

Guide to Development

Charter Township of Garfield

Prepared by Planning Department
September 23, 2021

Board of Trustees

Chuck Korn, *Supervisor*
Chloe Macomber, *Treasurer*
Lanie McManus, *Clerk*
Molly Agostinelli, *Trustee*
Chris Barsheff, *Trustee*
Steve Duell, *Trustee*
Denise Schmuckal, *Trustee*

Planning Commission

John Racine, *Chair*
Joe McManus, *Vice Chair*
Joe Robertson, *Secretary*
Molly Agostinelli
Pat Cline
Chris DeGood
Robert Fudge

Table of Contents

- Welcome to Garfield Township! 3
- About this Guide..... 3
- Development Process Overview 4
 - Step 1: Pre-Application Review 5
 - Assemble Your Team..... 5
 - Pre-Application Meeting..... 5
 - Conceptual Review 5
 - Step 2: Application Review 6
 - Types of Application Reviews 6
 - Submitting Your Application 7
 - Completeness Review 7
 - Escrow..... 8
 - Agency Reviews 8
 - Typical Meeting Schedule by Review 9
 - Review Timelines 10
 - Meetings 11
 - Special Meeting Procedures..... 11
 - Step 3: Post-Application Review..... 12
 - Conditions of Approval and Agency Reviews 12
 - Recording Documents with the Grand Traverse County Register of Deeds..... 12
 - Publishing of Zoning Ordinance Amendment 13
 - Step 4: Permitting Review..... 14
 - Land Use Permit..... 14
 - Grading and Land Disturbance Permit..... 14
 - Building Permit 15
 - Other Permits..... 15
 - Inspection 15
 - Certificate of Occupancy 15
- Other Considerations 16
 - Variances 16
 - Complaints and Ordinance Violations..... 17
 - Financial Assistance Tools 17
 - Design Standards and Other Local Guidelines..... 18
- Appendices 18

Welcome to Garfield Township!

The Charter Township of Garfield has created this Guide to Development as a resource to help residents and businesses navigate the development review process. The Township encourages investment in our community and wants to see residents and businesses succeed. The Township Staff is always available to help assist you and answer any of your questions.

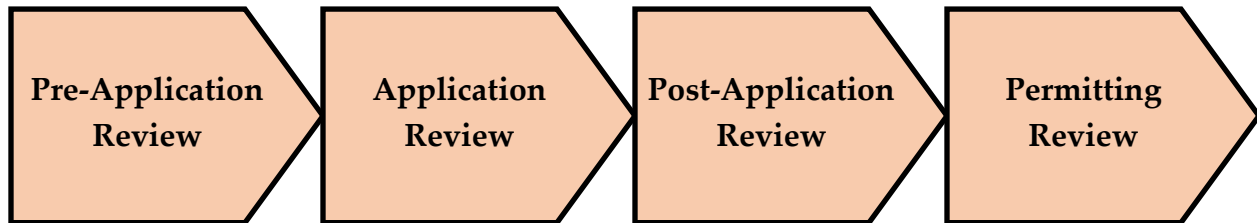
About this Guide

This guide describes the Township's expectations for developments, provides a general overview of the development review process, and provides links to key resources. This guide is primarily intended for projects and developments which need at least site plan review or greater including commercial, industrial, mixed-use, and large residential developments. If your project is mostly reviewed administratively, such as a single-family home, or if it only requires a zoning certificate, land use permit, or certificate of occupancy, you may skip most of this guide and begin at Step 4 of the development process overview.

For most other projects, including legislative and quasi-judicial development approvals, you are encouraged to use this guide to help navigate the review process. With many different steps to the process and many different people involved, it is expected that your project will go through changes and revisions throughout the process. Anticipating changes will help make the process go smoothly for everyone involved.

