



# SPECIAL LAND USE PROCESS

## STEP ONE

### Development Review Committee (DRC)

- Preliminary review by Township Staff.
- Comments for applicant - advise on corrections, items to consider prior to formal review.
- Require approval of completion prior to PC.
- If deemed complete by the DRC, a notice of public hearing is published in the newspaper at least 15 days before the PC meeting at which the hearing will be held.

## STEP TWO

### Planning Commission (PC)

- Formal review at public meeting.
- Receive review letters, approval by DRC.
- Hold public hearing, as required.
- Determine if the request meets the specified standards.
- Postpone request if plans require revisions.
- Recommendation to Township Board; approve, approve with conditions, or deny.

## STEP THREE

### Township Board (TB)

- Formal review at public meeting.
- Receive review letters, approval by DRC, recommendation from PC.
- Postpone request if plans require revisions.
- Decision by Board; approve, approve with conditions, or deny.

## IF APPROVED

- Applicant must revise plans to address noted conditions.
- Site Plan to be submitted and reviewed, per the required process.

# Special Land Use Application

CHARTER TOWNSHIP OF CANTON  
DEPARTMENT OF MUNICIPAL SERVICES  
PLANNING SERVICES DIVISION  
1150 Canton Center Road, Canton, MI 48188 • 734/394-5170

A Public Hearing is required to be held by the Planning Commission for all Special Land Use requests. A Special Land Use must be approved prior to consideration of a site plan by the Planning Commission.

## General Information:

1. Name of Project: \_\_\_\_\_

2. Applicant's Name: \_\_\_\_\_ Email: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

3. Parcel(s) tax ID number(s): \_\_\_\_\_

4. Present Zoning Classification: \_\_\_\_\_ Acres: \_\_\_\_\_

5. If Commercial: Square Feet: \_\_\_\_\_ Number of Units: \_\_\_\_\_

## Location of Property:

6. The property location for which approval is requested: (check one)      N      S      E      W  
side of \_\_\_\_\_ Road  
between \_\_\_\_\_ and \_\_\_\_\_ Roads

7. Intended use of property: (cite appropriate Section No. in Zoning Ordinance) \_\_\_\_\_

Section No. \_\_\_\_\_ Use: \_\_\_\_\_

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

For Township Use:

File Number: \_\_\_\_\_ Date Received: \_\_\_\_\_

Fee Paid: \_\_\_\_\_ Receipt Number: \_\_\_\_\_



# Special Land Use General Criteria Questions

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On a separate sheet of paper, please demonstrate how the application satisfies the following general criteria questions for Special Land Use approval:

1. Explain how this Special Land Use will be **compatible with adjacent uses** minimizing the impact of site activity on surrounding properties. (Include location and screening of vehicular circulation and parking; location and screening of outdoor storage; hours of operation, etc.)
2. How is this Special Land Use **consistent with the polices of the Comprehensive Plan**?
3. Is this Special Land Use located so as to be **adequately served by essential public facilities**, such as highways, streets, police, water and sewage, etc.? Explain.
4. Does the location of the proposed Special Land Use within the zoning district minimize the **impact of the traffic** generated by the proposed use? (Consider, proximity and access to major thoroughfares, estimated traffic generated by proposed use, proximity and relation to intersection, adequacy of driver sight distances, location of and access to off-street parking, required vehicular turning movements and provision for pedestrian traffic.)
5. Are there any **detrimental effects** involved in the Special Land Use and how are these effects mitigated? (Consider production of traffic, noise, vibration, smoke fumes, odor, dust glare, light, etc.)
6. How does the Special Land Use **enhance the surrounding environment**? (Consider the landscaping and other site amenities, and the bulk, placement, and materials of construction of proposed structures in relation to surrounding uses.)
7. In granting this Special Land Use, will it result in a small residential area being substantially surrounded by a non-residential development or incompatible uses? Explain.
8. Demonstrate that the proposed use will **enhance the economic well-being** and welfare of the Township.
9. Explain how this application for Special Land Use approval **meets all specific criteria and design standards** for the specific use outlined in the Zoning Ordinance.

Please Note: A LOCATION MAP AND 13 COPIES OF A PRELIMINARY SITE PLAN MUST BE ATTACHED WITH THIS APPLICATION

## 27.03 SPECIAL LAND USE REVIEW PROCEDURES AND STANDARDS

### A. INTENT

The procedures and standards in this Section are intended to provide a consistent and uniform method for review of proposed plans for special land uses. Special land uses are uses, either public or private, which possess unique characteristics and therefore cannot be properly classified as a permitted uses in a particular zoning district (see DEFINITIONS, Section 1.03). The review procedures and standards are intended to ensure full compliance with the standards contained in this Ordinance and other applicable local ordinances, and state and Federal laws, to achieve efficient use of the land, to protect natural resources, and to prevent adverse impact on adjoining or nearby properties. It is the intent of these provisions to encourage cooperation and consultation between the Township and the applicant to facilitate development in accordance with the Township's land use objectives.

