

**Village of Cass City**  
**Development Review Procedures**

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## **Completing an Application**

### **Conceptual (Pre-Application) Review (Optional)**

All prospective developers are highly encouraged to schedule a conceptual review meeting with the Village's zoning administrator. These meetings are free of charge and allow Village staff to identify any potential barriers prior to the developer starting their project. The Village has a goal to schedule a conceptual review meeting within 10 business days of a developer approaching the Village.

#### **Preparing for a Conceptual Review**

- Provide the prospective developer with the [Pre-Application Conference Checklist](#) (Attachment A)
- Schedule time for the developer to meet with the Zoning Administrator and staff

#### **Holding a Conceptual Review Meeting**

- Throughout the meeting, complete the Pre-Application Conference Checklist with the prospective developer
- Verify the status of the property's zoning compliance and determine what path to development is appropriate
- Provide the prospective developer with all necessary application forms and appropriate Guide to Development sections
- Direct the prospective developer to additional resources on the Village's website

Following the conceptual review meeting:

- Copy the completed Pre-Application Conference Checklist and provide a copy to the prospective developer
- The executive assistant will file a copy of the completed Pre-Application Conference Checklist

### **Zoning Permit Application**

A submitted Zoning Permit Application officially begins the review process. If the applicant had a conceptual review meeting with the zoning administrator, they may submit additional forms with the Zoning Permit Application, which may require additional processing. See *Paths to Development* below for further information.

#### **Verifying the Application**

- Review the application for completeness (ensure all fields are filled out) and verify a site plan (and plot plan, if required) has been attached.
  - o If application is complete, continue to *Processing the Application Fee*
  - o If the application is incomplete, return the form to the applicant and inform them of the missing information

## Processing the Application Fee

Application fees may be accepted in the form of cash or check at the Municipal building. Applicants may also pay online if an invoice has been generated.

- Process a payment under Cash Receipting in BS&A:
  - Go to Cash Receipting > Application View > Counter Receipt Entry
  - Enter the Customer Name next to the Rec'd Of. Click on the magnifying glass icon under Receipt Item and double click on ZON for Zoning/Sign Permits. Click Save
  - Another window will pop up after the above step. Click the magnifying glass icon under *Tender Type* and select the method of payment (C-Cash, CZ-Credit Card, K-Check)
    - For cash, enter the amount and click save
    - For credit cards, enter the amount and save. After that, save on the main screen, which will launch another window with a prompt to swipe the credit card. Enter any missing card information and save
    - If paying by check, enter the check number and amount on the check, then save
  - Another window will pop up and ask if you wish to print a receipt. Print three copies (one to staple to the zoning application, one to include by the cash receipting computer, and one as a customer copy)

## Tracking Developments

All projects with a submitted application require a Development Tracking Sheet (Attachment B)

- The executive assistant will file the Zoning Permit Application, all attachments, and the Development Tracking Sheet
- Provide the applicant with a copy of their materials, if requested
- The executive assistant will inform the zoning administrator that a completed Zoning Permit Application is ready for review

## **Administrative Review of a Zoning Permit Application**

Once staff have verified an application is complete and application fees have been paid, the zoning administrator will review the application. The Village has a goal of completing a staff site plan review within 15 business days of receiving a complete application.

## Staff Site Plan Review

For all site plans, the zoning administrator shall:

- Forward all application materials to the joint review committee, composed of the Police Chief, the Director of Public Utilities, and the Elkland Township Fire Chief
- Determine which *Path to Development* the proposed project falls under and inform the applicant of the required next steps

## Paths to Development

More comprehensive descriptions of these development processes may be found in the Village's [Guide to Development](#). For each path to development, a completed Zoning Permit Application, including a site plan, are typically required in addition to the outlined processes.

### Permitted (By-Right) Development

Permitted (By-Right) Developments are those which meet all requirements of the zoning ordinance, and which are explicitly permitted under a zoning district's uses.

For single-household residential developments, the zoning administrator is the sole approval authority. If a site plan is found to comply with the zoning ordinance, continue to *Approval of Zoning Permits*. If the plan is found to not satisfy the ordinance, continue to *Denial of Zoning Permits*.

For all other by-right projects, Planning Commission approval is required. Continue to *Planning Commission Site Plan Review*.

### Special Land Use Development

Special Land Use Developments are those which the zoning ordinance states may be approved in certain zoning districts (under Special Land Uses), but are subject to further review by the Planning Commission. For these projects, a [Special Land Use Permit Application](#) is required in addition to a Zoning Permit Application.

