businesses and light industrial uses are appropriate when it can be determined that land use conflicts with adjacent existing low intensity uses can be minimized, if not eliminated. This land use category does not correspond to any of the existing districts in the City’s zoning ordinance. The City will need to further refine permitted uses and designate a range of special land uses when updating the zoning ordinance to accommodate the Urban Venture Area concept.”

The **Urban Venture Area** future land use designation is generally located in areas adjacent to industrial districts, primarily in the southern portion of the City. The Urban Venture Area designation should be carefully crafted to ensure regulations are in place to protect property owners from more intensive surrounding land uses.

Rural Opportunity Area

“The Rural Opportunity Area is limited to flood prone lands in the southern end of the City. Because of the limitations posed by flooding, general permitted uses include limited farming operations, community gardens, parks, and passive outdoor recreational uses. This is a new land use category, and it does not correspond to any of the existing districts in the City’s zoning ordinance.”

The **Rural Opportunity Area** future land use designation is only assigned to a small portion of land on the City’s southern border, east of the Saginaw River. As a part of the Zoning Ordinance update, the Planning Commission may consider a district intent that is clearly distinguished from the Park/ Open Space designation. If there is not a substantial distinction between these designations, the Planning Commission may consider zoning that aligns with the Park/ Open Space designation for this area.

PDD District

Saginaw’s Planned Development District (PDD) provides developers with zoning flexibility beyond the conventional application of the ordinance, allowing for a mix of uses while ensuring compatibility with the surrounding area.

Potential Zoning Recommendations:

The PDD District should have a statement of intent outlining the appropriate use of this designation. The statement of intent should explain that the PDD tool may be used to permit flexibility in regulation, encourage innovation in land use and variety in design, layout, and type of structures constructed, achieve economy and efficiency in the use of land, natural resources, energy, and the provision of public services and utilities, encourage useful open space, and provide better housing, employment, and shopping opportunities particularly suited to the needs of Saginaw.

Under the Michigan Zoning Enabling Act, Planned Unit Development ordinances should include the conditions that create planned unit development eligibility, the participants in the review process, and the

requirements and standards upon which applicants will be reviewed and granted approval. The Planned Development District regulations do not appear to meet these requirements and should be updated to clarify the special circumstances under which an applicant may qualify for a Planned Development District. The goal of Planned Unit Developments should be to derive a community benefit, and qualification for this zoning tool should be aligned with the City's goals.

In Saginaw, the Planned Development District offers greater flexibility than other zoning districts but maintains many rigid zoning requirements. As a part of the Zoning Ordinance update, we will review the standards in the Planned Development District and consider where opportunities for greater flexibility may be warranted to leverage innovative design that aligns with community goals. By adding new eligibility criteria and review standards, the Planning Commission will have guardrails to manage flexibility and allow divergence from the Zoning Ordinance.



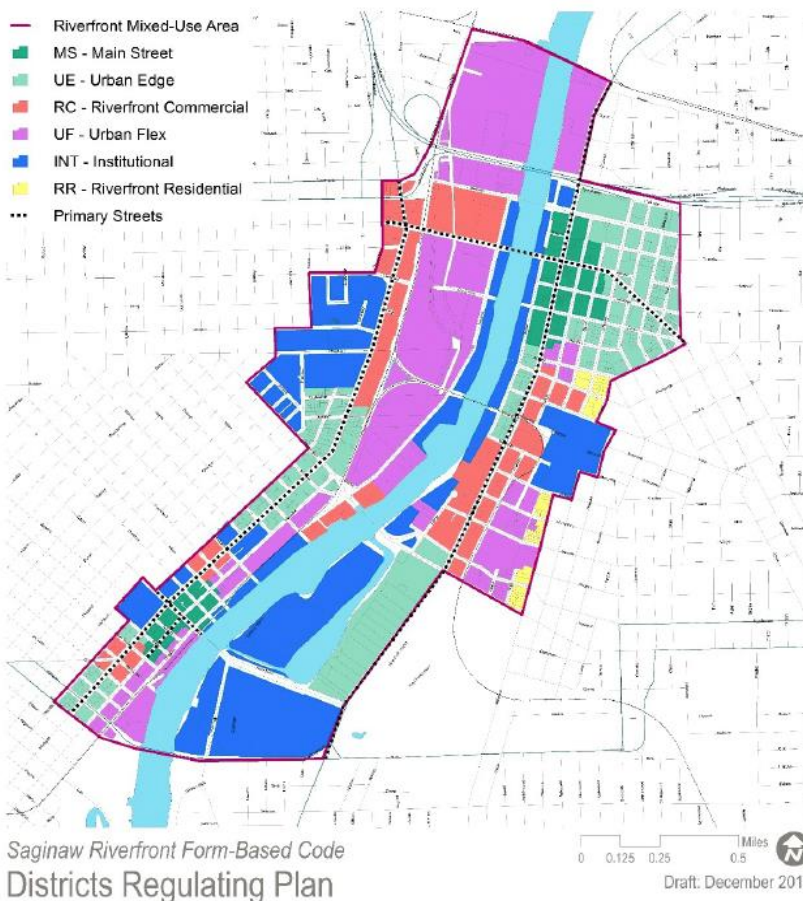
Riverfront Mixed Use Districts (Form-Based Code)

A form-based code is intended to emphasize the importance of building form over land uses, allowing for greater diversity and the mixing of compatible land uses. The City of Saginaw uses a form-based code in the area known as the Riverfront Mixed Use District. The Master Plan includes recommendations to expand the bounds of the RMU District. As a part of the Zoning Ordinance update, the Planning Commission will consider the boundaries and extent of the RMU District to determine where a potential expansion may be appropriate. This type of expansion may include the expansion of existing subdistricts or the consideration of new subdistricts, based on the intent and building context.

In addition to considerations of the RMU District boundaries, the Planning Commission may wish to consider the following updates or improvements to the RMU District regulations.

Subdistricts and Building Types

Within the RMU District, there are six subdistricts, each with a distinctive intent and accompanying form-based regulations. This includes requirements for five different building types which may be permitted, depending on the subdistrict and surrounding building context. In addition, each subdistrict has varying requirements on building height, placement, and access.



The following improvements may help to inform subdistricts and building types in a manner that aligns with local intent and results in development outcomes that complement and enhance each distinctive area.