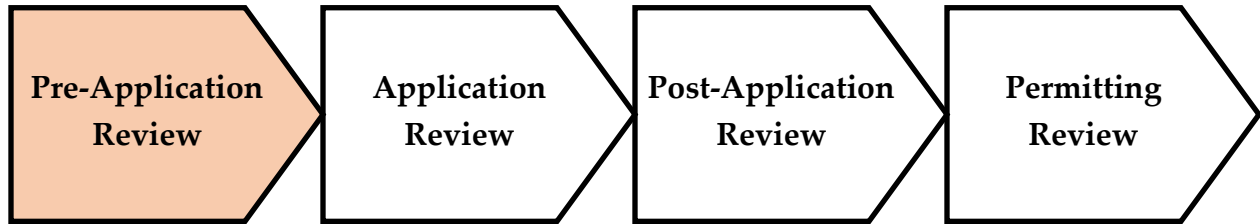
Development Process Overview

This guide provides an overview of the development process in Garfield Township. If you need help regarding a specific part of the process, please do not hesitate to contact Township Staff and we will be happy to assist you and help answer any of your questions. The development process in Garfield Township consists of four main stages as follows:



- **Pre-Application Review** – Before submitting a formal application, there are some initial steps to take including assembling your team and potentially a pre-application meeting with Township Staff to answer any questions you may have.
- **Application Review** – Once you submit your formal application, it will be reviewed by Township Staff, potentially the Planning Commission or Township Board of Trustees, and by outside agencies.
- **Post-Application Review** – This stage involves meeting any conditions of approval and recording any official documents to finalize the approval before moving on to permitting.
- **Permitting Review** – Once the application review is finalized, the permitting process can begin with the land use permit, before continuing to building and other permits.

Details for each step of the development process are described throughout this guide.



Step 1: Pre-Application Review

Before you submit your formal application for development review, there are some first steps to take which will help ensure the development process goes smoothly for everyone involved:

Assemble Your Team

It takes a team of people for a development to move from concept to reality. Your development team may include a wide range of people from architects, engineers, landscape architects, design professionals, real estate agents, legal counsel, property owners and tenants, and others. Garfield Township highly recommends designating one of your team members as the project manager or main point of contact between your team and Township Staff to help coordinate different aspects of the review process and streamline communication between your team and Staff.

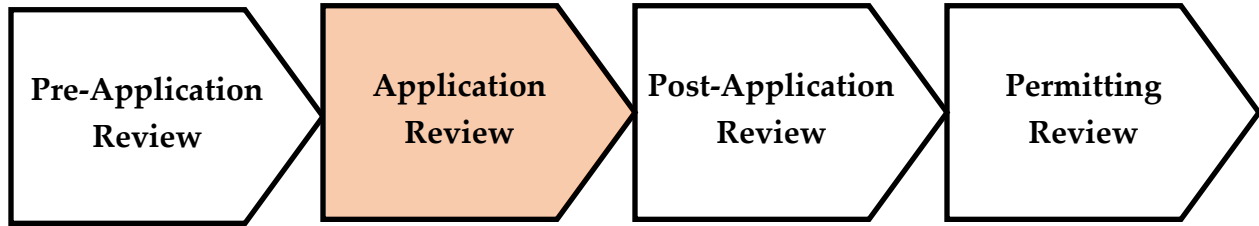
Pre-Application Meeting

Once your team has been assembled, the Township and team may want to hold a pre-application meeting. This would be especially helpful for large development sites or sites which may have challenges such as environmental concerns, traffic coordination, or something similar. Township Staff can help answer any questions from the team, explain what information is needed for the application, and provide key information including deadlines and contact information.

Conceptual Review

The conceptual review process provides an opportunity for applicants to present a project idea to the Planning Commission in an informal setting. An applicant only needs to submit a general idea rather than a formal application. The conceptual review consists of one meeting where the Planning Commission will provide their feedback on the concept including what they like, issues to address, information needed for a formal application, and project feasibility.

You may want to consider a conceptual review if your project contains several different types of uses, has environmental or other site constraints, or other potential complexities. Projects which are reviewed under the PUD process are often good candidates to begin with a conceptual review. Staff can guide you on which process may be best for you.



Step 2: Application Review

This stage of the development process involves formal submittal of your application and review by Township Staff and outside agencies.

Types of Application Reviews

The Township has applications for different project types including site plan review, special use permits, planned unit developments (PUD), zoning ordinance amendments, and more. To clarify which application you need, talk with Staff about your project in general terms and we can direct you to the correct application.

The table on the following page describes each of these applications by type of review, including administrative review, Planning Commission review, and Planning Commission and Township Board review.

