

All Certificates of Occupancy issued by the Building Inspector shall be accompanied by a Zoning Compliance Permit which bears the signature of the Zoning Administrator certifying that all requirements of this Ordinance have in fact been met and that he has made a field inspection to ascertain same.

In cases where Certificates of Occupancy are not required under the Michigan Building Code, such as in the case of agricultural buildings, the Zoning Administrator shall nevertheless certify compliance for zoning purposes that the structure or use has been established or erected in compliance with the terms of the Zoning Ordinance by issuing a Zoning Compliance Permit.

Section 22.04 — Special Zoning Orders Book and Map:

The Zoning Administrator shall keep in his office a book, to be known as the Special Zoning Orders Book, in which he shall list, with a brief description, all variances, special approval use permits, authorizations for planned unit developments, designations of Class A nonconformance and any termination of any of them. Each item shall be assigned a number when entered. The Zoning Administrator shall also keep a map of the Township, to be known as the Special Zoning Orders Map, on which he shall record the numbers in the Special Zoning Orders Book to indicate the locations affected by the items in the book. The Special Zoning Orders Book and Map shall be open to public inspection.

Section 22.05 — Permit Fees:

Fees for inspection and the issuance of permits or certificates or copies thereof required or issued under the provisions of this Ordinance shall be collected by the Zoning Administrator in advance of issuance. The amount of such fees shall be established by resolution of the Township Board and shall cover the cost of inspection and supervision resulting from enforcement of this Ordinance.

Section 22.06 — Site Plan Review:

1. *Site Plan Review Required:* Site plan review and approval of all development proposals (except as otherwise provided herein) is required by the following provisions. The intent of this section is to provide for consultation and cooperation between the developer and the planning commission so that both parties might realize maximum utilization of land and minimum adverse effect upon the surrounding land uses. Through the application of the following provisions, the attainment of the Master Plan will be assured and the township will develop in an orderly fashion.
2. *Site Plan Review Required:* A site plan shall be submitted to the planning commission for review and approval for the following:
 - A. Any use in any zoning district, except for the following uses:
 - i. agricultural buildings
 - ii. single-family dwellings
 - iii. two-family dwellings
 - iv. buildings and uses customarily accessory and incidental to the above uses
 - v. manufactured housing communities shall be subject to preliminary site plan review under Sections 20.03.0, 20.03.1, and 20.03.2.

- B. All site condominium or condominium projects.
 - C. Any use or development for which the submission of a site plan is required by any provisions of this ordinance.
 - D. An addition, expansion, or alteration of any of the above uses (except those listed in paragraph a. above) or a change from an existing use to a dissimilar use:
 - i. Wherein the proposed expansion or change would trigger different or additional zoning requirements, such as but not limited to: number and or arrangement of off-street parking spaces, loading zones, points of ingress or egress, walls, greenbelt, buffer, screening, landscaping, etc.
 - a. Except that Planning Commission review may be waived and the site plan approved by the Zoning Administrator when, in the opinion of the Township Planner, the expansion of use or change in use will not involve changes substantial enough to warrant Planning Commission review. A written memorandum documenting this decision shall be prepared by the Zoning Administrator and signed by the Zoning Administrator and the Township Planner.
 - ii. Wherein the proposed addition, expansion, or change would require a variance from the provisions of this ordinance no matter what size the addition or expansion.
3. *Application Procedure:* An application for site plan review shall be processed in the following manner:
- A. All site plans shall be submitted to the zoning administrator at least twenty-one (21) days prior to the next regularly scheduled meeting of the planning commission and must contain the following to be accepted:
 - i. A signed and complete application.
 - ii. Ten (10) copies of the site plan.
 - iii. All items, as required by section 4 above, shown on the site plan.
 - iv. Required fees as established by resolution of the township board.
 - B. Upon satisfactory completion of the requirements of section 3.A. i.-iv. above, the zoning administrator shall:
 - i. Forward a copy of the site plan and application to the appropriate department heads and consultants for review.
 - ii. Place review of the site plan on the next planning commission agenda.
 - iii. Forward a copy of the site plan and application to each commission member.
4. *Township Review.* Upon receipt of the site plan from the zoning administrator, the planning commission shall review the plan at their next regular meeting and thereafter approve or deny the site plan within a reasonable time.
- A. Upon determination of the planning commission that a site plan is in compliance with the zoning ordinance and other regulations, it will be so indicated on the site plan.
 - B. Upon determination of the planning commission that a site plan is in compliance except with minor revisions, the planning commission may grant conditional approval. All revisions must be clearly delineated on copies required to be filed with the township.