### B. PROCEDURES AND REQUIREMENTS

The following procedures and requirements shall be complied with in the review of special land use proposals:

1. Applicant. The application shall be submitted by the owner of an interest in land for which special land use approval is sought, or by the owner's designated agent. The applicant or a designated representative shall be present at all scheduled review meetings or consideration of the proposal may be tabled due to lack of representation.
2. Application Forms and Documentation. The application for special land use review shall be made on the forms and according to the guidelines provided by the Planning Official.
3. Application Data Requirements. For all special land uses, a preliminary site plan shall be required in accordance with Section 27.03.B-4. In addition, the applicant shall complete any forms and supply any other data as may be required by the Planning Commission, Township Board, or Planning Official to make the determination required, including a written statement documenting compliance with the standards set forth in Section 27.03, sub-section C. Data requirements and regulatory guidelines for certain special land uses are set forth in Article 6.00, Site Development Standards Applicable to Specific Uses. (Supp. 96-3, Effective 12-9-96)
4. Preliminary Site Plan Preparation. The preliminary site plan shall be prepared in the manner specified in this section and on the special land use application form. A preliminary site plan which does not meet the stipulated requirements shall be considered incomplete and shall therefore not be subject to formal review. At any time during the course of preparation of a preliminary site plan, the Township staff shall upon request provide information concerning the Zoning Ordinance procedures and standards.

A preliminary site plan shall include the following information:

- a. The description, location, size and shape of the property involved.
  - b. The shape, size and location of existing and proposed buildings, parking areas and service drives, and loading zones within 300 feet of the subject property; and the location of existing and proposed public streets serving the property; and indication of all natural features including topography and soils.
  - c. The location of all existing and proposed water and sewage treatment systems serving the property.
  - d. Any other information deemed necessary to properly illustrate the development concept to the Planning Commission. (Supp. 96-3, Effective 12-9-96)
5. Submission of a Preliminary Plan. The application materials, required fees, and sufficient copies of the completed preliminary site plan (as specified on the application form) shall be submitted to the office of the Planning Official for review by the Township's Development Review Committee. (Supp. 96-3, Effective 12-9-96)
6. Review by the Development Review Committee. The Development Review Committee shall review the preliminary site plan and Special Land Use application materials, and prepare a written review with two (2) weeks after the Development Review Committee meeting. The written review shall specify any deficiencies in the preliminary site plan and make recommendations as appropriate. (Supp. 96-3, Effective 12-9-96)
7. Submission of Revised Preliminary Plan and Special Land Use Application. The applicant shall revise the preliminary site plan, based on the requirements and recommendations set forth in the written review. The applicant shall then submit sufficient copies of the revised preliminary plan (as specified on the application form) for further review, and a public hearing shall be scheduled in accordance with the guidelines set forth below. The revised site plan and application materials shall be submitted at least thirty-five (35) calendar days prior to a scheduled meeting at which Planning Commission review is desired. In addition, the applicant shall prepare a colored rendering of the revised preliminary site plan for presentation at the Planning Commission meeting. (Supp. 96-3, Effective 12-9-96)
8. Public Hearing. Upon receipt of the complete preliminary plan and application for a special land use, a public hearing shall be scheduled. Notice of the public hearing shall be published in a newspaper which circulates in the Township, and sent by mail or personal delivery to the owners of property for which approval is being considered, to all person to whom real property is assessed within 300 feet of the boundary of the property i in question, and to the occupants of all structures within 300 feet not less than 15 days before the application will be considered for approval. Such notification shall be made in accordance with the provisions of Section 103 of the Michigan Zoning Enabling Act (P.A. 110 of 2006), as amended. Accordingly, the notice shall:

-Describe the nature of the special land use request.

-Indicate the property which is the subject of the special land use request.

-State when and where the special land use request will be considered.

-Indicate when and where written comments will be received concerning the request.  
(Supp. 96-3, Effective 12-9-96)

9. Planning Commission Consideration. Following the public hearing, the special land use proposal and preliminary site plan shall be reviewed by the Planning Commission in relation to applicable standards and regulations, and in relation to the intent and purpose of this Ordinance. The Commission shall consider the comments and recommendations from the Planning Official, Building Official, Township Engineer, Public Safety Official, and other reviewing agencies.

If the Planning Commission determines that revisions are necessary to bring the special land use proposal into compliance with applicable standards and regulations, the applicant shall be given the opportunity to submit a revised preliminary site plan. Following submission of a revised preliminary plan, the special land use proposal and preliminary site plan shall be reviewed by the Development Review Committee. If the preliminary site plan is in compliance with required revisions, the preliminary plan shall be placed on the agenda of the next scheduled meeting of the Planning Commission for further review and possible action. (Supp. 96-3, Effective 12-9-96)

10. Planning Commission Determination. The Planning Commission shall review the application for a special land use proposal, together with the public hearing findings and reports and recommendations from the Building Official, Planning Official, Township Engineer, Public Safety Official, and other reviewing agencies. The Planning Commission shall then make a recommendation to the Township Board, based solely on the requirements and standards of this Ordinance. The Planning Commission may recommend approval, approval with conditions, or denial as follows:

-Approval. Upon determination that a special land use proposal is in compliance with the standards and requirements of this Ordinance and other applicable ordinances and laws, the Planning Commission shall recommend approval.