Consider whether additional building types are needed

For example, parking decks and single-story commercial buildings (in suburban corridors) are building types which may be considered. Although parking decks are not currently listed as a building type, the ordinance broadly notes that parking decks shall be subject to the same standards as buildings. This provision requires further clarity as building types are regulated differently and it is unclear which building type standards apply for parking decks.

Consider strategies to better align regulations with the intent of each subdistrict

When updating the ordinance, it is important to evaluate opportunities to improve regulations in alignment with the stated intent of each subdistrict.

- The intent of the Riverfront Residential (RR) subdistrict is to allow a mix of residential uses, but townhouses and apartments are both designated as special land uses. The Planning Commission may wish to reconsider these housing types as permitted by right to better achieve the goals of the RR subdistrict.
- The ordinance allows for standalone drive-thru buildings in the Riverfront Commercial (RC) and Urban Flex (UF) subdistricts. To promote greater walkability, the Planning Commission may wish to only permit drive-thru's when located in multi-tenant structures.
- For mixed use buildings, the ordinance requires pedestrian access on the primary façade only. To achieve the City's goals of promoting walkability, consider requiring pedestrian access on both the primary and secondary facades.

Identify logical flaws and potential loopholes in the regulations

As a part of the zoning ordinance update, we will review standards for loopholes, discrepancies, and logical flaws. The following technical considerations may be reviewed as a part of this evaluation.

- Since the general intent of the apartment building type states that this form also accommodates nonresidential development, the apartment building type could potentially be used to usurp more intensive frontage and fenestration requirements that are typically desirable for non-residential uses.
- The ordinance is unclear whether or not the mixed-use building type is only acceptable for buildings with multiple land uses. If mixed-use buildings do not allow standalone uses, the Planning Commission may wish to create a new single-story commercial building type.
- In RC, mixed-use buildings of only one-story are permitted. It should be clarified whether this would include a multi-tenant shopping center, or if mixed-use requires an office or residential component. If a multi-tenant shopping center could be constructed as a mixed-use building, but a multi-tenant shopping center with drive-thru could be constructed as a drive-thru building, the drive-thru building would be granted more flexibility with side street setbacks. Greater permissiveness towards drive-thrus may incentivize or encourage developments to include a drive-thru use. To promote walkability, the City may wish to consider ways to discourage or reduce the construction of new auto-oriented uses such as drive-thrus.

Form, Design, and Layout

In addition to the building type standards, the form-based code includes regulations that influence the design and layout of buildings. A review of these standards may result in greater flexibility or restrictiveness, based on the City's preferred development strategy. While some improvements will help

to offer better clarity and effectiveness, others may be crafted to better align with local goals and stated intent.

Work with the Historic District Commission

Saginaw has a Historic District Commission (HDC) responsible for certifying improvements to historic structures and redevelopment within the district. The Planning Commission should review any changes to design standards with the HDC to ensure that they are not disruptive to the historic context of any of the City's historic districts.

Some standards may be of relevance to other commercial districts outside of the RMU District

The Planning Commission may wish to consider design standards for all commercial districts and not only the RMU district. This will ensure that buildings outside of the RMU District are constructed with human-scaled facades and materials.

In addition, a natural features setback is required from the Saginaw River and Lake Linton in the RMU District. If these standards should apply to all lots, whether or not they are located in the RMU District, they should be included in the site specific standards section of the Ordinance. The Planning Commission may wish to include a natural features setback around all regulated wetlands in addition to these water bodies.

Consider requirements that will achieve desired design outcomes, while offering flexibility

As a part of the new Zoning Ordinance, the Planning Commission will consider best practices, historic districts, and local architecture to ensure design standards are compatible with Saginaw's needs and offer appropriate flexibility. For example, we will review the required building materials permitted in the ordinance. As a part of the Zoning Ordinance update, the Planning Commission may wish to consider specifying which materials are appropriate as primary materials and which materials are appropriate as accent materials only.

Clarifications to the design standards may help improve consistency in interpretation and application

- Instead of a "build-to range," a minimum build-to line (in addition to the existing setback requirements) will be sufficient to regulate frontage buildout. The build-to range, in combination with a setback, may result in confusion.
- A parking reduction of up to 50% may be offered for sites that meet a variety of different requirements in the RMU District. The RMU District further notes that sites that incorporate bicycle parking may qualify for a parking reduction of up to 10%. The ordinance should clarify whether the 10% is in addition to other reductions offered in the RMU District, or if it contributes to the maximum reduction of 50%.
- Only bike and parking standards specific to RMU should be included in the RMU District Regulations. This will be corrected as a part of the Clearzoning Conversion.
- There are references to "single family residentially zoned lots," but there are no lots in the form-based district that are exclusively zoned for single-family uses. Instead these provisions should refer to "lots that are zoned or used for single-family residential."
- The ordinance has requirements for fenestration and the Planning Commission may wish to allow exceptions for particular redevelopment circumstances, for example this may be necessary for a historic building or for an exterior wall that is load-bearing, that practically cannot meet these requirements.

Uses

Although the RMU District primarily regulates the form of buildings, broad categories of uses are designated as permitted or special land uses in each of the RMU subdistricts.

Consider whether permitted uses match the intent of each subdistrict

For example, retail sales and service is not a permitted use in the Urban Flex District, but mixed-use is. The ordinance should clarify whether a retail sales and service use may be permitted if it is a part of a mixed-use building.

Consider whether the definitions for broad use categories encompass all uses desired in the RMU District

For example, the ordinance defines “retail sales and service” as uses that either include commercial retail, repair, banking, or rental services or eating and drinking establishments. The Planning Commission may wish to include personal service establishments, such as hair salons, or private recreational uses, such as fitness gyms, as a part of this definition. In addition, places of worship are not included with any of the use definitions for uses permitted in the RMU District. The Planning Commission may wish to consider updating the definition of institutional uses to include places of worship.

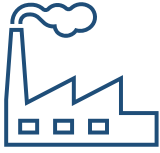
Improve clarity to ensure consistent interpretation

Since the RMU District uses broad categories to classify uses, it is important to ensure that standards are written in a manner that results in consistent application and interpretation. For example, one provision that requires clarity involves the types of ground floor uses allowed on a parking deck. The parking deck design requirements require the first floor to be lined with non-parking uses on all ground floor elevations. Although parking decks are allowed in all RMU subdistricts, commercial uses are not allowed in all subdistricts. If exceptions may be granted for parking decks, this should be clarified in the ordinance.