- C. If extensive revision to the site plan is necessary to meet the ordinance and regulation requirements, the site plan shall be denied and the applicant requested to prepare an alternate site plan. In this case, "Denied" shall be written on the plan and reasons for denial indicated in the planning commission's resolution.
 - D. When a site plan has been reviewed by the planning commission and all steps completed, five (5) copies of the application and plans will be marked approved or denied for the following distribution:
 - i. One (1) copy forwarded to the township clerk for permanent record.
 - ii. Two (2) copies forwarded to the zoning administrator.
 - iii. One (1) copy forwarded to the township planner or planning consultant.
 - iv. One (1) copy forwarded to the applicant.
5. *Site Plan Review Criteria:* The site plan shall be reviewed and approved by the planning commission upon finding that the following conditions are met:
- A. The proposed use will not be injurious to the surrounding neighborhood.
 - B. There is a proper relationship between thoroughfares and proposed service drives, driveways, and parking areas.
 - C. The location of buildings, outside storage receptacles, parking areas, screen walls, and utility areas is such that the adverse effects of such uses will be minimized for the occupants of that use and the occupants of surrounding areas.
 - D. It provides for proper development of roads, easements, and public utilities and protects the general health, safety, welfare, and character of the township.
 - E. It meets township requirements and standards for grading and surface drainage and for the design and construction of storm sewers, storm water holding facilities, water mains, sanitary sewers, and driveway approaches.
 - F. All buildings or groups of buildings shall be so arranged as to permit emergency vehicle access by some practical means to all sides.
 - G. Natural resources are preserved by developing in a manner which will not detrimentally affect or destroy natural features such as lakes, ponds, streams, wetlands, steep slopes, and woodlands.
 - H. Sites which include storage of hazardous materials or waste, fuels, salt, or chemicals will be designed to prevent spills and discharges of polluting materials to the surface of the ground, groundwater, or nearby water bodies.
 - I. The location of buildings, parking, drives, landscaping, and other improvements on the site is appropriate for the lot size and configuration.
 - J. Landscaping, including trees, shrubs, and other vegetative material, is provided to maintain and improve the aesthetic quality of the site and the area.
 - K. The proposed use is in compliance with all township ordinances and any other applicable laws.
6. *Information Required on Site Plan:* Plans submitted for site plan approval shall contain all of the following data prior to approval of such plans by the planning commission. Final

construction plans must be submitted to the building department and such construction plans must be reviewed and approved prior to obtaining a building permit.

Site plans shall consist of an overall plan for the entire development. Sheet size shall be at least 24" x 36" with plan view drawn to a minimum scale of 1"=20' if the subject property is less than three (3) acres and 1" = 50' if three (3) acres or more. Included on the site plan will be all dimensions and the following:

A. General Information.

- i. Proprietor's name, address, and telephone number.
- ii. Date (month, day, year), including revisions.
- iii. Title block.
- iv. Scale.
- v. North point.
- vi. Location map drawn at a scale of 1" = 2000' with north point indicated.
- vii. Architect, engineer, surveyor, landscape architect, or planner's seal.
- viii. Existing lot lines, building lines, structures, parking areas, etc., on the parcel, and within one hundred (100) feet of the site.
- ix. Proposed lot lines, property lines and all structures, parking areas, etc., within the site, and within one hundred (100) feet of the site.
- x. Centerline and existing and proposed right-of-way lines.
- xi. Zoning classification of petitioner's parcel and all abutting parcels.
- xii. Gross acreage figure.
- xiii. Proximity to major thoroughfare and/or section corners.

B. Physical Features.

- i. Proposed locations of access drives, street intersections, driveway locations, sidewalks, signs, curbing, and acceleration, deceleration, and passing lanes.
- ii. Location of existing and proposed service facilities above and below ground, including:
 - a. storage, loading, and disposal areas for chemicals, hazardous substances, salt, and fuels.
 - b. water main, hydrants, pump houses, sandpipers, and building services and sizes.
 - c. sanitary sewers and pumping stations.
 - d. storm water control facilities and structures including storm sewers, swales, retention and detention basins, drainage ways, and other facilities, including calculations for sizes.
 - e. location of all easements.

