

Overview

What is a special land use?

Special land uses are uses that may be permitted within a zoning district subject to special conditions and standards. Special land uses listed in the Zoning Ordinance may not necessarily be permitted at all locations within a district. Special land uses are subject to the following:

- Specific use conditions listed in the Zoning Ordinance
- Standards for all special land uses listed in [Chapter 18.18](#) of the Zoning Ordinance
- Site plan review by the Planning Commission
- Public hearing at Planning Commission meeting

The site plan review process is outlined in the [Site Plan Process Flow Chart](#).



Who do I contact if I have questions?

Contact the City of Wixom Construction & Development Services

Phone: (248) 624-0880

Email: buildingadmin@wixomgov.org

Web: www.wixomgov.org

Hours: Monday–Thursday, 7:15 a.m.–5:30 p.m.

Fire: (248) 624-1055
fire@wixomgov.org

Police: (248) 624-6114
poladmin@wixomgov.org

Public Works/
Engineering: (248) 624-0141
dpw@wixomgov.org

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What is the Special Land Use Review Process?

The special land use review process is outlined in [Special Land Use Review Process Flow Chart](#) on page [SLU 2](#). In general, the special land use review process follows the site plan review process and also includes a public hearing before the Planning Commission.

A complete site plan application package is required for all special land use proposals. Please refer to the [Site Plan](#) section of this Site Development chapter for more information.

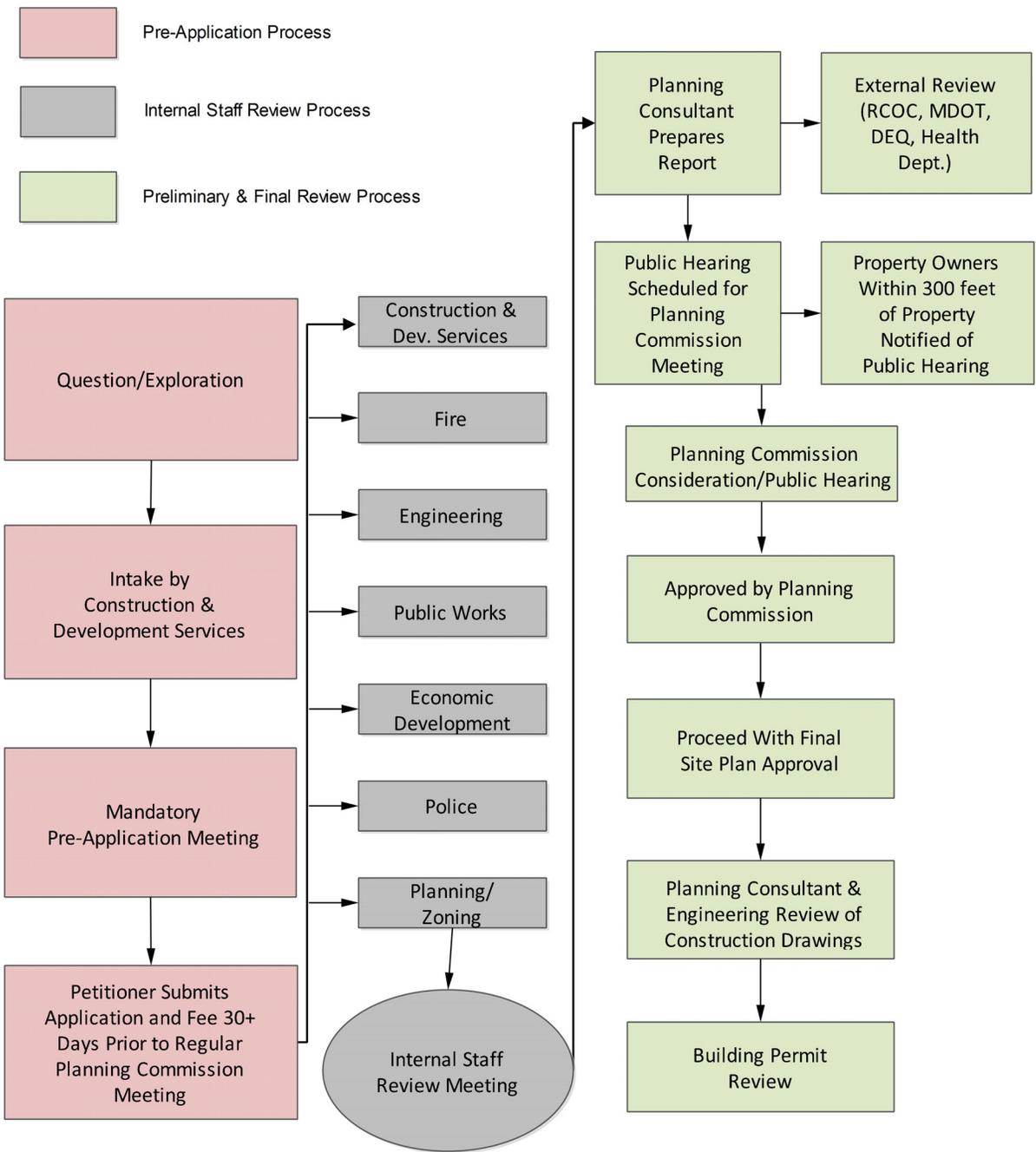
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Special Land Use Review Process



