



Application for Limited Use Permit for

Private Access to the Paint Creek Trail

Description of Limited Use Requested:

Date Submitted: _____

Applicant: _____

Mailing Address: _____ City/Zip: _____

Email Address: _____ Phone: _____

Address or General Location: _____

Property ID(s): _____

Reason for Request: _____

Application Submission Requirements:

- 1) Existing Site conditions;
- 2) Site Plan;
- 3) A landscape plan (if applicable)
- 4) Drawings of structures (if applicable)

Signature: _____

Date: _____

Please submit form with required attachments to:

Paint Creek Trailways Commission
4393 Collins Road
Rochester, MI 48306

Or

Manager@paintcreektrail.org



Limited Use Permit Checklist

Paint Creek Trailways Commission (PCTC)

PROCEDURE

An application for a limited use permit shall be approved or denied within sixty (60) days from the date of its complete submission unless extended by the PCTC pursuant to a time waiver is granted to the applicant. Additional requirements are as follows:

A. Request for limited use permits shall be filed with the PCTC Manager on a PCTC application form. The request shall be considered as being completely submitted when all the information requirements are satisfied. In cases where an application is judged to be incomplete, the PCTC Manager or its designee shall, within fifteen (15) business days of the date of submission, notify the applicant, in writing, of what information must be provided for the application to be deemed completely submitted.

B. Upon receipt of a complete application, the PCTC Manager will submit the application to the Licensing committee. The Licensing committee will review the application, conduct a study (if deemed necessary or appropriate), and report its findings and make recommendations to the PCTC.

C. The PCTC shall consider possible effects of the proposed permit. It shall consider the following factors and it may consider other factors as well:

1. Whether the proposed use will be consistent with the specific policies and provisions of the PCTC and the character of the Paint Creek Trail.
2. Whether the proposed use is or will be compatible with present and future land uses of the area.
3. Whether the proposed use will conform with all performance standards contained within each City's Code.
4. Whether the proposed use will be detrimental to or will promote the safety of trail users.

D. The PCTC and PCTC Manager shall have the authority to request additional information from the applicant.

E. Unless excused by the PCTC Chair, the applicant or a representative thereof shall appear before the PCTC in order to answer questions concerning the proposed request.

F. The PCTC shall approve, deny or request more information. The decision shall be entered in and made part of the permanent written record of the PCTC meeting.

G. The PCTC shall act upon the limited use permit within sixty (60) days from the date of submission of a complete application, unless an extension has been provided.

H. Upon receiving the report and recommendation of the Licensing Committee, the PCTC shall have the option to set and hold a public hearing if deemed necessary. ,

I. Approval of a request shall require passage by a majority vote of the PCTC.

J. Whenever an application for a limited use permit has been considered and denied by the PCTC, a similar application for a limited use permit affecting substantially the same property shall not be considered again by the PCTC for at least six (6) months from the date of its denial. If the second application is denied, a subsequent application affecting substantially the same property shall likewise not be considered again by the PCTC for an additional six (6) months from the date of the second denial unless a decision to reconsider such matter is made by a majority vote of the PCTC.

GENERAL PERFORMANCE STANDARDS

As may be applicable, the evaluation of any proposed limited use permit request shall be subject to and include, but not be limited to, the following general performance standards and criteria:

K. The site drainage system shall be subject to the review and approval of the City Engineer if deemed necessary by the PCTC.

L. The landscaping appearance and functional design of the site shall not be so dissimilar to the existing area so as to cause a blighting influence.

M. The architectural appearance and functional design of any structure shall not be so dissimilar to the existing area so as to cause a blighting influence.

N. The use and site shall be in compliance with any federal, state county, or municipal law, code, ordinance, or regulation that are applicable and the Applicant shall obtain any related permits required by such government entity and provide the Licensing Committee and/or the PCTC with proof that such required permit(s) have been obtained..

O. Additional Stipulations. All conditions pertaining to a specific site are subject to change by the PCTC if the PCTC, upon investigation in relation to a formal request, finds that the general welfare and public betterment can be served as well or better by modifying or expanding the conditions set forth herein.

REVOCATION

The PCTC may, and may direct, the revocation of any limited use permit for cause upon determination that the actual use is not in conformance with the conditions of the permit, in an unsafe condition or is in continued violation of the Zoning Ordinance, City Codes, or other applicable regulations. The PCTC shall direct the PCT Manager to notify the responsible person that they have an opportunity to explain why the permit should not be revoked. The PCT Manager shall provide the permit holder a copy of the proceedings and findings of the PCTC.

PERMIT MODIFICATIONS

Holders of a limited use permit may propose modifications to the permit at any time. No changes in the approved plans or scope of the limited use shall, however, be undertaken without prior approval of those changes by the PCTC.

EXPIRATION

Unless the PCTC specifically approves a different time when action is officially taken on the request, limited use permits which have been issued shall expire on the one year anniversary of the date the permit was issued without further action by the PCTC if the permit holder does not commence the authorized use within the one year period. However, before the expiration of the one (1) year period; the applicant may apply for an extension thereof by submitting a request for extension. The request for extension shall state facts showing a good faith attempt to complete or utilize the use permitted in the limited use permit. A request for an extension not exceeding one (1) year shall be subject to the review and approval of the PCT Manager. Should a second extension of time or any extension of time longer than one (1) year be requested by the applicant, it shall be presented to the PCTC for a decision.

SITE IMPROVEMENT PERFORMANCE AGREEMENT

Prior to PCTC consideration of a limited use permit request, the applicant, as may be applicable, shall guarantee to the PCTC the completion of all improvements as shown on the approved plan and as required by the limited use permit approval.

Information Requirement Checklist

The information required for all limited use permit applications generally consists of the following items and shall be submitted unless waived by the PCT Manager. Plans must be submitted in both hard copy and electronically.

A. Site boundaries, buildings and structures shall be identified on site with a survey, depicting the following:

- _____ 1. Scale of plan (engineering scale only, at one (1) inch equals fifty (50) feet or less.
- _____ 2. North point indication.
- _____ 3. Existing boundaries with lot dimension and area.
- _____ 4. Existing site improvements.
- _____ 5. All encroachments.
- _____ 6. Easements of record.
- _____ 7. Legal description of the property.
- _____ 8. Ponds, lakes, springs, rivers or other waterways bordering on or running through the subject property.