-Approval with Conditions. Upon determination that a special land use proposal is in compliance except for minor revisions, the revision shall be identified and the applicant shall be given the opportunity to correct the site plan. The conditions may include the need to obtain variances or obtain approvals from other agencies.

The applicant may re-submit the proposal to the Planning Commission for further consideration after said revisions have been completed, or the Planning Commission may recommend the preliminary plan to the Township Board with conditions.

-Denial of Approval. Upon determination that a special land use proposal does not comply with standards and regulations set forth in this Ordinance, or requires extensive revision in order to comply with said standards and regulations, the Planning Commission shall recommend denial. (Supp. 96-3, Effective 12-9-96)

11. Submission of Preliminary Plans for Township Board Review. After the Planning Commission makes a recommendation on the special land use proposal and preliminary plan, the applicant shall make any required revisions and submit sufficient copies of the revised preliminary plan (as specified on the application form) for Township Board review. The preliminary site plan and supporting materials shall be submitted at least eleven (11) calendar days prior to a scheduled meeting at which Township Board review is desired. (Supp. 96-3, Effective 12-9-96)

12. Township Board Determination. The Township Board shall make its determination based on the requirements and standards of this Ordinance, taking into consideration the public hearing findings and reports and recommendations from the Building Official, Planning Official, Township Engineer, Public Safety Official, and other reviewing agencies. The Township Board may hold additional hearings if the Board considers it necessary. The Township Board is authorized to approve, approve with conditions, or deny a special land use proposal as follows:

Approval. Upon determination that a special land use proposal is in compliance with the standards and requirements of this Ordinance and other applicable ordinances and laws, approval shall be granted.

Approval with Conditions. The Township Board may impose reasonable conditions with the approval of a special land use. The conditions may include provisions necessary to insure that public services and facilities affected by a proposed special land use or activity will be capable of accommodating increased service and facility loads generated by the new development, to protect the natural environment and conserve natural resources and energy, to insure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner. Conditions imposed shall meet all of the following requirements:

a. Conditions shall be designed to protect natural resources, the health, safety, and welfare and the social and economic well being of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.

- b. Conditions shall be related to the valid exercise of the police power, and purposes which are affected by the proposed use or activity.
- c. Conditions shall be necessary to meet the intent and purpose of the Zoning Ordinance, related to the standards established in the Ordinance for the land use or activity under consideration, and necessary to insure compliance with those standards.

Denial. Upon determination by the Township Board that a special land use proposal does not comply with the standards and regulations set forth in this Ordinance, or otherwise will be injurious to the public health, safety, welfare, and/or orderly development of the Township, a special land use proposal shall be denied.

- 13. Recording of Planning Commission and Township Board Action. Each action taken with reference to a special land use proposal shall be duly recorded in the minutes of the Planning Commission or Township Board, as appropriate. The minutes shall record the findings of fact relative to each special land use proposal, the grounds for action taken, and any conditions imposed in conjunction with approval. All records of proceedings shall be kept on file and made available to the public.
- 14. Final Site Plan Review and Application for Building Permit. Following approval of a special land use and preliminary site plan, the applicant shall submit a site plan prepared, processed and reviewed in accordance with Section 27.02--Site Plan Review. The Planning Commission shall not review a final site plan prior to approval of the special land use by the Township Board.

Prior to issuance of a building permit, the applicant shall submit proof of the following:

- Final approval of the special land use application and site plan.
  - Final approval of the engineering plans.
  - Acquisition of all other applicable Township, County, or State permits.
- (Supp. 96-3, Effective 12-9-96)

- 15. Expiration of Approval. Where a special land use has been granted approval as provided herein, submission of a site plan in accordance with Section 27.02 must be submitted to the Township within one (1) year from the date of special land use approval, or such approval, or such approval shall automatically become null and void. However, the Planning Commission may grant an extension thereof for good cause shown under such terms and conditions and for such period of time not exceeding six (6) months as it shall determine to be necessary and appropriate. If construction has not commenced within eighteen (18) months of final approval of the site plan, the site plan and special land use approval becomes null and void and a new application for special land use and site plan review shall be required. (Supp. 96-3, Effective 12-9-96)



16. Revocation of Special Land Use Approval. Approval of a special land use proposal and site plan may be revoked by the Township Board if construction is not in conformance with the approved plans. In such a case, the Planning Official shall place the special land use on the agenda of the Township Board for consideration, and give written notice to the applicant at least five (5) days prior to the meeting. The applicant shall be given the opportunity to present information to the Township Board and answer questions. The Township Board may revoke approval if it finds that a violation exists and has not been remedied prior to the hearing.