Application Requirements

What are the special land use application requirements?

The application shall include:

- Application for Special Land Use Review
- Twelve (12) copies of the site plan
- Required Special Land Use Fee (per adopted schedule)
- One (1) reduced copy of the site plan (8 1/2 x 11")
- Name and signature of the principal owners
- Applicable sections of the Zoning Ordinance

ALL PLANS MUST BE FOLDED 8 1/2" X 11" LETTER SIZE-TITLE BLOCK UP

What is required for a site plan?

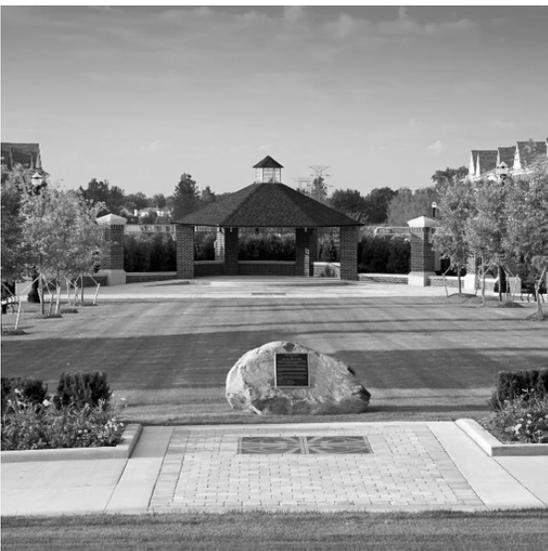
Site plan review requirements are provided in [Chapter 18.17](#) of the Zoning Ordinance or visit the [Site Plans](#) section of this Site Development Chapter on page [SP1](#).

Where and when should an application be submitted?

A Special Land Use application and all required information should be submitted to the Construction & Development Services. To facilitate the Special Land Use request in a timely manner, a complete application must be submitted within 30 days. The Applicant will be notified of all hearing dates.

When are public hearings typically held?

A public hearing will be held at a regularly scheduled Planning Commission meeting on the first or last Monday of the month. At this hearing, the Planning Commission will hear your case. After reviewing all available information, the Planning Commission will approve, deny, or table the Special Land Use request. **Petitioners must appear at all scheduled public hearings.** The petitioner will be notified of the public hearing, as well as property owners within 300 feet of the property.



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Review Standards

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What are the review standards for special land uses?