For all Special Land Use developments, both Planning Commission Site Plan Review and a subsequent Planning Commission Public Hearing are required. Staff should ensure that the following sections are fulfilled:

- Planning Commission Site Plan Review: Special Land Use Development*
- Public Noticing*
- Planning Commission Public Hearing*

### Variance Request or Appeal

A Variance Request or Appeal is overseen by the Zoning Board of Appeals and is initiated by the need to request a variance as part of a conditional approval or upon appealing a denial of a zoning decision or permit by either the Zoning Administrator or the Planning Commission. To formally begin this process, an applicant must file a Zoning Board of Appeals Application and pay all related fees.

### Zoning Petition or Rezoning Request

Zoning petitions and rezoning requests are overseen by the Village Council, following a formal recommendation from the Planning Commission. The process is initiated by a petitioner when a Zoning Ordinance Text Amendment and Rezoning Petition is received by the Village.

## **Public Meeting Procedures**

### **Public Noticing**

#### **Regularly Scheduled and Special Meetings**

Issuing public notices are required by state law in several instances, such as the Open Meetings Act. All public notices are issued through the Village Clerk's office for regularly scheduled and special meetings. These notices must be published in a newspaper of general circulation "not less than 15 days" (per the Michigan Zoning Enabling Act) before the meeting takes place.

When preparing a public notice:

- Include the name of the public body holding the meeting (example: Zoning Board of Appeals), the Village's phone number, and the location and time of the meeting
- Ensure the notice is sent to the Cass City Chronicle and posted at the Municipal Building
- Consider posting the notice on the Village's website, social media accounts, and other methods outlined in the Public Participation Plan

#### **Public Hearings**

In some cases, such as hearings on special land use developments, variance requests, and property rezoning, the Michigan Planning Enabling Act requires that "the owners of property subject to the request" and "all persons to whom real property is assessed within 300 feet of the proposed project property and the occupants of all structures within 300 feet of the subject property" be given notice of hearings. Hearings may be held by the Planning Commission, Village Council, or Zoning Board of Appeals, depending on the particular circumstances.

When preparing a notice for a public hearing:

- Meet all requirements outlined under *Regularly Scheduled and Special Meetings*
- Include information of the subject property, including the property address, applicant's name, case description, property legal description,
- Notify all owners and occupants of properties within 300 feet of the subject property
  - o Generate a mailing list for neighboring properties using Tuscola County's GIS system
  - o Mail notices at least 15 days prior to the hearing
  - o Save a copy of the notice in the project's file

#### **Planning Commission Site Plan Review**

There are multiple instances of development that require Planning Commission Site Plan Review. Staff helping to facilitate these meetings should be aware the specific requirements outlined below for each Path to Development, such as particular *Public Noticing* requirements for public hearings.

For all site plan reviews going to the Planning Commission, the staff will:

- Include a copy of the zoning permit application and all related materials in the upcoming planning commission packet

- Inform members of the planning commission that a site plan review is occurring at their upcoming meeting
- Inform the applicant that their site plan is to be reviewed at the upcoming meeting
- Fulfill any additional requirements as set forth in the various paths to development outlined below

### Permitted (By-Right) Development

Developments which are not single-household residential, and which are permitted (by-right), go to the Planning Commission for review and do not require a public hearing or noticing beyond that of a standard meeting.

At the Planning Commission site plan review, the members:

- Must approve the site plan if it is found to meet all requirements set forth in the zoning ordinance. Continue to *Approval of Zoning Permits*.
- May place additional conditions on site plan approval to ensure that the final development satisfies the requirements and intent of the ordinance. If this conditional approval includes the applicant securing a variance from the Zoning Board of Appeals, continue to *Variance Request or Appeal* under *Paths to Development*.
- Must deny the site plan if it fails to satisfy the requirements of the zoning ordinance. Continue to *Denial of Zoning Permits*.

### Special Land Use Development

All Special Land Use Developments are subject to both Planning Commission Site Plan Review and a *Planning Commission Public Hearing*. For all Special Land Use Site Reviews:

- Ensure that the applicant has completed the Special Land Use Permit Application
- Follow the steps outlined under *Planning Commission Site Plan Review*
- After the initial review by the Planning Commission at a regular meeting, schedule a Planning Commission Public Hearing and follow all required steps

After the Planning Commission Public Hearing has concluded, the Planning Commission may then make a determination on the site plan. The members may:

- Approve and permit the special land use, provided that the use: is not injurious to the district and environs; is not contrary to the spirit and purpose of the zoning ordinance; is not incompatible with already existing uses in the area; would not interfere with the orderly development of the area; and would not be detrimental to the safety or convenience of vehicular or pedestrian traffic. Continue to *Approval of Zoning Permits*.
- Issue a conditional approval of the project, provided that the use aligns with the above criteria, and subject the project to additional inspection to ensure the conditions placed upon approval are met. If this conditional approval includes the applicant securing a variance from the Zoning Board of Appeals, continue to *Variance Request or Appeal* under *Paths to Development*. If this conditional approval requires a post-completion inspection, continue to *Post-Completion Site Inspection*.

