



Dalton Township
1616 E. Riley Thompson Rd.
Muskegon, Michigan 49445
Phone: (231) 766-3403
Fax: (231) 766-2636
www.daltontownship.org

Fee: 50.00

MINOR SPECIAL LAND USE AMENDMENT APPLICATION

Applicant Name: _____

Address: _____

Phone/Cell: _____ Email Address: _____

Business/Owner Name (if different than above): _____

Address: _____

Phone/Cell: _____ Email Address: _____

Property Address: _____

Parcel Number: 61-07-_____

Approved Special Land Use Hearing Date: _____

Present Use: _____

Proposed Amendment (s) to site plan: _____

Applicant Signature

Date

Owner signature needed if different than applicant

Date

Please answer the following questions in detail:

1. How will the proposed use impact the surrounding properties as it relates to the following areas?

Noise: _____

Dust: _____

Odor: _____

Safety: _____

Traffic: _____

Light: _____

3. What are the proposed hours of operation? _____

4. Are you required to obtain any special license or permits through any other government agency? _____
If yes, what type of licenses and permits are required? _____

5. If this application is for day care, how many children will you be caring for? _____

6. If this application is for an assisted living facility, how many units will you have in the facility? _____

7. How many employees/shifts will work at the facility? _____



Site Plan of Property and Location of ALL Structures

*** Important *** Show all Existing and Proposed Structures; Owner Name and Address, Parcel #, Street Name, North Arrow, Parcel Dimension, Existing Structures including setbacks and approaches, Proposed Structures including setbacks and approaches, Front Rear and Side Yard Setbacks, Well and Septic, Driveway (access) with pavement type, decks, cement patios, cement walkways.

Parcel #: _____ Zoning: _____ Dimensions: _____

Side Lot Line or Side Street

Side Lot Line or Side Street

Road Right of Way (typically 33' from the road center)

Site Address: _____

Owner Name: _____

- C. The special land use shall not have a substantial adverse effect on the need and extent of law enforcement and fire protection services, or other public safety and emergency services.
- D. The special land use shall not have a substantial adverse effect on the protection and preservation of natural resources and natural features.
- E. Vehicular and pedestrian traffic circulation shall be designed to minimize conflicts on public streets and upon the property thereof. Safe and convenient off-street parking areas, appropriate to the special land use shall be provided.
- F. Safe and adequate sewage disposal facilities and water supply measures shall be provided in compliance with county and state requirements, and shall be designed for compatibility with existing systems and anticipated future development. Connection with existing sanitary sewer systems and water supply systems may be required.
- G. The period of day and times of the year during which a special land use activity commences or continues shall be reasonably related to both the use and the neighborhood or area in which it is proposed.
- H. The special land use shall not create excessive additional demand, at public cost, for public facilities and services.
- I. The special land use shall be consistent with the intent and purposes of the zoning ordinance and the Township Master Plan.

16.6 Reapplication. No special land use application which has been denied wholly or in part by the Planning Commission shall be resubmitted until at least 12 consecutive months after the date of denial, except on the grounds of newly discovered evidence or proof of changed conditions affecting the proposed special land use, as determined by the Planning Commission. A reapplication shall be processed in the same manner as an original special land use application.

16.7 Amendment of Special Land Use.

- A. A special land use may be amended if approved by the Planning Commission, following the same procedure as required for an original special land use application, including the giving of notice and holding of a public hearing by the Planning Commission; provided, however, that minor amendments in a special land use may be approved by the Zoning Administrator as stated in subsection C of this section and, provided further, that minor site plan amendments as defined in Section 17.12.C. may be approved by the Zoning Administrator, without public notice or public hearing.
- B. An amendment of a special land use may pertain to the site plan, additional or revised terms and conditions or other aspects of the use as originally approved. In considering any such amendment that is not a minor amendment, the Planning Commission may review the entire existing special land use, and all operational

and other aspects thereof, in order to determine whether the terms and conditions of the special land use have been complied with. In its recommendation concerning a proposed amendment, the Planning Commission may include, and in its approval of a proposed amendment the Planning Commission may impose, additional terms and conditions for the purpose of achieving compliance with the terms and conditions specified for the original special land use.

C. As defined by this subsection, minor amendments to a special land use may be approved by the Zoning Administrator, either prior or subsequent to construction. The Zoning Administrator may, in his or her discretion, refer any decision regarding a proposed amendment to the Planning Commission for review and approval whether or not the change would qualify as a minor amendment under this section. In making a determination as to whether a change is a minor amendment, or whether to refer an amendment to the Planning Commission for approval, the Zoning Administrator may consult with the chairperson of the Planning Commission. Minor amendments to a special land use shall include:

1. Minor site plan amendments as defined in Section 17.12.C.
2. Changes in the nature of the special land use which permanently decrease or mitigate impacts from such use on surrounding properties, the general public or public facilities or service.
3. Minor changes in, and/or minor additions to, the uses included in an approved special land use that (1) do not change the basic type, nature or character of the use; (2) do not alter its basic design; (3) are determined by the Zoning Administrator to be not material or significant in relation to the entire special land use; and (4) would not involve an unrelated use and would not have a significant adverse effect on adjacent or nearby lands or the public interest.