Prior to approving a special land use application the Planning Commission shall require that the following general standards, in addition to the specific standards noted for individual uses in the applicable zoning district, be satisfied. The proposed use or activity shall:

- Be compatible and in accordance with the goals, objectives and policies of the City of Wixom Master Plan
- Promote the intent of the zoning district in which the use is proposed
- Be constructed, operated and maintained so as not to change the essential character of the area in which it is proposed
- Be served adequately by public facilities and services, such as traffic operations along streets, police and fire protection, drainage structures, water and sewage facilities and primary and secondary schools
- Not involve uses, activities, processes, materials and equipment or conditions of operation that, in comparison to permitted uses in the district, will be detrimental to the natural environment, public health, safety or welfare by reason of excessive production of traffic, noise, smoke, odors or other such nuisance

These standards can be found in **Section 18.18.050** of the Zoning Ordinance.

Where can I find Engineering Standards?

Engineering standards can be found at the following link:

<http://www.wixomgov.org/index.aspx?NID=1024>

What conditions may the Planning Commission impose when considering a special land use request?

In considering the special land use, the Planning Commission may impose conditions or limitations as permitted by the Michigan Zoning Enabling Act that deems it necessary to fulfill the spirit and/or purpose of **Chapter 18.18** of the Zoning Ordinance. The conditions imposed with respect to the approval of a land use or activity shall be recorded in the record of the approval action and shall remain unchanged. Conditions imposed shall do all of the following:

- Be designed to protect natural resources, the health, safety, and welfare as well as 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
- Be related to the valid exercise of the police power and purposes that are affected by the proposed use or activity
- Be necessary to meet the intent and purpose of the zoning ordinance; be related to the standards established in this title for the land use or activity under consideration; and be necessary to ensure compliance with those standards.

Post Planning Commission Review

What if a special land use request requires a variance?

The Zoning Board of Appeals (ZBA) may hear requests for variances to dimensional or site design requirements related to special land uses.

However, the ZBA shall not have the authority to hear appeals of the Planning Commission's decision to approve or deny a special land use, nor to grant variances to any conditions that were attached to the special land use approval by the Planning Commission. The ZBA can hear dimensional variance requests related to special land use standards.

If the ZBA denies a variance request, an appeal may be made to the circuit court. An appeal from a decision of the ZBA should be filed within thirty (30) days after the ZBA issues its decision in writing signed by the chairperson, or within twenty-one (21) days after the ZBA approves the minutes of its decision.

If denied, when can a new application be resubmitted?

No application for a special land use permit which has been denied wholly or in part shall be resubmitted for a period of one (1) year from the date of denial, except on the grounds of new evidence or proof of changed conditions relating to all of the reasons noted for the denial found to be valid by the Planning Commission. A resubmitted application shall be considered a new application.

What is the process for amending an approved special land use request?

Any person or agency who have been granted a special land use permit shall notify the Planning Consultant of any proposed amendment to the approved site plan of the special land use permit. A major amendment to a special land use permit shall require submittal of a new application for special land use and follow the review procedures contained in this chapter. The Planning Administrator shall determine whether the proposed amendment constitutes a minor or major amendment based on the following standards:

- Changes increase the building(s) usable floor area by more than twenty-five percent (25%)
- Parking lots are expanded by more than twenty-five percent (25%)
- The occupancy, capacity or membership of the use is increased by more than twenty-five percent (25%)
- The use is expanded to occupy an additional twenty-five percent (25%) or more land area
- The expansion will result in twenty-five percent (25%) or more increase in traffic generation based upon the latest edition of the Institute of Transportation Engineers Trip Generation Manual
- The expansion will result in a twenty-five percent (25%) or more increase in the demand for public water or sewer

Minor amendment to an approved special land use does not require submittal of a new application for a special land use, but may require submittal of a site plan or sketch plan following the requirements of [Chapter 18.17](#), Site Plan Review Requirements and Procedures (please see the [Site Plans](#) section of this Site Development Chapter).

Does final approval allow me to begin construction?

Final approval does not authorize construction. Following approval, permits to allow construction or begin the use must be sought through appropriate City departments and other agencies.

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How long is approval valid?