- **Administrative Review** – These reviews are completed by the Township Staff and do not involve review by the Planning Commission or Township Board. Since these reviews do not need a public meeting or public hearing, the review timeline is not affected by meeting schedules. Administrative reviews typically cover any uses permitted by right and small changes to Special Use Permits and Planned Unit Developments.
- **Planning Commission** – The Planning Commission reviews development applications at their regular monthly meeting. These include new Special Use Permits, major and minor amendments to Special Use Permits, minor amendments to Planned Unit Developments, and other projects. Some Planning Commission reviews require a public hearing.
- **Planning Commission and Township Board** – Some projects require review by both the Planning Commission and Township Board. These include new applications and major amendments for Planned Unit Developments and amendments to the Zoning Ordinance, such as text amendments, map amendments (rezoning) and conditional rezoning. These reviews typically require at least one public hearing at either the Planning Commission or Township Board meeting.

Application by Type of Review				
(Admin = Administrative; PC = Planning Commission; TB = Township Board)				
Application	Section	Admin	PC	PC & TB
Child Care, Small Group Home (7-12)	§ 719		✓	
Condominium Subdivision Plan	§ 429			✓
Open Space Preservation Option	§ 428		✓	
Planned Unit Development (PUD)				
Administrative Amendment	§ 423.G(4)	✓		
Minor Amendment	§ 423.G(5)		✓	
Major Amendment	§ 423.G(6)			✓
New Application (Preliminary and Final)	§ 426			✓
Planned Unit Residential Development (PURD)				
Administrative Amendment	§ 423.G(4)	✓		
Minor Amendment	§ 423.G(5)		✓	
Major Amendment	§ 423.G(6)		✓	
New Application (Preliminary and Final)	§ 427		✓	
Signs				
all except C-P district or Planned Developments	§ 630	✓		
C-P district or Planned Developments	§ 630.G		✓	
Site Plan Review				
all except C-H or C-P districts	§ 424	✓		
C-H or C-P districts	§ 424		✓	
Special Use Permit (SUP)				
Administrative Amendment	§ 423.G(4)	✓		
Minor Amendment	§ 423.G(5)		✓	
Major Amendment	§ 423.G(6)		✓	
New Application	§ 423		✓	
Temporary Outdoor Sales / Events	§ 762.C	✓		
Zoning Ordinance Amendments				
Text and Map (Rezoning)	§ 421			✓
Conditional Rezoning	§ 422			✓

Submitting Your Application

It is important for you to provide a complete and correct application to ensure the review process goes smoothly for everyone involved. Your application should include the complete application form with any attachments and the application fee. If your application will be reviewed by the Planning Commission, you also must submit your application by the deadline. Please check the most up-to-date Fee Schedule and Submittal Deadlines for the latest information.

Completeness Review

After receiving your application, Staff will conduct a Completeness Review to determine if any additional information needs to be submitted. This is to help ensure that anyone reviewing the application has all the materials needed for their review. If your application is incomplete, Staff

will ask that any missing information be submitted before moving the application forward. The application will be placed “on hold” and will be withheld from any meeting agendas until all the missing information is submitted. Staff will allow complete applications to move to the next step of the process.

Escrow

If your application will be reviewed by a Township consultant; including the Township Engineer for stormwater, private roads, or utility construction; then an application for escrow and review will likely need to be completed and submitted along with an escrow fee. An escrow fee covers the costs of these review services. This fee is required in addition to any application fee and may need to be replenished if any additional reviews or re-reviews are needed. Upon completion of the review, an applicant may request in writing a refund of any remaining escrow funds.

Agency Reviews

In addition to Township Staff, your application will also likely be reviewed by staff from outside agencies. These agencies may require an approval that you will need in addition to the Township approval of your development application. These outside agencies may include any combination of the following:

Agency	Review or Approval
Grand Traverse Metro Fire Department	Site plan review, Building plan review
Grand Traverse County Department of Public Works	Water and sewer connections
Grand Traverse County Environmental Health	Soil erosion and sedimentation control, Well and septic connections
Grand Traverse County Road Commission or Michigan Department of Transportation (MDOT)	Traffic impacts, Driveway permits
Michigan Department of Environment, Great Lakes, and Energy (EGLE)	Wetland delineation “verification” (Level 3 Wetland Identification Program)

Outside agency reviews may be conducted concurrently with Township reviews. This is highly encouraged so that major issues from any review are identified and can be addressed early in the review process. Agency reviews may be required before the Planning Commission or Township Board approvals if these reviews are anticipated to have major impacts on site elements or site design. Required agency approvals must also be received before any permits are issued, so it will benefit you to start the agency review processes early.