16.7A Revocation of Special Land Uses. The Planning Commission shall have the authority to revoke any special land use permit following a public hearing noticed according to the procedures provided in Section 16.3.B, if the holder of the permit has failed to comply with any of the applicable conditions specified in the permit.

16.8 Violation of Special Land Use Requirements. A violation of any of the terms and conditions of a special land use shall be a violation of this Ordinance, and all penalties specified herein for violation of the ordinance shall apply, and the Township shall have such other enforcement remedies authorized by law. The Township may also take such other lawful action as may be necessary to remedy and/or moderate the violation, including revocation of the land use permit for the special land use.

16.9 Appeals. Any appeal of a special land use decision or condition shall be made only to the Circuit Court. The Zoning Board of Appeals shall have no jurisdiction to hear appeals from a special land use decision, nor authority to grant a variance or other relief with regard to a special land use or any part or aspect thereof.

17.12 Changes in Approved Site Plans

- A. An approved site plan may not be changed, and development in accordance with a changed site plan may not take place, unless the changes in the site plan have been reviewed and approved in accordance with this chapter.
- B. The holder of an approved site plan shall submit an application for approval of any proposed change in the approved site plan. The application shall be accompanied by the site plan, showing the change or changes for which approval is being requested. Any required application fee shall be paid at the time the application and proposed revised site plan are submitted, together with any required zoning escrow deposit for reimbursement of Township expenses in the consideration of the proposed change or changes in the site plan.
- C. Minor changes in an approved site plan may be approved by the Zoning Administrator, upon a determination that the proposed minor change will not alter the basic design of the development or any of the specific terms and conditions imposed as a part of the original approval of the site plan. Minor changes shall consist only of the following:
 - 1. Change in building size, up to five percent in total floor area.
 - 2. Change in location of buildings or other structures by no more than ten feet.
 - 3. Replacement of plant material specified in the landscape plan, with comparable material.
 - 4. Changes in building materials to a comparable or higher quality.
 - 5. Changes in floor plans which do not alter the character of the use.
 - 6. Internal rearrangement of a parking lot which does not affect the number of parking spaces or alter access locations or design.
 - 7. Changes required or requested by the Township, the county or other governmental body or agency for safety reasons.
 - 8. Changes which will preserve the natural features of the site without changing the basic site layout.
 - 9. Other similar changes of a minor nature which are deemed by the Zoning Administrator to be not material or significant in relation to the entire site, and which the Zoning Administrator determines would not have a significant adverse effect upon the subject lands, or upon adjacent or nearby lands or the public interest.

- D. Any requested minor changes that are submitted to the Zoning Administrator for approval may be referred to the Planning Commission for decision, regardless of whether the requested change qualifies as a minor change. In the case of such referral to the Planning Commission, the Commission shall make the decision on the requested change.
- E. If the change requested in an approved site plan is not a minor change under the terms of subsection C, then such change shall be deemed a major change. In that event, the site plan, showing the major change, shall be submitted to the Planning Commission for its review and consideration, and the procedures with respect thereto shall be the same as those required for full site plan review.
- F. In the approval of any changes in an approved site plan, whether by the Zoning Administrator or the Planning Commission, written terms and conditions may be imposed thereon, and the applicant shall comply with such terms and conditions.
- G. Upon approval of minor changes in an approved site plan, the Zoning Administrator shall notify the Planning Commission of the minor changes approved.
- H. Upon approval of changes in an approved site plan, the applicant shall promptly submit to the Zoning Administrator five copies of the site plan (or such other number as may be required), accurately showing the changes in the site plan as thus approved, before any permits are issued and before any work at the site has commenced. The Zoning Administrator shall review the revised plan for compliance with required changes.

SITE PLAN REVIEW STANDARDS

The regulations listed in Chapter 17: Site Plan Standards are intended to promote;

- A. Safe and convenient traffic movement; both within a site and in relation to access streets;
- B. Harmonious relationships of buildings, structures, and uses, both within a site and with adjacent sites;
- C. Conservation of natural amenities and resources; and
- D. Compliance with the provisions of this Ordinance and all other applicable Township, State, and federal laws.