Process Improvements

In addition to the review considerations outlined above, the Planning Commission may wish to consider the following process improvements to the procedural elements of the RMU District standards.

- The subsections with design standard exceptions and Main Street additional design standards should be cross-referenced in the general design standards subsection to ensure these are not overlooked. This will be corrected as a part of the Clearzoning conversion.
- The ordinance applicability chart indicates that siting does not apply when 0-25% of building area expansion occurs. With that, the ordinance should specify that while build-to lines may not apply, setbacks are still applicable. This ensures that all portions of a structure comply with the setback requirements and are appropriately buffered from neighboring uses.
- Under the administrative provisions, the ordinance includes a table that highlights the review process for different types of approvals. In this section, a change of use that requires additional parking or parking lot expansions of more than 10% requires concept plan approval only, while providing more parking spaces than permitted requires planning commission approval. The table should be corrected to state parking lot expansions of *less than* 10% may be allowed a concept plan to resolve the discrepancy.
- The definitions and rules of measurement section will be reallocated to the definitions section as a part of the Clearzoning conversion. With that, there is substantial language in this section that amounts to a requirement or regulation that exceeds the information needed to define the term in question. All requirements and regulations embedded in these definitions should be reallocated into appropriate sections of the ordinance.



Use Standards

Providing specific use standards for by-right and special land uses is helpful for property and business owners, reviewing bodies, and the general public. When impacts are anticipated, standards can be used to mitigate them and provide for enforcement.

The new Clearzoning ordinance will consolidate all use-related standards into a single section; this structure should be kept in mind for future ordinance amendments.

Consider use standards for any new uses proposed

This zoning ordinance update may result in recommendations for new uses. Should the Planning Commission proceed with amendments to incorporate any new uses, the Commission might consider whether there are corresponding use-specific standards that should also be adopted.

Consider buffering strategies

Review fence/screening requirements for all uses. In particular, consider whether appropriate screening and buffering is provided for uses of high intensity that include outdoor storage, as well as uses that may be impactful on the private enjoyment of abutting residential property, such as car washes.

Consolidate use standards

The ordinance includes use specific regulations in two sections, some are under the “general provisions” and others are included in the section, “Site design standards for permitted uses and permitted uses after special approval.” In the latter, each use includes a subsection listing the districts where permitted, minimum lot area requirements, minimum yard space requirements, special screening requirements, and other standards, even though many uses only have requirements under, “other standards,” only. As a part of the Clearzoning Conversion, these subcategories will be removed and the two sections will be consolidated. This will ensure that applicants can easily find all applicable standards for each use.

Similar uses may be combined into broader categories

As a part of the ordinance update, the Planning Commission may consider opportunities to combine like-uses into a broadly defined category. This may also help to resolve discrepancies where similar uses may be classified differently. For example, the ordinance includes two similar uses with accessory outdoor storage that include slightly different regulations, “Open Storage Yards of Building and Construction Contractors, Lumber Yards, Stone, Sand, and Gravel Sales and Storage,” and, “Building Supply, Solid Fuel Businesses, Or Contracting Firms with Incidental Storage on the Same Lot; including Building and Allied Craft Contractors.” These uses should be consolidated and regulated the same.

Uses should be categorized with names that are intuitive

In order to ensure uses are not overlooked, uses should be named in a manner that is intuitive and could easily be pulled from an alphabetical list or index. For example, the uses noted in the previous example, “Open Storage Yards of Building and Construction Contractors, Lumber Yards, Stone, Sand, and Gravel Sales and Storage,” and, “Building Supply, Solid Fuel Businesses, Or Contracting Firms with Incidental Storage on the Same Lot; including Building and Allied Craft Contractors,” could be renamed “Outdoor Storage,” with regulations specifying that it may only be permitted as an accessory use. “Outdoor Storage” is much more intuitive and easier for users to locate in the ordinance.

Use regulations should include form based districts

The “Site design standards for permitted uses and permitted uses after special approval” section of the ordinance lists the districts where each use is permitted but does not reference uses permitted in the form-based (RMU) District. With that, many of the uses listed within this section are permitted in the RMU District, and standards should be relevant therein as well. For example, the use standards for “Cocktail Lounges, Nightclubs, Taverns, Supper Clubs, and Private Clubs,” note compliance with the Michigan Liquor Control Code, but only reference the B-2 and B-3 Zoning Districts. The drinking establishments permitted in the RMU District must also comply with this regulation per state law.

Move review considerations to the development procedures section

Many of the use standards include review considerations rather than requirements, such as “site to be evaluated for degree of potential residential-commercial use conflicts.” These types of considerations should be moved to the development procedures section of the ordinance as review considerations for special land uses and/or site plans. Although listed with uses, these types of considerations are often relevant to all uses or special land uses.

Review definitions

The definitions of all uses should be reviewed and updated to ensure that all uses discussed are defined and all defined uses are relevant to the ordinance.

Use consistent terminology

In many of the use standards, the ordinance refers to both major thoroughfares and primary streets; the use of both terms may be confusing for applicants. Clear definitions for major thoroughfares and primary streets are required. If both are intended to reference the same type of right of way, these terms should be consolidated into a single term.

Identify discrepancies

As a part of the ordinance update, our team will flag any discrepancies in the regulations. For example, the vehicle waiting area requirements for auto wash establishments are listed twice in the ordinance, in Section 153.460 (Automobile Wash Establishments) and Section 153.127 Off Street Waiting Area for Drive Through Facilities. We noticed that two sections include different requirements for the number of waiting vehicles at automatic wash establishments. The Planning Commission can determine their preferred regulatory approach and we will consolidate this provision into a single section of the ordinance with appropriate cross-referencing as needed.

Use standards can address specific uses, but not thematic distinctions

It is important to make sure that land use considerations preserve constitutional liberties and maintain First Amendment protections. The ordinance includes use standards for “Historic theme restaurants,” but a theme is not a distinguishing characteristic that should be used to differentiate between restaurant types. Although the ordinance may include specific provisions for restaurants located in the RO-1 District, specifying a theme may be viewed as restrictive and potentially infringing on freedom of expression.

Use standards should not be more permissive than the dimensional standards required in the underlying zoning district

Although use specific standards may include requirements that exceed those of other uses in a similar district, they should not result in more permissive lot area or width requirements. For residential buildings in the B-1, B-2, and B-3 Districts, the minimum lot size is determined from floor area ratio, yard space, and off-street parking requirements. However, other uses in these districts have a minimum lot area of 4,000 square feet. This means that a residential lot that qualifies under smaller lot requirements would be unable to undergo a use change. By encouraging or allowing land divisions which may result in less use flexibility than generally permitted in the designated zoning district, the ordinance may hamper redevelopment opportunities.