- Must deny the site plan if it fails to satisfy the requirements of the zoning ordinance.  
Continue to *Denial of Zoning Permits*.

### Variance Request or Appeal

All variance requests and appeals are overseen by the Zoning Board of Appeals. The ZBA meets once a year, in May, and holds special meetings and hearings as required to fulfill requests. Special meetings held by the ZBA may be initiated by an applicant completing a Zoning Board of Appeals Application and paying applicable fees.

For variance requests or appeals:

- Ensure that the applicant has completed the ZBA Application and paid their fees
  - In cases of an appeal, the paperwork and fee must be filed and paid within 30 days of the denial from the Planning Commission or Zoning Administrator
- Schedule a public meeting and hearing (generally within 30 days of the request, allowing 15 days for noticing)
- Provide the Zoning Board of Appeals members with completed packets, including all documentation associated with the project (site plans, applications, denial letter, etc.)
- Inform the applicant of the meeting and follow all steps required under *Public Noticing*

During the ZBA hearing, the Board may:

- Decide in favor of the applicant, approving the variance or granting an approval overriding the Zoning Administrator or Planning Commission's decision. The ZBA may grant a variance in cases where the strict application of the zoning regulations enacted would result in peculiar or exceptional practical difficulties to, or exceptional undue hardship upon the owner, provided that the relief granted is without substantial detriment to the public good and without substantially impairing the intent and purpose of the zoning ordinance. Should the ZBA approve a variance, the board may attach special conditions to the approval.  
Continue to *Approval of Zoning Permits*.
- Issue a denial of the applicant's request. There is no appeal process for a decision by the ZBA. Continue to *Denial of Zoning Permits*.

### Zoning Petition or Rezoning Request

Amending the Zoning Ordinance and Zoning Map is ultimately the responsibility of the Village Council, upon recommendation of the Planning Commission. All ordinance amendments and rezoning requests must have a review and hearing at both the Planning Commission and Village Council level. Upon receiving a request, the Planning Commission reviews the request and schedules a hearing. After the Planning Commission hearing, the board will forward the request to the Village Council with a formal recommendation to accept or reject the request. The Village Council then holds an initial reading of the request and will schedule their own public hearing, after which a determination will be made.



Prior to the meetings:

- Ensure that the applicant has completed Zoning Ordinance Text Amendment and Rezoning Petition and paid all applicable fees
- Consult the existing language in the zoning ordinance and zoning map
- Prepare all project case information and existing zoning language to be included in the meeting packets

For both the Planning Commission and Village Council meetings and hearings

- Include a copy of the zoning permit application and all related materials in the upcoming meeting packet.
- Inform members that an amendment or rezoning request is occurring at their upcoming meeting
- Inform the applicant that their request is to be reviewed at the upcoming meeting

After the initial reading of the amendment at a regular meeting, each board will schedule a public hearing. For public hearings at both the Planning Commission and Village Council meetings:

- Follow the requirements set forth under *Public Noticing*
- Inform the applicant that a public hearing is scheduled on their request

Following the public hearing at the Village Council, the Council will:

- o Approve the amendment to the Zoning Ordinance. Continue to *Approval of Zoning Permits*
- o Deny the request; decisions may not be appealed to the ZBA. Continue to *Denial of Zoning Permits*

Should an amendment to the Zoning Ordinance or map be approved, staff also need to fulfill the following:

- Publish a notice of the changes in a paper of general circulation within 15 days of adoption before the change goes into effect.
- Contact a consultant to make the changes to the Zoning Ordinance and/or Zoning Map

## **Approval of Zoning Permits**

Following the approval of a site plan and any necessary additional applications and permits, an applicant may be granted a zoning permit. A zoning permit consists of the “approved” zoning permit application, signed by the Zoning Administrator. These permits are issued by the Zoning Administrator, typically within 15 days of approval, and are valid one year from their date of issuance. In some cases, a *post-completion site inspection* may be required to ensure an applicant fulfilled the requirements of their permit.

After issuing a zoning permit, remind the developer to take the Guide to Development Feedback survey (Attachment C) on the Village’s website, or return a printed copy to the Municipal Building.

## **Denial of Zoning Permits**

Should an applicant's zoning permit be denied, they will be informed of the decision and reasoning in writing. In some cases, they may request an appeal through the Zoning Board of Appeals and will need to file a Zoning Board of Appeals Application and pay any related fees. Staff should:

- Inform the applicant, in writing, of the decision, reasoning, and eligibility for appeal
- Include a copy of the denial letter in the project's file

## **Post-Completion Site Inspection**

In some cases, the Zoning Administrator may be required to conduct a post-completion site inspection to verify that the developer met all conditions of their zoning permit.

