

WAYLAND TOWNSHIP

PO Box 1 1060 129th Avenue Bradley, MI 49311

Phone: 269 -792-6394 Fax: 269 -792-0366

www.waytwp.org

SPECIAL USE PERMIT PROCEDURES

For all Special Land Use requests a public hearing is held by the Planning Commission which makes the final decision. A site plan of the proposed project must also accompany the Special Land Use application.

For additional information or questions contact

Professional Code Inspections (PCI)

Kirk Scharphorn Jr. or Lori Castello, Zoning Administrators

1575 142nd Avenue Dorr, MI 49323

Ph: 616-877-2000 Fax: 616-877-4455

www.pcimi.com

Application Fee: \$ _____

The application fee covers the cost of advertising the rezoning, mailing notices to property owners and/or occupants of properties within 300 feet of the applicant's property, and holding a public hearing.

Planning Commission Meeting Dates, Time, & Place.

- Second Wednesday of each month.
- 6:30 P.M.
- Wayland Township offices, 1060 129th Avenue, Bradley, Michigan, 49311

Processing Period

A Special Use Permit application usually takes 60 to 90 days to process assuming all required information is provided.

Application Procedures

- 1. Pre-application Conference.** Before submitting a formal application for a Special Use Permit the applicant is encouraged to meet with the Township Zoning Administrator to discuss the review process.
- 2. Application form.** The application form is on the Wayland Township website: www.waytwp.org or the form can be obtained from PCI.
- 3. Submit the following to Professional Code Inspections**
 - Application form signed by the property owner and applicant.
 - Application fee
 - Narrative describing the project
 - 10 copies of a site plan prepared in accordance with the attached site plan checklist and other information required by Article 18A of the Zoning Ordinance.
 - Completed site plan checklist.
 - An electronic version of the site plan and all other items submitted in a form acceptable to the Township.
 - Please note- Construction drawings are not required at this stage of review and should not be submitted.

4. PCI forwards the fee to the Township Clerk and the application materials and site plans to the Planning Commission members and the Township Planner for discussion at their next regular meeting. **The applicant must attend this meeting to present the request.** At this meeting the Commission will schedule a public hearing .

5. The Township Clerk prepares the notice of the public hearing which is published in the Allegan County News. The notice is also mailed by the PCI to occupants and property owners within 300 feet of the boundaries of the proposed property. **The notice must be published and mailed at least 15 days before the date of the public hearing.**

The mailing list is taken from the most recent Township assessment roll. A notice is also sent to any utility, airport or railroad that registers its name with the Township for purposes of receiving such notice.

In cases where property within 300 feet of the site proposed for rezoning is within another municipality, PCI will obtain a list of those property owners in the adjoining municipality which are within 300 feet of the site to be rezoned and mail them a notice of the public hearing. An affidavit of the mailing is made and kept in the Township files.

6. A report analyzing the request for a rezoning is typically prepared by the Township Planner for the Planning Commission. This report is also sent to the applicant before the public hearing.

7. The public hearing is held by the Planning Commission. The applicant and others in attendance are provided an opportunity to speak on the rezoning. Following the public hearing that same evening or at a subsequent meeting, the Planning Commission **may vote to approve, approve with conditions, deny, or modify the special land use request and site plan.** The Township Board is not involved in deciding special land use requests.

To approve a Special Use Permit request the Commission must find that the proposed use meets all of the General Standards for Special Use Permit approval contained in Section 18B.3 of the Zoning Ordinance. **These Approval Standards are attached.**

8. The Township Clerk notifies the applicant in writing of the final decision of the Planning Commission including any conditions of approval. PCI is also notified of this decision.

9. If the special land use and site plan are approved by the Planning Commission, any revisions required by the Commission to the site plan must be submitted to the Zoning Administrator or Township Planner for a final review. Three copies of the final approved site plan shall then be dated and signed by the Chair of the Planning Commission. One copy shall be retained by the applicant, one by the Building Inspector and one by the Township Clerk.

10. Following approval of the site plan, a building permit may be applied for at the offices of Professional Code Inspections, 1575 142nd Avenue Dorr, MI 49323 Ph: 616-877-2000.

Validity of Approved Special Use Permit and Extension

A special land use permit shall expire one year after it is granted, unless construction is complete or commencement of the use has substantially begun. The Planning Commission may, upon request by the applicant, extend the term of the special land use by successive periods of up to one year each upon a finding that there have been no changed conditions in the area which would require reconsideration of the special land use application or site plan.

If a use authorized by a Special Land Use permit ceases for a period of two consecutive years the Special Land Use permit shall be considered to be voided and the use shall not be re-established except in accordance with the procedures of Section 18B.2 of the Zoning Ordinance.

Amendment of an Approved Special Use Permit

Any person or agency owning or operating land for which a Special Land Use has been approved shall notify the Zoning Administrator of any proposed amendment to the approved use and site plan. Any proposed change to the conditions that were attached to the approval of the Special Land Use or any proposed change to the Special Land Use itself shall be reviewed by the Planning Commission, which shall determine if the proposed changes constitute a major or minor change.

A major change is defined as a change in the conditions of approval or the Special Land Use which would substantially alter the intensity of the use of the property so as to call into question compliance with the Special Land Use approval standards of Section 18B.3 of the Township Zoning Ordinance.

Any major change shall be considered in the same manner as set forth in Section 18B.2 of the Zoning Ordinance. A minor change requested for a Special Land Use may be approved by the Planning Commission without a public hearing.

Revocation of an Approved Special Use Permit

If a violation of any of the conditions or standards imposed on a special land use is found to exist following inspection, the Zoning Administrator shall notify the owner of the premises of the special land use and the Planning Commission that such violation exists and that the permit will be revoked within 15 days of such notification. If said violation is not corrected within 15 days, the Planning Commission may revoke the permit. Furthermore, such a violation is hereby declared to be a violation of the zoning ordinance, subject to all of the remedies and penalties provided for in this ordinance.

**WAYLAND TOWNSHIP
SPECIAL USE PERMIT APPROVAL STANDARDS**

From Section 18b.3 of the Township Zoning Ordinance

To approve a special land use, the Planning Commission must find that all the following general standards are satisfied, in addition to any applicable standards set forth in this Ordinance for specific special land uses:

- A. The special land use shall be established, laid out, and operated so as not to have a substantial adverse effect upon adjoining or nearby lands or any of the uses thereof.

Does the proposed use satisfy this standard? yes no not applicable

- B. The special land use must not have a substantial adverse effect on water and sewer services, storm water drainage, road capacity, and volume of traffic and traffic safety and circulation.

Does the proposed use satisfy this standard? yes no not applicable

- C. The special land use must not have an adverse effect on police and fire services and other public safety and emergency services.

Does the proposed use satisfy this standard? yes no not applicable

- D. The special land use must not have an adverse effect on the need and demand for other public services.

Does the proposed use satisfy this standard? yes no not applicable

- E. The special land use must not have a significant adverse effect on the natural environment of the site and nearby properties.

Does the proposed use satisfy this standard? yes no not applicable

- F. The special land use must be consistent with the intent and purposes of this Ordinance and the Wayland Township Master Plan.

Does the proposed use satisfy this standard? yes no not applicable