Several use-specific considerations will be discussed as a part of the ordinance update. In addition to the suggestions noted above, the following examples outline potential areas for further discussion specific to uses identified in Saginaw's ordinance.



Auto-Oriented Uses

Consider standards that will make auto-oriented uses be designed with efficient circulation in a manner that is minimally obtrusive to pedestrians and surrounding uses. For example, some use standards for auto washes could include a required bypass lane, vacuum stations in a side or rear yard only, and/or additional setbacks from residential.



Cemeteries

Cemeteries are required to have a five-foot-tall fence around the entire site except for gates at the entrance and exit points. The Planning Commission may consider an opacity and/or material requirement for these types of fences.



Home Occupations

In addition to the standards provided, several other regulations may be included with the provisions for home occupations to regulate the extent of commercial activity that takes place and the accessory nature of the home occupation use. This may include requirements for:

- The percent of ground floor area used by the home occupation.
- The number of persons from outside the home who may be employed at the home occupation.
- Whether or not a home occupation may include a retail component.
- Any additional parking requirements for home occupations.

All home occupation permits should also document proposed hours of operation.



Off-Street Parking "A"

Off Street Parking A is referenced as a use in many areas of the ordinance as a use that comprises of only an off-street parking area. The distinction between Off Street Parking A and other off street parking uses is unclear, however, it appears that Off Street Parking A is intended as the only type of standalone parking use. The City may consider whether it is necessary to

have a standalone parking use in the ordinance, or if it is preferable to encourage the development of lots with parking as an accessory use. In addition, more clarification of the intent of Off Street Parking A should be added to the ordinance.



Private Parks, Country Clubs, Golf Courses and Golf Driving Ranges

The ordinance allows golf courses and other like-uses to be located in residential districts. Additional clarification should be provided to document whether accessory restaurants may be permitted in these districts as a part of this type of use. Restaurants are not typically permitted in residential districts.



Wireless Communication Facilities

Wireless communication facilities must comply with federal and state regulations, which also guide the approval process. As a part of the Zoning Ordinance update, we will review the regulations for wireless communication facilities to ensure that the process in the ordinance is consistent with legislation.



Solar Energy Systems and Renewable Energy

In 2023, the State of Michigan passed new legislation to support the State of Michigan's clean energy goals, ensuring consistent regulation of utility-scale renewable energy systems. The new legislation allows the Michigan Public Service Commission (MPSC) to issue certificates for the siting of these types of projects, pre-empting local zoning authority. The City may wish to acknowledge this exception in the ordinance, however, most solar energy systems are below the threshold where local control would be preempted.



Site Standards

Site standards are regulations in the Zoning Ordinance that address site improvements and elements required in the development of a parcel of land. Once the ordinance is converted into the Clearzoning format, all site standards, such as landscaping and parking requirements, are consolidated into one section which helps with ordinance navigation and ensures consistency in the application of standards.

General Updates

Clear and easy navigation will ensure site standards are not overlooked

Many sections, subsections, and provisions relevant to specific site standards are hidden under the heading, “General Provisions and Exceptions,” these will be pulled out and sequenced in a more navigable manner as a part of the Clearzoning conversion. For example, key visibility, accessory building, greenbelt, screening, and fence standards are lodged here.

In addition, site standards should be easy to read and easy to apply to a checklist or spreadsheet so that a City Planner, Planning Commission, or design professional associated with a project, can conduct an efficient analysis of the ordinance. Many important provisions are listed in paragraph form, lodged between sentences and easy to miss when quickly reading. Lists should be classified in an intuitive way to improve navigability.

Consider the appropriate body responsible for authorizing exceptions and waivers

The Board of Appeals on Zoning (BAZ) is cited a few times as a place where a waiver may be obtained, for example the BAZ can waive a greenbelt requirement when in their finding it serves no good purpose. As the body tasked with approving site plans, the Planning Commission may wish to consider reassigning these types of waivers under their own authority. Although the BAZ reviews variance requests, these types of requests require the determination of a hardship or practical difficulty. Exceptions that do not require determination of a hardship, but may be granted to offer reasonable flexibility, are best implemented when considered as a component of a larger site plan review.

Parking

In general, the City has opportunities to reduce parking and impervious pavement in many areas. These include options for reduced or shared parking areas and standards that balance vehicular and pedestrian circulation patterns. The Master Plan recommends strategies that emphasize the importance of pedestrian oriented design and streetscapes that are designed at a human scale, while encouraging opportunities for infill development. Reductions in excessive parking help to meet these goals, while providing a myriad of additional benefits for the City’s natural assets and environment. In terms of the layout and number of parking spaces per use, some of the City’s current standards may be high, resulting in sites that are over-parked. We recommend the City consider the following improvements to parking regulations:

- **Parking flexibility.** The Planning Commission may wish to offer flexibility for parking reductions by offering waivers.

Parking waivers may be granted by the Planning Commission when it can be determined that the site will adequately be served by pedestrian, bicycle, or transit facilities. These types of waivers could be used as an incentive, allowing for waivers only when such facilities are provided on-site. Alternatively, waivers may be offered as a payment-in-lieu, with contributions to the City’s municipal parking fund. (Note: the ordinance currently supports a parking reduction in the RMU District when bicycle parking is provided.)

- **Review parking minimums.** As a part of the Zoning Ordinance update, we will review the parking schedule to determine whether the assigned parking minimums are aligned with the uses listed. For example, two-family dwellings are required to have two parking spaces for each dwelling unit (four total). This is not only larger than often necessary; it also may inhibit opportunities for single-family conversions into duplexes. Alternatively, the Planning Commission may discuss whether parking needs should be determined based on a market-driven assessment and the elimination of minimum requirements.
- **Maximum parking requirements.** There are no maximum parking requirements. This type of regulation, without parking reduction strategies, may continue to encourage large swaths of parking lots.

Drive-through waiting spaces

In addition to the stacking space requirements, another consideration may be waiting spaces- spaces where cars can wait for their food if it is not ready. With more restaurants and retailers providing online ordering, spaces for vehicles to pick up their online orders are often needed. These should be provided in easy to access locations on a site, and in a way that does not interfere with pedestrian access or spill over into adjacent roadways. Waiting spaces should contribute to the total off-street parking requirement.