17.3 Data Required for Site Plans

(Please refer to the Dalton Township Zoning Ordinance Chapter 17 at www.daltontownship.org/zoning for detailed descriptions of any items listed below):

Site plans shall show the following information;

- _____ Geographic Location
- _____ Name, address and phone # of applicant/property owner
- _____ Name of development
- _____ North Arrow
- _____ Legend
- _____ Location: A location map that shows the location of the project in the broad context of the Township.
- _____ Scale: Development site plans shall be drawn to a readable scale, such that all features required to be shown on the plans are readily discernable.
- _____ Existing natural, man-made, and legal features- Site development plans shall show all existing natural, man-made, and legal features on the lot where the development is to take place.
(Refer to 17.3 (8) for additional details).
- _____ Proposed changes in existing features, proposed new legal features, and proposed man-made features.
(Refer to 17.3 (9) for additional details).
- _____ All outdoor illumination with lighting fixtures. (Also refer to section 4.25 for additional lighting requirements)
- _____ All parking areas, proposed and existing.
- _____ Proposed and existing landscaping. (Refer to Section 4.37 for buffering requirements)
- _____ Proposed changes in existing features or new features. (Refer to 17.3 (9) for additional details).

17.3 (10) In addition to the written application and the plans, whenever the nature of the proposed development makes information and documents such as the following relevant, such documents or information shall be provided;

- a) Documentation confirming that the applicant has a legally sufficient interest in the property proposed for development to use it in a manner requested, or is the duly appointed agent of such a person.
- b) For all Commercial and Industrial site plans, the applicant shall provide a written business plan that describes in detail the nature of the proposed use. This document will be utilized to determine if the use is permissible within the applicable zone district and its compatibility with the surrounding land uses.
- c) Certifications from the appropriate agencies that proposed utility systems are or will be adequate to handle the proposed development and that all necessary easements have been provided.
- d) Legal documentation establishing property owner associations or other legal entities responsible for control over required common areas and facilities.
- e) Letters of credit or other surety devices.
- f) Time schedules for the completion of phases in the occurrence of a staged development.
- g) Calculations for drainage and storm water design detention/retention.

17.4 Standards for Granting Site Plan Approval

Each site plan shall conform to the applicable provisions of this Ordinance and the standards listed:

_____ Site plan demonstrates that buildings, parking areas, signs, walls, fences, and the like are designed to minimize adverse effects on development users and the occupants of adjacent properties.

_____ Site plan demonstrates that as many natural features as possible have been retained, particularly where such features provide a buffer between adjoining properties or assist in preserving the general appearance of the neighborhood or help control soil erosion or storm water.

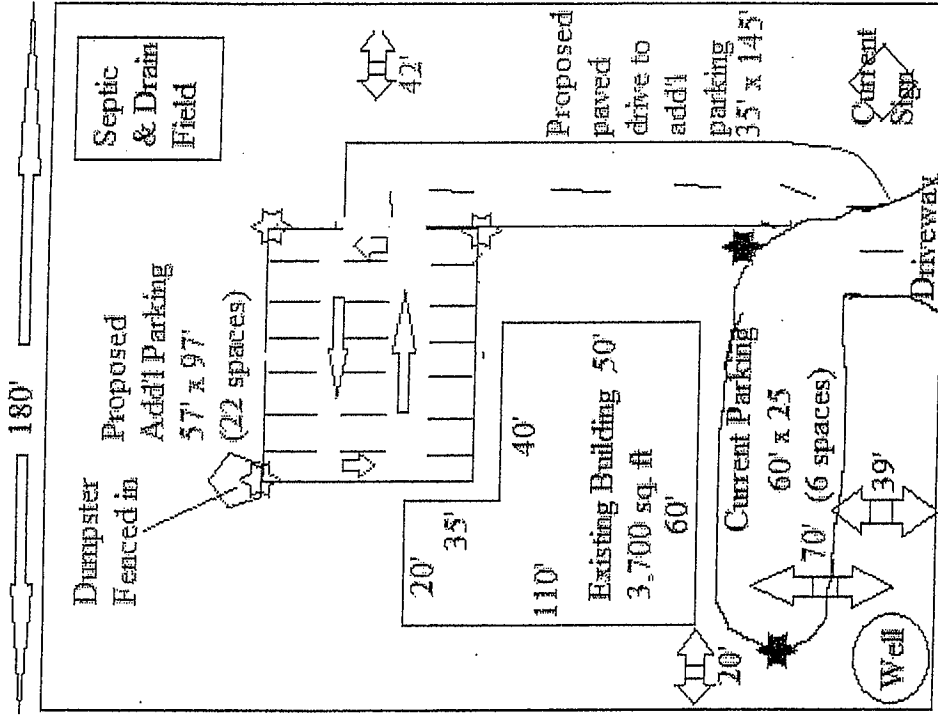
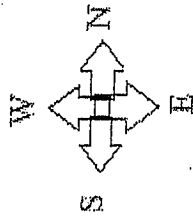
_____ Site plan shall conform to the driveway and traffic standards of the Michigan Department of Transportation and the Muskegon County Road Commission. The site plan should demonstrate that there is proper relationship between existing and proposed roadways, parking areas, and that the safety and convenience of the pedestrian and vehicular traffic has been assured. (Refer to section 4.46 for M-120 & Whitehall Management Overlay District Regulations)

_____ Site plan shall fully conform to the applicable fire safety and emergency vehicle access requirements of the Muskegon County Construction Code.