- iii. All buildings with dimensioned floor plans, setback and yard dimensions, and typical elevation views of proposed structures.
- iv. Dimensioned parking spaces and calculations, drives, and method of surfacing.
- v. Exterior lighting locations and illumination patterns.
- vi. Location and description of all existing and proposed landscaping, berms, fencing, and walls.
- vii. Sidewalks and bike paths.
- viii. Trash receptacle pad location and method of screening.
- ix. Transformer pad location and method of screening.
- x. Dedicated road or service drive locations.
- xi. Entrance details including sign locations and size.
- xii. Designation of fire lanes.
- xiii. Any other pertinent physical features.

C. Natural Features.

- i. Existing topography with a maximum contour interval of two (2) feet indicated. Topography on the site and beyond the site for a distance of one hundred (100) feet in all directions shall be indicated.
- ii. A grading plan showing finished contours at a maximum interval of two (2) feet, correlated with existing contours so as to clearly indicate required cutting, filling, and grading.
- iii. Location of existing drainage courses, lakes, ponds, wetlands, rivers and streams, including their water surface elevation, flood plain elevation, and ordinary high water mark.
- iv. Location of other natural resource features, including woodlands.

D. Additional Requirements for Multiple-Family, and Planned Unit Development Projects.

- i. Density calculations by type of unit by bedroom count.
- ii. Designation of units by type of unit in each building.
- iii. Carport locations and details where proposed.
- iv. Specific amount of recreation space and locations.
- v. Type of recreation facilities to be provided in recreation space.
- vi. If proposed, details of community building and fencing of swimming pool.

E. Additional Requirements for Commercial and Industrial Developments.

- i. Loading/unloading areas.

- ii. Gross and useable floor area.
 - iii. Number of employees in peak usage.
7. *Effect of Approval.* When an applicant receives final site approval, he must develop the site in complete conformity with the approved site plan. The site plan approval shall be valid for a period of one (1) year. If the project is not under construction with a building permit at the expiration of the approval time, the site plan approval becomes null and void and the developer shall make a new application for approval. Time extension to site plan approval may be granted by the planning commission.
 8. *Amendment to Approved Site Plans.* Existing or proposed developments which have had site plan review and approval by the planning commission, as required herein, shall not be changed unless the proposed revisions are minor and are reviewed and approved by the zoning administrator with written concurrence of the chairperson of the planning commission. All major revisions to approved site plans shall be subject to review and approval of the planning commission and shall be processed under the same procedure used for new site plans.

Section 22.07 — Performance Guarantees:

1. To insure compliance with a zoning ordinance and any conditions imposed thereunder, the Township Board after recommendation from the Township Planning Commission may require that a cash deposit, certified check, irrevocable bank letter of credit, or surety bond acceptable to the Township covering the estimated cost of improvements associated with a project for which site plan approval is sought be deposited with the Clerk of the Township to insure faithful completion of the improvements. The Building Inspector shall estimate the cost of the improvements.

The performance guarantee shall be deposited at the time of the issuance of the permit authorizing the activity or project. The Township may not require the deposit of the performance guarantee prior to the time when the Township is prepared to issue the permit. The Township shall establish procedures whereby a rebate of any cash deposits in reasonable proportion to the ratio of work completed on the required improvements will be made as work progresses.

2. This section shall not be applicable to improvements for which a cash deposit, certified check, irrevocable bank letter of credit, or surety bond has been deposited pursuant to Act No. 288 of the Public Acts of 1967, as amended.
3. As used in this section, "improvements" means those features and actions associated with a project which are considered necessary by the body or official granting zoning approval in order to protect natural resources, the health, safety, and welfare of the residents of the Township, and future users or inhabitants of the proposed project or project area, including roadways, lighting, utilities, sidewalks, screening and drainage. "Improvements" does not include the entire project which is the subject of zoning approval.

If any portion of the required improvements is not completed or does not meet construction standards within the allocated time period, the Planning Commission shall declare whatever security has been pledged as forfeit. Where the Planning Commission is not already in possession of said guarantee, it shall immediately take the actions necessary to obtain it. Upon receipt of these securities, the Planning Commission shall use them, or receipts from their sale if that be necessary, to finance the completion of contracted improvements or the rebuilding of such improvements to the proper specifications. Unused portions of these securities shall be returned to the subdivider, bonding company, or crediting institution, as is appropriate.

Upon acceptance of the final portion of improvement the Township shall authorize the release of the remaining portion of the performance guarantee.