An additional consideration for drive-thru's is the construction of a bypass lane. This allows customers to leave the line if necessary.

Signs

The 2015 US Supreme Court decision in the case of *Reed v Town of Gilbert* has resulted in many communities recognizing the need to update their ordinances with respect to temporary signs and content neutrality. The sign standards for the City would also benefit from an update, particularly as many regulations address content. Some of the key issues to address in an update include the following:

- Content-based regulations in a sign code are likely to face the strict scrutiny test from the courts, which is extremely challenging to overcome. It is best to remove sign types such as “political signs,” “public issues contained on a ballot,” and “sale, lease, or rent signs,” as well as eliminate references to signage details such as “product advertisements or endorsements.”
- Time, place, and manner regulations are generally still acceptable provided they are reasonable.

Overall it appears the permitted signage types, regulations, and definitions should also be reviewed.

Lighting

The City has very thin regulations for exterior lighting. The current standards for lighting could be improved to enhance clarity, improve review and enforcement, and reflect modern lighting options, providing greater compatibility between uses and protecting for residents from obtrusive glare.

- **Create a new section of lighting provisions.** A new lighting section should be added to the site standards portion of the ordinance. This section should include subsections with application requirements, enforcement provisions, exemptions, prohibited lighting, general standards, and standards for specific types of lighting fixtures.
- **Add definitions for lighting.** The ordinance should include lighting definitions. Terms used to describe lighting requirements such as “glare,” “light trespass,” “full cutoff,” or “shielded” should be defined to help applicants better understand how to prepare plans that are compliant with the ordinance. Any measurements described in the ordinance should also be defined.

Landscaping

The Planning Commission may wish to review the landscaping standards and consider how they may affect development decisions. Requirements that are overly stringent can make it difficult for applicants to

locate utilities, parking, or other important site elements which may interfere with landscaping. On the other hand, ordinances that have minimal landscaping requirements often result in developments with poor site aesthetics, stormwater issues, and conflicts between neighboring uses that lack adequate screening. Planning Commissions must consider balanced regulations that consider the burdens imposed on applicants, as well as the impact that new development has on the community at large. The following landscaping considerations may be reviewed as the City considers updates to the ordinance.

Consolidate landscape standards into a single section of the ordinance

The most comprehensive landscape standards in the ordinance are in the RMU District “Additional Design Standards” section, but districts outside of the RMU overlay have very thin regulations with respect to landscaping and screening. All use standards should be consolidated in a single section, and the more intensive RMU District requirements should be reviewed for consideration elsewhere in the City.

Clarify landscape “buffers” in the RMU District and screening between nonresidential uses

Section 153.081 of the Ordinance outlines the greenbelt requirements. Although a planting belt is required, the number and spacing of trees and plants is not included in this regulation. Clarification and specificity regarding the planting requirement will ensure consistent application and greenbelts that meets the Planning commission’s intent. The greenbelt requirements are also referenced in the section regarding screening between nonresidential and residential uses, and this type of specificity will help to ensure that this type of screening is adequate.

Similarly, the RMU District references landscape buffers around parking areas, but does not clarify the extent or intensity of planting required. This should also be reviewed as a part of the Zoning Ordinance update.

Review tree and plant species lists

The greenbelt provisions in Section 153.081 of the Ordinance describe the desired plant materials, but many of the recommended species are worthy of additional scrutiny. For example, Russian olive trees, buckthorn shrubs, and euonymus shrubs may be harmful to the surrounding ecosystem. In addition, additional planting choices may include balsam firs and tamaracks, native trees that offer similar screening to other evergreens listed. Deciduous trees to consider may include tulip trees, blackgums, yellowwoods, and hickories.

Include maintenance requirements for landscaping

Landscaping maintenance requirements should be detailed in the ordinance, ensuring that dead/deceased plant material will be replaced and that adequate care is provided to ensure the longevity of required plantings.

Consider screening between nonresidential uses

Section 153.082 requires screening between nonresidential and residential districts. The Planning Commission may wish to consider whether additional screening between nonresidential districts may be desired, particularly between industrial districts and districts intended to promote walkability and pedestrian activity. In addition these requirements only apply when a nonresidential district abuts a residential district, but may also be considered when a nonresidential use abuts a residential use, as many single family homes may be located outside of “R” Districts.

Require site landscaping

Consider requiring that a certain portion of each site is landscape cover. This will help to improve stormwater management and infiltration, while helping to enhance the City’s overall landscape canopy.

Consider allowing berms as a method for screening

Berming requirements may be considered as another option for screening. The use of berms for screening is only referenced in the ordinance with respect to screening of solar power systems.

Other Site Standards

Trash enclosures

There do not appear to be regulations involving the requiring of a dumpster or trash bins for higher-intensity residential uses, commercial uses, and industrial uses. This may be considered to ensure orderly, blight-free properties. Dumpsters should be screened by an enclosure. The Planning Commission may consider material requirements and standards for the design of this type of enclosure.

Vision clearance

The requirements for visual obstructions should be in the Zoning Ordinance rather than the General Code. While the Zoning Ordinance includes a cross reference and notes that visual obstructions at an intersection are not permitted, the specific requirements for visual clearance setbacks are in the General Code, within the nuisance provisions (Section 94.008). This location outside of the Zoning Ordinance, may result in this important requirement being overlooked, despite its impact on the layout of new developments.

In addition, the requirement for visual clearance requires a “vision triangle” measured between two points 60 feet from an intersection. This distance is much larger than necessary and may create a significant burden on the development of corner lots. As a part of the Zoning Ordinance update, the Planning Commission may wish to work with the City’s engineering division to review the clearance requirements in this section.

Fences

The ordinance includes conflicting provisions. While fences in industrial districts are restricted to eight feet and in business districts, to six feet, this appears to contradict the screening requirements in Section 153.081. Here, the ordinance allows a wall of up to ten feet when vehicles or open-air displays exceed five feet. The definitions state that, “a wall would also be considered a fence.” Therefore, these two sections of the ordinance are contradictory, and the discrepancy should be addressed.

Outdoor storage

Consider adding standards to regulate outdoor storage. This may include setbacks and screening requirements for outdoor storage, as well as requirements to document the location of outdoor storage on a site plan. In addition, consider requiring a principal structure on all sites where outdoor storage is included. Ultimately, this type of regulation will help to curb nuisances and visual clutter commonly associated with outdoor storage.