Special land use approval is valid for a period of one (1) year from the date of Planning Commission approval. A building permit must be issued and physical construction must commence within the one (1) year period.

A request for an extension shall be made in writing and filed prior to the termination of the one (1) year period. The Planning Commission may authorize a single extension of the time limit, for a further period of not more than one (1) year. Such extension shall be granted only based on evidence from the Applicant that the development has a reasonable likelihood of commencing construction within the one year extension. The Planning Commission may require compliance with any amendments to the zoning ordinance since the special land use was originally approved.

Is the Planning Commission able to revoke an approved special land use request?

Yes, the Planning Commissions shall have the authority to revoke any special land use approval after the Applicant has failed to comply with any of the applicable requirements or conditions of the special land use approval. Prior to any action, the Planning Commission shall conduct a public hearing following the notification process for the original approval. The Applicant will have the opportunity to present information and to answer questions. The Planning Commission may revoke any previous approval if it finds that a violation exists and has not been remedied.

Site Development

Special Land Uses



SPECIAL LAND USE APPLICATION

Construction & Development Services • 49045 Pontiac Trail • Wixom, MI 48393 • P: (248) 624-0880 • F: (248) 624-0867 • www.wixomgov.org • buildingadmin@wixomgov.org

Special Use Approval #: _____ Date: _____ Accepted: _____
Date of Publication: _____ Date of Public Hearing: _____

I (we), the undersigned do hereby make application to the Planning Commission for Special Land Use Review in accordance with **Title 18** of the Wixom City Code.

I. Requirements for Special Land Use Review Submission

- Twelve (12) copies of the site plan Yes No
- Required Special Land Use Fee (per adopted schedule) Yes No
- One (1) reduced copy of the site plan (8 1/2" X 11") Yes No
- Name of the principal owners Yes No
- Applicable sections of the Zoning Ordinance Yes No

II. Site Characteristics

Subject property address: _____
Subdivision and Lot # (if applicable): _____
Tax Parcel #: _____ Zoning District: _____
Proposed Use of Property: _____
Square Footage of Site: _____ Building Square Footage: _____ Proposed # Employees: _____

III. The Property Is Owned By

Name: _____
Phone: _____ Email: _____
Owner's Signature: _____ Fax: _____

IV. Applicant

Name: _____ Address: _____
City: _____ State: _____ Zip: _____ Phone: _____
Email: _____
Applicant's interest in property: _____
Signature of Applicant: _____ Fax: _____



SPECIAL LAND USE APPLICATION

V. General Criteria Compliance

Please demonstrate how the proposed special land use application satisfies the general standards of [Section 18.18.050](#). The proposed use or activity shall:

1. Be compatible with the goals, objectives and policies of the City of Wixom Master Plan.

Finding: _____

2. Promote the intent of the zoning district in which the use is proposed.

Finding: _____

3. Be constructed, operated and maintained so as to be compatible with the existing or intended character of the general vicinity and so as not to change the essential character of the area in which it is proposed.

Finding: _____

4. Be served adequately by public facilities and services, such as traffic operations along streets, police and fire protection, drainage structures, water and sewage facilities and primary and secondary schools.

Finding: _____



SPECIAL LAND USE APPLICATION

- 5. Not involve uses, activities, processes, materials and equipment or conditions of operation that, in comparison to permitted uses in the district, will be detrimental to the natural environment, public health, safety or welfare by reason of excessive production of traffic, noise, smoke odors or other such nuisance.

Finding: _____

VI. Specific Criteria Compliance

NOTE THAT OTHER SPECIFIC STANDARDS NOTED FOR INDIVIDUAL USES IN CHAPTERS 3, 5, 6, 7, 8, 9 AND 10 MUST BE SATISFIED. THE APPLICANT MUST DEMONSTRATE COMPLIANCE WITH THESE STANDARDS IN A WRITTEN NARRATIVE OR ON THE SITE PLAN.

Name of Use: _____

Section 18. _____ Standards Applicable to Specific Use