## **Revising Development Processes**

In order to provide an efficient and developer-friendly experience, the Village staff collects developer feedback on zoning and permitting procedures and evaluates the process annually. Any feedback from developers received should be included in a development feedback file. In conducting an annual review of all development procedures, the following should be considered:

- Are there reoccurring problems or points of confusion with development forms and applications?
- Are all development forms and guides on the website updated and accessible?
- Are the Village's staff and boards equipped with the skills needed to evaluate site plans?
- Have any major issues been identified through the development survey?
- Are there any issues with external partners during the development process?
- Are there any issues with the contracted building codes provider for Tuscola County?

# Attachments



*Moving Forward Working Together*

**Pre-Application Conference Checklist  
Village of Cass City**

Thank you for your interest in a development project in the Village of Cass City. We are here to support you and look forward to a productive meeting. Please use this checklist to help assure you are prepared for your Pre-Development conference. Feel free to contact Debbie Powell, Village Manager, if you have questions @ 989-872-2911 or [ccmanager@casscity.org](mailto:ccmanager@casscity.org).

Applicant Name \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_ Email: \_\_\_\_\_

Parcel Number \_\_\_\_\_

Proposed Use of Property \_\_\_\_\_

Proposed Number of Employees \_\_\_\_\_

Anticipated Project Completion Date \_\_\_\_\_

Estimated Project Budget \_\_\_\_\_

	Pre-Development Checklist	Complete	Comments
1	<b>CONCEPTUAL SKETCH OF PROPOSED DEVELOPMENT:</b> At a minimum include approximate location of property line, drive access and proposed structures		
2	<b>REVIEW OF APPROVAL PROCESS:</b> Site plan, Special use. Plot Plan or full site plan. Timeline for approval		
3	<b>TROUBLE SHOOT HURDLES TO DEVELOPMENT:</b> Zoning, water and sewer utilities and other entities to consult with including Building Codes.		
4	<b>DISCUSS PERMITTING PROCESS:</b> Zoning approval through the Village. Building or other permits through SAFE Built		
5	<b>Developer resources available on the Village website:</b> <a href="http://www.casscity.org">www.casscity.org</a>		
6	<b>Professional Services:</b> Will an architect or engineer be used to prepare development plans? If so, contact information is required		

## Village of Cass City Development Tracking Sheet

To be stapled onto all zoning applications.

Application number: \_\_\_\_\_

Date Submitted: \_\_\_\_\_

### Zoning

Item	Date Completed	Signature
Pre-Application Conference		
Review and complete Staff Report		
Publish Public Meeting Notice Planning Commission		
Planning Commission Approval		
Publish Public Meeting Notice Village Council		
Village Council Approval		
Send out Zoning Permit		
Send Copy of Zoning Permit to SAFEBuilt		

### Building Code: Tuscola County SAFEBuilt

141 S. Almer St., Caro, MI 48723 Phone: 989-262-4546 email: [tuscolapermits@safebuilt.com](mailto:tuscolapermits@safebuilt.com)

Item	Date Completed	Signature
Pre-Application Conference		
Review Application		
Sent out Building Permit		
Site Inspection		
Site Inspection		
Site Inspection		
Send out Certificate of Occupancy		
Send Copy of Certificate of Occupancy to Village		

## Guide to Development Feedback

The Village of Cass City strives to provide a streamlined and user-friendly development process. In an effort to continually improve our procedures, the Village Manager invites you to complete this short development review survey and provide your honest feedback about any and all aspects of your development experience with the Village. Completed surveys or additional feedback may be returned via email to [ccvillage@casscity.org](mailto:ccvillage@casscity.org) or to the Municipal Building at 6506 Main Street PO Box 123, Cass City, MI 48726.

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

1. Which of the following describes you (check all that apply):
  - Resident
  - Business Owner
  - Rental Property Owner
  - Property Developer
    - Single-Household Residential
    - Multi-Household Residential
    - Commercial
    - Industrial
    - Mixed Use
  - Other (specify): \_\_\_\_\_
2. I found the Guide to Development well organized and informative:
  - Highly Agree
  - Agree
  - Neither Agree nor Disagree
  - Disagree
  - Highly Disagree
3. If you engaged in a conceptual (pre-application) meeting, how effective was that meeting in outlining the application process, timelines, and other requirements?
  - Highly Effective
  - Effective
  - Neither Effective nor Ineffective
  - Ineffective
  - Very Ineffective
4. Did the Village of Cass City adhere to the development timelines as listed in the Guide to Development?
  - Faster Than Expected
  - About as Expected
  - Slower Than Expected
5. Do you have any other comments about the development review process?

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