General site design

Districts outside of the RMU District have very few regulations for pedestrian circulation and accessibility and pedestrian-oriented design. It may be beneficial to review site design standards and consider regulations that emphasize the building’s format towards the public realm, as well as improving pedestrian circulation. This may include requirements for sidewalk connections, forecourts, streetscape amenities, front entryways, and street-facing building orientation. Some of the design requirements in the RMU District that enhance the pedestrian experience may be desirable throughout the City, such as ground floor transparency and building material requirements.



Development Procedures, Administration, and Enforcement

Development procedures outline the various development review processes in the ordinance. For each type of development review, the powers enumerated to the Planning Commission should be clearly outlined in the ordinance. There may be specific review standards that help guide and inform the Planning Commission's decision-making process. In addition, development procedures should include information on application requirements and enforcement mechanisms.

Development procedures should be written in a manner that is clear and leaves no room for interpretation, ensuring that all applications are reviewed following the same process. Review standards should align with key community priorities established through long-term planning, while emphasizing consideration of the impact on public health, welfare, and safety.

Updates to development procedures should not only enhance clarity, but also consider the impact on processes and timelines. A streamlined review process may help with costs and improve scheduling for applicants, but may also result in less intensive scrutiny during the review process. Every community must determine and design processes that are consistent with their goals for development and tolerance for risk.

Nonconformities

Nonconforming uses, structures, and lots are those which existed prior to the current ordinance, and due to a change, no longer comply with regulation(s) therein. The Michigan Zoning Enabling Act (MZEA) grants communities the power to establish terms within the zoning ordinance to allow for the completion, resumption, restoration, reconstruction, extension, or substitution of nonconforming uses and structures.

Ensure that regulations are consistent with case law

The nonconforming use regulations state that when a nonconforming use has ceased for a period of more than one year, the nonconforming status is revoked. This language could be improved to include specific criteria for what constitutes the cessation of a use. In *Livonia Hotel LLC V. City of Livonia*), the courts reviewed a case regarding the revocation of nonconforming use status, and issued a ruling that nonuse alone was not substantial enough for the City to revoke nonconforming use status. Instead, the court ruled that the City must provide proof that the property owner intended to relinquish or abandon its vested nonconforming use rights. This precedent was further established in the subsequent case of *Soechtig Vs Greenbush Township*. To ensure consistency with the courts' rulings, the City may update this language to reflect that intent to abandon must be demonstrated. In addition, actions that would constitute intent to abandon could be listed in the ordinance (i.e. equipment necessary for the use has been removed, etc.).

Processes should be clear and decision-making should be consistent

The ordinance should be clear about which bodies or administrative authorities may grant approvals to ensure all applications are reviewed following the same procedures. In addition, review standards that guide decision-making will help these bodies ensure decisions align with intent and applicants are treated consistently.

The section of the ordinance about nonconforming uses of structures includes a provision which states that a nonconforming use of a structure or structure and premises may be changed to another nonconforming use provided that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use. In addition to this requirement, the ordinance should assign this determination to either the Planning Commission or Zoning Administrator, and outline elements of the

use which should be considered as review standards in making a decision (i.e. traffic, utility needs, impact on natural resources, etc.).

Amendments to the ordinance

The Zoning Ordinance outlines the procedures needed to initiate an ordinance amendment, whether that includes a change to the official Zoning Map or a change to the ordinance text.

Noticing requirements for text amendments and rezonings must be in compliance with the MZEA. In Saginaw, the ordinance provides noticing requirements for amendments, but important information is missing. When an amendment to the Official Zoning Map takes place (rezoning), the MZEA requires that all property owners within 300 feet of the subject property are notified of a public hearing. This noticing requirement is not in the ordinance and should be added to ensure that amendments are statutorily compliant.

In addition, the Planning Commission may also wish to consider adding review standards to help guide decision-making for a rezoning or text amendment. This will help ensure that the resulting changes are aligned with the Master Plan and help to maintain public health, welfare, and safety.

Performance guarantees

Performance guarantees are a financial insurance tool the City has to safeguard from construction that deviates from approved plans.

The ordinance is unclear about whether the amount included in a performance guarantee should be estimated by the Department of Engineering or the approving body. This language may be updated to offer more consistent guidance.

Special land uses

Special land uses are land uses that require special approval by the Planning Commission to be in districts where they are designated in this manner. These uses are also subject to additional conditions that may be imposed by the Planning Commission to maintain public health, welfare, and safety.

In Saginaw, the Ordinance could be improved by offering additional guidance to Commissioners for how to set conditions. This will ensure that conditions are not frivolous or arbitrary.

Board of Appeals on Zoning

The MZEA allows communities to establish a Board of Appeals on Zoning (BAZ) to hear appeals and interpretations of the Zoning Ordinance. This includes variances, or deviations from the strict provisions of an ordinance which may be granted when unique circumstances present an unnecessary hardship or practical difficulty. In addition, the BAZ may hear appeals from any actions taken administratively or by public bodies under the authority of the Zoning Ordinance.

In Saginaw, the ordinance assigns the BAZ additional powers to review special exceptions that are specified within the ordinance. As a part of this review, the Planning Commission may consider whether there are special exceptions that may be reviewed as waivers by the Planning Commission instead of by the BAZ. In particular, Planning Commission discretion over off-street parking and loading waivers may result in fewer meetings for applicants, while ensuring that parking modifications are aligned with the Master Plan. Any waivers assigned to the Planning Commission should include review considerations to guide decision-making.

The Planning Commission may also wish to include a limit to the extent that BAZ is allowed to grant waivers for a greater number of spaces than required. This will help prevent applicants from making these types of requests which may result in excess pavement and impervious surface. The ordinance does not specify the order of operations for a variance review. However, when a site plan is reviewed by the BAZ

prior to a Planning Commission review, the plans may be subject to change. This could result in the need for additional variances or offer additional context which could impact BAZ decision-making. Therefore, we recommend language to require that the Planning Commission must make a recommendation prior to review by BAZ in circumstances where there a variance request is part of an application that is subject to site plan review.

Unless stated otherwise, the Michigan Zoning Enabling Act restricts the BAZ from granting variances from special land uses or planned unit developments. This restriction ensures discretionary authority is assigned to the approving body. The City may wish to consider including this restriction in the ordinance to ensure proper process is followed and guarantee the authority of conditions imposed by Planning Commission or City Council when special land uses and PUDs are reviewed.