No action or inaction by Wales Township in respect to any required improvement shall serve to extend the time of validity of any Temporary Certificate of Occupancy or excuse any violation of this Ordinance. A Temporary Certificate of Occupancy may, however, be extended in time, and from time to time, for good cause shown. Any such extension shall serve to extend for the same period the time for completion of the required site improvements.

Section 22.08 — Requirements for Single-Family and Two-Family Dwellings:

Single-family dwellings and two-family dwellings are exempt from the site plan review requirements set forth in Section 22.06 above. However, in order to insure that lot and setback requirements are complied with, all applications for Building Permits, and Zoning Compliance Permits shall be accompanied by a plot plan, in triplicate, drawn to scale, showing the following:

1. The actual shape, location, and dimensions of the lots.
2. The shape, size, and location of all buildings or other structures to be erected, altered, or moved, and of any building or other structures already on the lot.
3. The existing and intended use of the lot and of all such structures upon it, including in residential areas, the number of dwelling units the building is intended to accommodate.
4. Such other information concerning the lot or adjoining lots as may be essential for determining whether the provisions of this Ordinance are being served.

Section 22.09 — Requirements for Farm Uses and Buildings:

Agricultural buildings are exempt from building permits under the Michigan Building Code. This exemption does not extend to the Zoning Ordinance. Farm uses and farm buildings are required to comply with the Zoning Ordinance, including the following.

In order to simplify determination of compliance, proposed new farm buildings or additions are exempt from site plan review requirements set forth in Section 22.06 above. However, they are required to obtain a Zoning Compliance Permit from the Zoning Administrator to insure that lot and setback requirements are met. Farmers are required to apply for a zoning compliance permit that shall be accompanied by three (3) copies of a plot plan, drawn to scale, showing the following:

1. The actual shape, location, and dimensions of the lots.
2. The shape, size, and location of all buildings or other structures to be erected, altered, or moved, and of any building or other structures already on the lot.
3. The existing and intended use of the lot and of all such structures upon it, including in residential areas, the number of dwelling units the building is intended to accommodate.
4. Such other information concerning the lot or adjoining lots as may be essential for determining whether the provisions of this Ordinance are being served.

The Zoning Administrator shall determine compliance based on the required information submitted and by inspection(s) as needed and as provided by the zoning ordinance. Reasonable fees shall be charged as set by the Township Board.

Section 22.10 — Temporary Mobile Home or Construction Office:

The Zoning Administrator may issue a permit for the temporary placement of a mobile home as a temporary residence outside of a manufactured housing community, during the actual construction of a permanent dwelling; or temporary placement of a mobile home or similar structure as a temporary construction office, subject to the following:

1. Any temporary structure to be used for dwelling purposes shall be of a type and quality conforming to the "Mobile Home Construction and Safety Standards: as promulgated by the United States Department of Housing and Urban Development, being 24 CFR 3280, as amended, and shall bear the "federal seal" attesting to the same. In addition all dwellings shall meet or exceed all applicable roof snow loads and strength requirements. No temporary dwelling shall be occupied until said dwelling has been connected to a suitable source of potable water and sewage disposal facilities, both of which shall be approved by the County Health Department.

The initial permit shall not exceed twelve (12) months and shall be concurrent with a valid building permit for a permanent structure. Not more than one (1) extension, not to exceed twelve (12) months, may be granted where substantial progress toward completion of the permanent structure is being demonstrated.

2. A cash bond in the amount of five hundred (\$500.00) dollars shall be deposited with the Township Clerk to insure removal of the temporary unit upon expiration of the temporary permit. Failure to complete construction of the permanent structure, within the time limits specified in the building permit and this section, shall be sufficient grounds for the Township Board to declare the performance guarantee forfeited and use the proceeds as necessary.
3. In the event of total loss of a dwelling due to fire, tornado, or similar natural disaster, the Zoning Administrator may approve the temporary placement of a mobile home on the owner's property for use as a residence while the dwelling is being replaced, subject to the following:
 - A. A building permit for repair or replacement if the permanent residence must be obtained prior to the placement of the temporary unit.
 - B. The initial permit shall not exceed twelve (12) months and shall be concurrent with a valid building permit for a permanent structure. Not more than one (1) extension, not to exceed twelve (12) months, may be granted where substantial progress toward completion of the permanent structure is being demonstrated.
 - C. A cash bond in the amount of five hundred (\$500.00) shall be deposited with the Township Clerk, as required above, and subject to the same limitations and conditions, to insure removal of the temporary dwelling unit upon expiration of the temporary permit.