Typical Meeting Schedule by Review

Several Township applications require review by the Planning Commission and potentially the Township Board. These reviews occur over several meetings according to the following:

Application Type	Planning Commission			Township Board	
	Intro	Public Hearing	Findings of Fact	Intro	Public Hearing
Site Plan Review					
C-P Planned Shopping	✓				
C-H Commercial Highway	✓				
Special Use Permit					
New Application	✓	✓	✓		
Major Amendment	✓	✓	✓		
Minor Amendment	✓				
Planned Unit Development					
New Application – Preliminary	✓	✓	✓	✓	
New Application – Final			✓	✓	✓
Major Amendment	✓	✓	✓	✓	✓
Minor Amendment	✓				
Planned Unit Residential Development					
New Application – Preliminary	✓	✓	✓		
New Application – Final			✓		
Major Amendment	✓	✓	✓		
Minor Amendment	✓				
Zoning Ordinance Amendments					
Text Amendment	✓	✓	✓	✓	✓
Map Amendment (Rezoning)	✓	✓	✓	✓	✓
Conditional Rezoning	✓	✓	✓	✓	✓
Open Space Preservation Option					
	✓	✓	✓		
Condominium Subdivision Plan					
	✓	✓	✓	✓	
Child Care, Small Group Home (7-12)					
	✓	✓	✓		
Signs					
C-P Planned Shopping	✓				
Planned Developments	✓				

Review Timelines

The timeframe for review depends on the type of review being conducted. The administrative, Township Engineer, and agency reviews are not tied to a public meeting schedule. The timing of these reviews depends on the project complexity and other factors. Reviews by the Planning Commission and/or Township Board depend on their meeting schedules and whether a public hearing is required. The following table describes the approximate minimum timeline for each review type:

Review Type	Timeline (approximate minimum)
Administrative Reviews <ul style="list-style-type: none"> • Uses allowed by right • Administrative Amendment (Special Use Permits, Planned Unit Developments, and Planned Unit Residential Developments) 	2 weeks – 1 month, depends on project complexity
Township Engineer and Agency Reviews <ul style="list-style-type: none"> • Including Metro Fire, Grand Traverse County agencies, and State agencies as needed 	Depends on project complexity, can be conducted simultaneously with Township review
Planning Commission – no public hearing <ul style="list-style-type: none"> • Site Plan Review – C-P and C-H districts • Minor Amendment (Special Use Permits, Planned Unit Developments, and Planned Unit Residential Developments) • Signs – C-P and Planned Developments 	1 month
Planning Commission – with public hearing <ul style="list-style-type: none"> • Special Use Permit <ul style="list-style-type: none"> ○ New Application and Major Amendment • Open Space Preservation Option • Child Care, Small Group Home (7-12) 	3 months
Planning Commission and Township Board <ul style="list-style-type: none"> • Planned Unit Development – Major Amendment • Planned Unit Residential Development <ul style="list-style-type: none"> ○ New Application and Major Amendment • Zoning Ordinance Amendment <ul style="list-style-type: none"> ○ Text, Map (Rezoning), & Conditional Rezoning 	4 months
Planned Unit Development – New Application <ul style="list-style-type: none"> • Including both Preliminary and Final review 	6 months

Meetings

The Planning Commission meets twice per month. The second Wednesday of the month is for action items while the fourth Wednesday of the month is reserved for a study session. Planning Commission reviews may take at least three meetings and involve the following:

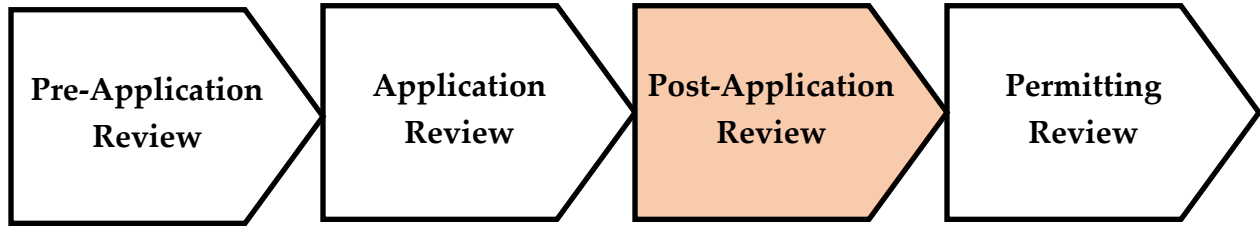
- **Introduction.** At this meeting, the Planning Commission will receive the application and conduct its initial review. If they are comfortable with the project, and if a public hearing is required, then they will schedule the public hearing for next month's meeting and Staff will publish the public hearing notice in accordance with State law.
- **Public Hearing.** A public hearing allows the public and nearby residents to give input on the project. The Planning Commission also reviews any changes since the introduction. If they are comfortable with the project at this point, then they will direct Staff to prepare Findings of Fact.
- **Findings of Fact.** The Findings of Fact documents the set of review criteria applicable to that application. The Planning Commission will adopt the Findings of Fact before making their decision on the application. If the Planning Commission approves the project, then the Findings of Fact become part of the record of approval.

The Township Board meets twice per month on the second Tuesday and fourth Tuesday of the month. Township Board reviews may involve the following:

- **Introduction.** At this meeting, the Township Board receives the application. If a public hearing is required, then they will set the public hearing and Staff will publish the public hearing notice in accordance with State law.
- **Public Hearing.** A public hearing allows the public and nearby residents to give input on the project. The Township Board will review and consider the Findings of Fact as adopted by the Planning Commission. If the Township Board approves the proposed project, then the Findings of Fact become part of the record of approval.

Special Meeting Procedures

Special meetings may be called by the Chairperson of the Planning Commission or upon written request to the Secretary by at least two Planning Commissioners. Special meetings are rare, and it is recommended that you first discuss your request for a special meeting with Staff. Your issue may potentially be resolved at the next regular Planning Commission meeting.



Step 3: Post-Application Review

After the application reviews are finished and the project is granted approval, there are still some follow-up administrative steps to complete with Township Staff.

Conditions of Approval and Agency Reviews

Your project approval may include conditions which must be completed before the approval is recorded and finalized. Also, all outside agency reviews must be complete, including conditions identified in those reviews, before the approval is recorded and finalized.

Recording Documents with the Grand Traverse County Register of Deeds

After all conditions of approval have been met and all agency reviews have been finalized, you may need to record a Report and Decision Order (RDO) for the application at the Grand Traverse County Register of Deeds. The RDO creates a record of the application approval including the final site plan set, documents, meeting minutes, findings of fact, and conditions of approval. The RDO is signed and notarized by the property owner and a Township official. As the applicant, you are responsible for recording the RDO at the Register of Deeds and ensuring the Township receives a recorded copy.

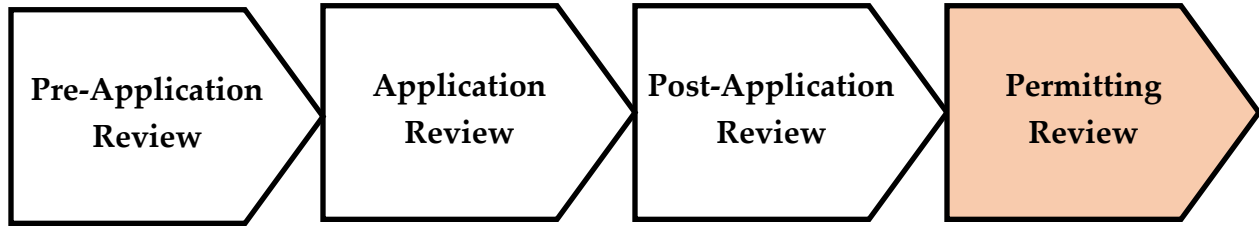
If you applied for a conditional rezoning, you are required to provide an offer of conditions and incorporate them into a formal written Statement of Conditions. This Statement of Conditions is also required to be recorded at the Register of Deeds. Documents required to be recorded at the Register of Deeds include the following:

Application Type	Document for Recording	Timeframe for Recording
Special Use Permit	Report and Decision Order	Within 30 days of final approval by Planning Commission
Planned Unit Development	Report and Decision Order	Within 30 days of final approval by Township Board
Planned Unit Residential Development		
Conditional Rezoning	Statement of Conditions	Within 90 days of final approval by Township Board

Some conditions of approval may require other documents to be recorded. These could include easements, maintenance agreements, and other similar official documents. As the applicant, you are responsible for recording the documents at the Register of Deeds and ensuring the Township receives recorded copies.