Site plan review

The site plan review section highlights the application requirements and process for a site plan.

In Saginaw, minor site plan changes may be reviewed administratively by the Chief Inspector. When an applicant does not concur with the recommendations of the Chief Inspector, a site plan may be referred to the Planning Commission to resolve disagreement. With that, the BAZ is typically the body assigned to review matters of interpretation or appeals from the Zoning Ordinance. The Planning Commission may consider reassigning these matters to the BAZ.

Although the administrative reviews address minor changes, it should be noted that modifications to an approved special land use may only be reviewed administratively when there are no changes proposed that would impact any conditions of approval. Alternatively, the Planning Commission may wish to require that any modification to a special land use must come before the Planning Commission to ensure that appropriate conditions are set in circumstances where a change in the site results in undesirable impacts to surrounding properties.

The Planning Commission may also wish to consider additional information be required as a part of the site plan review process. Some suggestions for required information include:

- North arrow and scale bar
- Tree inventory and existing natural features including contour lines
- Zoning information, parcel identification, ownership information for subject and surrounding parcels
- Description of the proposed use

The Planning Commission is only empowered to add discretionary conditions to a special land use or Planned Unit Development; site plans that are permitted by-right are only subject to the regulations outlined in the ordinance. With that, the site plan review requirements state that a site plan shall be, “approved, disapproved, or approved with specific conditions as may be deemed necessary to carry out the purpose of this chapter.” This statement may mislead the Planning Commission to include conditions in circumstances where this level of discretion is not warranted. More clarity on the Planning Commission authority would help improve this section of the Ordinance.

Historic District Commission

In Saginaw, the ordinances relevant to the Historic District Commission (HDC) are a part of the Zoning Ordinance. With that, this section functions independently of the other zoning regulations and only applies to areas identified as part of a Historic District. The City may consider moving the HDC regulations to a section of the General Code.

The HDC reviews any work affecting the exterior appearance of a resource within the Historic District. The City may wish to add an administrative process to address minor exterior changes, such as paint, exterior stairs, or mechanical equipment.

Equity and Sustainability Audit

Why Is Sustainability Important?

As we plan for the future, many of the challenges we will face are related either directly or indirectly to our place in larger systems, both natural and man-made. We often have little direct local control over these systems, but adapting to change and discovering our role in contributing to the health of these systems is nonetheless essential to planning for a community that can survive and thrive even in the face of the most severe challenges. The Zoning Ordinance is one tool the City can use to implement sustainable strategies.

Sustainability Audit							
This portion of the audit focuses on a sustainability framework that we use to analyze the current ordinance.							
Zoning Element	Sustainability Factors			Audit Analysis			Notes
	Community	Environment	Economy	Present	Needs Work	Not Present	
Accessory dwellings							
Adaptive reuse							Address zoning barriers, identify process improvements and offer additional flexibility when appropriate to stimulate redevelopment.
Community gardening							
Co-working offices and business incubators							
Domestic farming							This can often be regulated in a general code ordinance.
Home occupations							
LEED							
Lighting							
Mixed-use							Consider expanding or offering new mixed-use opportunities where relevant (i.e. Neighborhood Commercial)
Parking (vehicle): shared parking, access management, and parking reductions							Consider incentives for parking reductions.

	Community	Environment	Economy	Present	Needs Work	Not Present	
Plant species: native, non-invasive, and climate-adaptable							Consider incentives/credits for native and climate-adaptable species.
Renewable energy: solar panels, wind turbines, etc.							
Sensitive areas protection: steep slopes, floodplains, wetlands, river							
Stormwater controls: rain barrels, cisterns, pervious surface, low-impact development, etc.							
Transportation: complete streets, non-motorized, transit, etc.							
Tree/woodland preservation							Consider incentives/credits for tree preservation.
Waste management: composting, recycling, and waste removal							

Why Is Equity Important?

In the realm of planning, equity serves as a cornerstone for building resilient and inclusive communities. Recognizing that individuals and groups are affected differently by planning decisions, prioritizing equity ensures fair and just distribution of resources, opportunities, and burdens. Equitable planning fosters social cohesion and empowers historically disadvantaged populations to actively participate in decision-making processes.

In zoning, equitable practices ensure that land use regulations are applied fairly across diverse communities, preventing the concentration of environmental hazards or undesirable developments in historically disadvantaged neighborhoods. Additionally, it promotes access to essential services, amenities, and affordable housing options for all residents, regardless of socioeconomic status or background. By incorporating principles of equity into zoning decisions, the City can begin breaking down systemic barriers and creating more inclusive, livable spaces where everyone has the opportunity to thrive.

Equity Audit						
This portion of the audit focuses on an equity framework that we use to analyze the current ordinance. This listed framework comes from the American Planning Association's Equity in Zoning Policy Guide.						
The Six Major Equity Concerns						
Zoning Element	Equity Factors			Audit Analysis		
	Community	Environment	Economy	Present	Needs Work	Not Present
Public health				We recommend the zoning steering committee consider these six major equity concerns during the zoning rewrite process.		
Environmental justice						
Fair access to attainable housing						
Fair access to economic opportunity and services						
Aging in place						
Cultural preservation						
Zoning Reforms						
Zoning Element	Equity Factors			Audit Analysis		
	Community	Environment	Economy	Present	Needs Work	Not Present
Increasing density						
Reducing minimum lot sizes						
Creating transit-oriented development zones						
Streamlining or shortening permitting processes						
Expanding by-right multi-family zoned areas						
Allowing accessory dwelling units on lots allowing only single-family homes						
Eliminating or relaxing residential property height restrictions						
Eliminating or reducing off-street parking restrictions						

Summary of Items

The following chart is a summary of the review items identified in this audit report. Items that will be addressed as a part of the Clearzoning conversion are highlighted.

The third column, “priority level” can be used as a worksheet to assess the City’s zoning priorities. Items may be ranked on a scale from 1 to 5, with “5” being highest priority.

