

# Item 1 - Proposed Zoning Ordinance Changes to Version 4.4

## Commerical Property Project Permit

### SECTION XIV.3 LAND-USE PERMITS

**A. General.** No person, partnership, corporation, association, officer, department, board or bureau of the Federal, State, or County, or any other legal entity, shall utilize any property for a use not permitted by this ordinance and shall use such property for a use that is permitted by this ordinance only after a Land Use Permit for such use has been issued by the Zoning Administrator. Any person, partnership, corporation, association, officer, department, board or bureau of the Federal, State, or County, or any other legal entity planning to erect a conforming or non-conforming building or structure; or to alter any existing conforming or **non-conforming structure** which requires the use of more land area; or to rebuild a non-conforming building or structure within the same **footprint** and location; or to relocate or add to a non-conforming building or structure; or to expand a **non-conforming use/activity**; or to change or establish a new use/activity for any premises in any Land-Use District, shall file an application in writing with the Zoning Administrator for a Land-Use Permit.

1. Application for Land-Use permits in the business, recreational and resort districts (with the exception of single **family** dwellings) shall be accompanied with a Site Plan of the proposed use. Said Site Plan shall establish in the opinion of the Planning and Zoning Commission that the proposed use will not adversely affect, damage or destroy through alteration or development the natural features and/or archeological or historical significance of said land or said Plan will not be approved by the Zoning Administrator. Requirements for the contents of said Site Plan are contained in Section XIV.7 here in after.
2. Prior to granting of Land-Use Permit, the Site Plan must be reviewed by the Planning and Zoning Commission.
3. The Zoning Administrator shall issue a "Land-Use Permit" if such planned building, structure, or use / activity is in compliance with the provisions of This Ordinance.

**B. Business Uses.** A Land Use Permit shall be issued for a business use in any zoning district, only after compliance with the provisions of the applicable zoning district, the provisions of subsection A, above, and all of the following:

1. The Township has received final written approvals from all agencies required to approve said use at the proposed location. Issuance of a Land Use Permit shall be conditioned on presentation of such documentation to the Township's Zoning Administrator. If in the event the Zoning Administrator does not receive such approvals, then the proposed business use shall not commence.
2. All projected business uses that appear to involve a "Change of Use" shall also be submitted to the Planning Commission to ensure compliance with existing Ordinances in effect at the time. "Change of Use" shall be defined as any change in operation of the enterprise/facility that involves the need for approvals from other agencies, or effects the parking requirements of the property as defined in Township Zoning Ordinances.
3. The Zoning Administrator shall develop a check list that identifies the various approvals that must be provided to the Township in writing for each project submitted and a copy of said list shall be given to the applicable applicant.
4. Review of project progress and receipt of required approvals shall be conducted by the Zoning Administrator who shall report monthly on such activity to the Planning Commission and Township Board.
5. Failure of an applicant to comply with the requirement to solicit, receive and provide copies of necessary final approvals to the Township Zoning a Administrator shall result in the withholding of final authorization to "open for business" by the Township. Failure to comply with this procedure shall result in the Zoning Administrator "red flagging" the property involved, thereby precluding the business from opening in the Township. Daily fines shall be charged in the event that the effected business owner fails to comply with this "red flag" stop work order precluding operation of the business.

6. The applicant shall provide the Zoning Administrator with copies of the following approvals at a minimum:
  - a. Unrestricted Occupancy Permit from the Inspections Office
  - b. Documentation of a completed and approved permit for a sewage disposal system, and well from the Health Department or other applicable agency
  - c. Approval from the Department of Agriculture for effected properties
  - d. And other permits as may be required due to the nature of the business involved
  
9. The Zoning Administrator shall maintain a file of all referenced documents at the Township Offices for review upon request by all involved parties.