Publishing of Zoning Ordinance Amendment

If you applied for a Zoning Ordinance amendment, including for the rezoning of a parcel or text amendment, then the amendment will need to be published in the newspaper after its approval. Zoning Ordinance amendments are typically published in the Sunday newspaper following the approval and take effect seven days after publication.



Step 4: Permitting Review

Land Use Permit

After the review process for your application is finalized, you are eligible to apply for a land use permit. The land use permit kicks off the permitting process. If your project did not require site plan review or other development review, the land use permit may be the first step of the process for you. A land use permit is required for construction or establishment of any of the following:

- Structures of 100 or more square feet of floor area
- Expansion or increase of height for an existing structure
- New land uses or changes in land use
- Temporary land uses
- Signs (including new signs, changing sign faces, or conversion to electronic signs)
- Grading and land disturbance
- Exterior lighting fixtures

All applicable agency permits are required to be completed before applying for a land use permit. A dimensional site plan including a detailed sketch is required with this application, showing all structures on the property, all proposed structures with dimensions, parcel dimensions, setbacks, road right of way, and height.

Grading and Land Disturbance Permit

To perform grading or land disturbance, a permit for this activity is needed. The grading permit defines the parameters for which any grading and land disturbance activity can occur. To apply for a grading permit, an engineered site plan is needed with information including the contours of the land, areas of disturbance, location to surrounding uses, natural features, and remediation activities. Grading permits can be revoked or extensions denied if there are any violations of the permit including the stock piling of materials, lack of continuation towards project completion, failure to receive required permits, or activity exceeding that which was permitted.

Building Permit

The Township conducts a thorough building permit process to provide for the safety of buildings in the Township and to administer and enforce the Michigan Building Code. The permit process includes screening applications for all required documents, performing an in-depth plan review to ensure the plans meet minimum requirements of the Michigan Building Code, and inspecting the construction to ensure actual construction meets the approved plans.

To submit a building permit application, please provide all information on the building permit application form including construction drawings sealed by an architect or engineer.

Other Permits

In addition to the permits issued by the Township, you will also need permits issued by outside agencies. These may include any permits related to approvals from these agencies as part of the development review process such as Metro Fire, the County Road Commission, and others. The primary building-related permits are Electrical, Mechanical, and Plumbing permits. These are all handled by the Grand Traverse County Construction Code office.

Inspection

As your project progresses through construction and nears completion, inspections will need to be performed. The Township conducts the building inspections. Outside agency inspections are also required as per their plan review requirements. The Township inspections are as follows:

- Foundation – prior to concrete pour, after steel in place
- Framing
- Final – after outside agency final inspections
- Additional inspections may be required based on plan review requirements

Certificate of Occupancy

The last step of the development process is the certificate of occupancy. A certificate of occupancy is required as governed by the State Construction Code. All requirements and conditions of any development approvals, and any final inspections, are required to be completed before issuance of the certificate of occupancy.

Other Considerations

Variances

The Zoning Board of Appeals (ZBA) reviews requests for variances from the requirements of the Zoning Ordinance. The ZBA may authorize variances related to dimensional requirements and non-use standards of the Zoning Ordinance but may not grant variances from the permitted use of land. The ZBA holds a public hearing on the variance request.

To qualify for a variance, an applicant shall demonstrate a “practical difficulty” according to the criteria in Section 454.E.(1) of the Zoning Ordinance and summarized as follows:

- There are unique circumstances on the site such as physical conditions, significant natural features, substandard lots, or historic resources, that do not generally apply to other sites in the same zoning district, and which render a practical difficulty in complying with the same standards and regulations.
- These circumstances are not self-created by the applicant.
- Strict application of the provisions of the Zoning Ordinance would deprive the applicant of any reasonable use of the site.
- Literal interpretation of the Zoning Ordinance would deprive the applicant of rights that are commonly enjoyed by other properties in the same zoning district.
- A practical difficulty does not include situations where an applicant would incur added costs to fully comply with the Zoning Ordinance or could receive additional income with less than full compliance.