Category	Zoning Changes	Priority Level
Master Plan Alignment	Consider new districts and district regulations that align with the Future Land Use map and community intent	
	Address zoning barriers, identify process improvements and offer additional flexibility when appropriate to stimulate redevelopment.	
	Convert the ordinance into the user-friendly, easy to navigate Clearzoning format, with clear graphics and logical organization.	
	Review the RMU District provisions and consider the appropriate subdistricts and building types (new or expanded) for other areas in the City	
	Review the RMU District provisions and consider the appropriate subdistrict regulations and design standards	
	Review zoning districts and consider the appropriate locations for new housing types, particularly those that serve seniors	
	Review all zoning standards with consideration for impact on walkability and vehicle dependency	
	Review and update PDD regulations to allow appropriate flexibility, while ensuring desired community benefits	
	Consider regulations that will enhance flexibility for residential development, while protecting Saginaw’s unique historic character	
	Review and update uses identified in the ordinance.	
	Update and clarify the City’s process for unlisted uses.	
	Consider boundaries of new entertainment district overlay	
	Draft new zoning districts based on the new land use categories shown on the Future Land Use Map	
	Review definitions for clarity and eliminate any ambiguities	
Definitions	Enhance definitions with graphics and illustrations when appropriate	
	Review definitions for similar terms and consolidate	
	Update definitions that include multiple distinctive terms under a single definition.	
	Add clarifications to definitions to address unique circumstances	
	Definitions should be consolidated to a single subsection of the Ordinance	
	Definitions should be added for terms that are referenced in the Ordinance, but not defined.	
	Separate standards from definitions	
	Update definitions for food, single family dwelling, multiple family dwelling, dwelling unit family, and site condominiums, among others	
	Review District intent statements	
Districts and Uses	Review permitted and special land uses in each district	
	Reduce excessive and redundant cross-referencing	
	Relocate definitions and use standards to appropriate sections of the Ordinance	
	Review zoning designations for consistency with the Future Land Use Map	
	Consider permitting Accessory Dwelling Units (with owner occupancy requirements)	

	Consider renaming “churchs, convents, recortories, and other facilities” as “Places of Worship	
	Regulate Places of Worship in the same manner as other places of assembly	
	Eliminate the R-1A District	
	Consider permitting day care centers and adult day care centers in R-1	
	Describe all housing types permitted as low and high-density multiple family dwellings	
	Consider additional flexibility for three or four unit dwellings	
	Consider allowing professional office as a permitted (by-right) use in the RO-1 District	
	Consider renaming the RO-1 District	
	Consider a consolidation of the B-1 and B-1A Districts	
	B-3 is not represented on the Zoning map, this District may be eliminated	
	Create a review process for unlisted or “similar” use classification	
	Consider listing Research and Development as a permitted use in the M-1 District	
	Consider a broad “food processing” land use to include pickle processing	
	Consider compatibility of all uses in M-2 and M-3 with “heavy industrial”	
	Review FLU recommendations for new Districts and create provisions for any new districts created	
	Create a Statement of Intent for the PDD District	
	Establish eligibility criteria and review standards for the PDD District	
	Consider greater flexibility in the PDD District	
RMU District Standards	Consider whether additional building types are needed	
	Consider strategies to better align regulations with the intent of each subdistrict	
	Identify any logical flaws or loopholes in the RMU District regulations	
	Work with the HDC to review standards relevant to form, design, and layout	
	Consider standards which may apply outside of the RMU District to all nonresidential districts	
	Consider requirements that will achieve desired design outcomes, while offering flexibility.	
	Clarify design standards to improve consistency in interpretation and application	
	Review the permitted uses in each subdistrict to consider whether they align with the subdistrict intent	
	Consider whether the definitions for broad use categories encompass all uses desired in the RMU District	
	Improve clarity in the use standards to ensure consistent interpretation and application	
	Consider process improvements to enhance the RMU District standards	
Use Standards	Consider use standards for any new uses proposed.	
	Consider and review buffering strategies for all uses	
	Consolidate use standards into a single section of the Ordinance	
	Combine similar uses into broader categories	
	Uses should be categorized with names that are clear and intuitive	
	Include form-based districts in the use standards	
	Review considerations should be listed as a part of the development procedures instead of as use standards	
	Review the definitions of all uses	

Site Standards		Identify and correct discrepancies in the use standards	
		Use standards can address specific uses, but not thematic distinctions, reconsider the use designation for "Historic Themed Restaurants"	
		Review and update use standards that are more permissive than the dimensional standards required in the underlying Zoning District	
		Review standards for auto-oriented uses	
		Review standards for cemeteries, home occupations, off-street parking A, private parks, country clubs, golf courses, and golf driving ranges, wireless communication facilities, and Solar Energy Systems, among others	
		Move marijuana definitions to the definitions section of the Ordinance	
		Violations that result in license revocation should be moved to the licensing procedures in the General Code	
	Parking	Consider strategies to offer additional parking flexibility	
		Review Parking Minimums	
		Consider drive-thru "waiting" spaces in addition to stacking	
		Require a bypass lane for drive-throughs	
	Signs	Review sign standards for consistency with Reed Vs. Gilbert (Content neutrality)	
	Lighting	Create a new section of lighting provisions	
		Define lighting terms	
	Landscaping	Consolidate landscape standards into a single section of the ordinance	
		Clarify landscape "buffers" in the RMU District and screening between nonresidential uses.	
		Review tree and plant species lists	
		Include maintenance requirements for landscaping	
		Consider screening between nonresidential uses	
		Require site landscaping	
	General Site Standards	Consider standards for trash enclosures	
		Move vision clearance standards from the General Code to the Zoning Ordinance	
		Update conflicting provisions related to fence height	
		Consider new outdoor storage standards	
		Consider design and layout standards for all Districts, even those outside of the RMU District	
		Clear and easy navigation will ensure site standards are not overlooked.	
		Consider the appropriate body responsible for authorizing exceptions and waivers	
Development Procedures		Update nonconformity standards to clarify intent to abandon consistent with case law	
		Clarify which authorities may grant approvals, particularly for determining a use change to another nonconforming use	
		Review noticing requirements for amendments to be consistent with the MZEA	
		Clarify whether performance guarantees may be estimated by the Department of Engineering or approving body	
		Consider review standards to set conditions for Special Land Uses	

	Consider whether waivers assigned to BAZ may be more appropriate under administrative or Planning Commission purview	
	Include statutory restriction on variances for PUDs and SLUs in the ordinance	
	Consider whether appeals to administrative feedback on minor site plans should be assigned to the BAZ	
	Consider requiring modifications to an approved Special Land Use to go back to the Planning Commission for review, as modification may result in the need for new or different conditions	
	Review application contents required for Site Plan Review	
	Ensure that site plans are not conditioned in a discretionary manner unless they are for a Special Land Use	