_____ Site plan shall fully conform to the Muskegon County Drain Commission standards. Drainage design should recognize existing natural drainage patterns. Storm water removal shall not adversely affect neighboring properties or the public storm drainage system. Provisions shall also be made to accommodate storm water on-site wherever practical, and prevent direct discharge into surface waters.

EXAMPLE COMMERCIAL SITE PLAN

Parcel Number: 61 - 07 - 000 - 000 - 0000 - 00



★ Current Lights
 ☆ Proposed Lights

100 Dalton Street
 (street access)

Property Owner: John Doe
 Applicant: Jane Doe (231) 000-0000

Address: 100 Dalton Street
 Zoning: C-2

Dalton Township Minimum Requirement for Lot Size & Setbacks

Agricultural/Resource Conservation

1. Minimum lot area - 5 acres
2. Min. lot width - 250 feet
3. Max lot coverage - 10%
4. Max bldg height - 2.5 stories or 35 feet, whichever is less
5. Front yard setback - 50 feet
6. Side yard setback - 25 feet
7. Rear yard setback - 50 ft min.
8. Min floor area - 1,000 sq feet & a min. core area of living space measuring at least 20 x 20 ft. in size.

C-1 Neighborhood Commercial

1. Minimum lot area - 20,000 sq. ft.
2. Maximum lot area - one acre
3. If served by sewer - min. lot size is 15,000 sq. ft.
4. Min. lot width - 100 feet
5. Max bldg ht - 2.5 stories or 35 feet,
6. Max lot coverage - 60%
7. Front yard setback - 50 feet
8. Side yard setback - 25 feet
9. Rear yard setback - 40 feet

C-2 Regional Commercial

1. Minimum lot area - 20,000 sq. ft.
2. If connected to pub. Sewer - min lot size is 15,000 sq. ft.
3. Min. lot width - 100 feet.
4. Max lot coverage - 60%
5. Max bldg. height - 2.5 stories or 35 ft, whichever is less.
6. Front yard setback - 40 feet.
7. Side yard setback - 20 feet.
8. Rear yard setback - 25 feet.

R-1 Low Density Residential

1. Minimum lot area - 1 acre
2. Min lot width - 150 feet
3. Max lot coverage - 15%
4. Max bldg ht - 2.5 stories or 35 feet, whichever is less
5. Front yard setback - 40 feet
6. Side yard setback - 15 feet
7. Rear yard setback - 30 feet
8. Minimum floor area - 1000 sq. ft. & a min. core living space of 20 by 20 feet in size.

R-2 Medium Density Residential

1. Minimum lot area - 1 acre
2. If served by water & sewer and part of a subdivision, site condo, or PUD - min lot size shall be 10,000 sq. ft.
3. Min lot width - 110 feet
4. Max lot coverage - 25%
5. Max bldg ht - 2.5 stories or 35 feet, whichever is less
6. Front yard setback - 40 feet
7. Side yard setback - 15 feet
8. Rear yard setback - 25 feet
9. Minimum floor area - 1000 sq ft & a min. core living space of 20 by 20 feet in size
10. Any subdivision, site condo, or multi-family dwelling located in this district shall be connected to public sewer and water.

RM - Manufactured Home District - outside of a Man. Home park.

1. Min. lot size - 20,000 sq. ft.
2. Min. lot width - 75 feet
3. Max lot coverage - 25%
4. Front yard setback - 40 feet
5. Side yard setback - 15 feet
6. Rear yard setback - 25 feet
7. Min. floor area - 760 sq. ft. with a min. core living area in accordance to Section 4.12 of the Zoning Ordinance.

D-1 Industrial District

1. Min. lot area - 40,000 sq. ft.
2. Min lot width - 200 ft.
3. Max lot coverage - 35%
4. Front yard setback - 70 feet
5. Side yard setback - 30 feet.
6. Rear yard setback - 30 feet.

**Waterfront setback is 100 feet in any district.

*Accessory buildings shall have a max building height of 24 feet. Setbacks for Acc. Bldgs is 6' from rear & side yards - measured from eaves; in C1, C2, and D1, Acc. Bldgs over 200 sq. ft. have different setbacks.

REVISED: 2-4-2016