If you meet all the “practical difficulty” standards described above, your variance request could be considered if it meets all the general criteria in Section 454.E.(2) of the Zoning Ordinance and summarized as follows:

- The requested variance relates only to property under the control of the applicant.
- No nonconforming neighboring lands, buildings, or other structures, legal or illegal, in the same district, and no permitted buildings, or other structures in adjacent districts, shall be considered as grounds for the issuance of a variance.
- The requested variance shall be in harmony with the general purpose and intent of the Zoning Ordinance and shall not be detrimental to public health, safety, and welfare.
- The requested variance shall not alter the essential character or cause a substantial adverse effect upon the immediate vicinity or district in which the property is located.
- The requested variance is the minimum variance that will make possible the reasonable use of the land, building, or structure, and there is no reasonable alternative location on the parcel for the proposed improvements for which a variance is sought.

Variations have a high bar for approval. If you think you will need a variance for your project, it is recommended to review these criteria to see if you qualify. If not, your best option may be to make changes and revisions to your project to comply with the Zoning Ordinance.

Complaints and Ordinance Violations

After your project is completed, the project must meet all the provisions of the Zoning Ordinance and any conditions of approval. The Township has procedures for the enforcement of its Zoning Ordinance including prevention and termination of violations.

A person who violates any provision of the Zoning Ordinance is responsible for a municipal civil infraction, and each day of a violation constitutes a separate offense. A violation of the Ordinance is also considered to be a nuisance per se and may be abated by order of any Court of competent jurisdiction.

Anyone may report an alleged violation by completing an Ordinance Violation Complaint form. Township Staff will investigate the alleged violation. If a violation is found, Staff will notify the property owner in question.

It is your responsibility as a property owner to remedy any violation of the Zoning Ordinance if you are indeed found to be in violation, and it is in your best interest to remedy such violation as quickly as possible. If violations are not remedied, the Township can take enforcement actions including withholding future building permits, withholding certificates of occupancy, revocation of development approval, and civil action.

Financial Assistance Tools

The Township, in addition to having a low property tax rate across its jurisdiction, also has an ordinance providing for Payment in Lieu of Taxes (PILOT) for certain eligible projects. A PILOT can be considered for any eligible housing projects including those for which the State Housing Development Authority allocates low-income housing tax credits, or projects which serve senior citizens, persons with disabilities, and lower-income families. The Township Board reviews the proposed projects for eligibility and consideration for the PILOT program.

Grand Traverse County also has financial assistance available to developers via the Brownfield Redevelopment Authority (BRA) and the Economic Development Corporation (EDC):

- The BRA facilitates the redevelopment of sites with environmental contamination, blight, and functionally obsolete structures. The BRA reviews proposals for eligible properties, determines the financial incentives necessary and available for the project, recommends Brownfield plans to the governing body of the relevant municipality, and enters into a development agreement with the developer.

- The EDC focuses on promoting economic growth in the Grand Traverse region. One of the financial tools available through the EDC is tax exempt revenue bonds. These bonds help facilitate development by providing funds near the beginning of a project, which are then paid off by the developer over time.

Design Standards and Other Local Guidelines

The Zoning Ordinance does not contain specific design standards other than typical dimensional standards in the Schedule of Regulations. However, development reviews are often required to be consistent with the Master Plan as well. The Master Plan was updated in 2020 to include the Barlow Garfield Neighborhood Plan focusing on an area in the northeast portion of the Township around Barlow, South Airport, and Garfield Roads. This neighborhood plan includes principles of development and design including the following:

Development Principles:

- *Mixed-use* development on primary corridors
- *Public spaces* including public gathering, parks, and recreational areas
- *Connectivity* through sidewalks, trails, and cross-access agreements
- *Site design* at a scale that encourages a neighborhood character
- *Housing* which includes a diverse selection of unit types and sizes
- *Infrastructure* including water, sewer, sidewalks, and streetscape elements

Zoning and Design Standards:

- Standards for setbacks and building placement
- Flexibility in land uses and improved urban design
- Pedestrian-oriented design
- Parking areas
- Connectivity
- Community Appearance and Identity

If your project is within the Barlow Garfield neighborhood, please carefully consider the design and development principles of the neighborhood plan as you design your project. Staff can help answer any questions about how these design principles apply to development review.

Appendices

The appendices to this guide can be found at: <http://www.garfield-twp.com/devprocess.asp>