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DATE: February 12, 2016
TO: Dexter Township Planning Commission
FROM: Zach Michels, Director of Planning & Zoning
RE: Draft Site Plan Article of the Zoning Ordinance

MEMORANDUM

The Zoning Ordinance Review Committee (*Pizza Club*) has been reviewing and helping the Director of Planning and Zoning prepare revisions to the Zoning Ordinance. The attached article outlines the site plan review process. It is currently Article 6. *The attached draft does not show redline changes from the current Zoning Ordinance.*

This draft article clarifies a number of areas that are vague in the current article, such as: the different requirements for preliminary and final site plans, the process for a combined site plan (*preliminary and final*), and the appeal, extension, and revocation processes. It has been drafted to apply exclusively to site plans; the current article is for both plot plans and site plans. It also creates a process for amending existing site plans or approving certain site plans without having to conduct a public hearing before the Planning Commission.

An earlier version of this article has been reviewed by the Township Attorney; no objections or recommendations were offered. This version has been submitted for review; any comments will be shared with the Planning Commission.

§x.05 Intent and Purpose

This section has been revised from a single paragraph to separate sentences for ease of use and has been expanded to provide greater guidance for users.

§x.10 Authority

This is a new section that has been added to describe the different responsibilities for site plan review and approval. Standard site plans, including preliminary, final, and combined site plans, will continue to be reviewed by the Planning Commission at a public hearing. Administrative site plans (*limited in §x.15*) will be reviewed by the Director of Planning and Zoning, but they may be referred to the Planning Commission. The Board of Trustees will review development agreements and bylaws.



§x.15 Site Plans Required

This is a new section that makes it clear what projects require site plans. It may be relocated to another article that guides users as to whether they need a plot plan, site plan, or no approvals at all. Administrative site plans are limited to minor changes or site plans that are likely to have a small impact. The current zoning ordinance allows for some minor changes to approved plans to be approved by the zoning administrator, a representative of the Planning Commission, and a representative of the Zoning Board of Appeals. This appears to be in direct conflict with the Zoning Enabling Act, which requires any changes to an approved site plan to be agreed on by the property owner and the original approving authority.

§x.20 General Site Plan Provisions

This is a new section that provides general expectations and regulations for site plan review and approval.

(A) Combined Site Plan Review. The current Zoning Ordinance does not provide any guidance for how to handle combined (*preliminary and final*) site plans.

(B) Developments with Multiple Phases. This clarifies the process for multi-phase developments

(C) Site Plans Requiring a Variance, (D) Site Plans for Special Land Uses, and (E) Site Plans for Open Space Communities. These sections clarify when other approvals, such as variances, special land uses, and open space communities, should happen relative to the site plan review process.

(H) Development Agreement and (J) Performance Guarantee may be relocated to the Administrative Article. This draft provides guidance for the Township Board when considering waiving the requirements for either a development agreement or performance guarantee.

§x.25 General Site Plan Review Process

This section provides a general map of the process of site plan review and approval. Preapplication meetings are made mandatory. Staff experience has been that those applications that have conducted a preapplication meeting have resulted in a much easier process for both applicants and the Planning Commission. The general structure of this section matches the similar section in the draft Special Land Use Article.

Processes for rehearings, reapplications, revocations, and suspensions have been added.



§x.30 Site Plan Information

This is currently a part of §6.03(B). It has been reformatted to make it clearer what is expected for different types of site plans and to add information that the Planning Commission has regularly requested of applicants. It continues to provide a waiver process for information that is not necessary.

§x.35 Preliminary Site Plan Review Process

This section has been added to outline the process that applies specifically to preliminary site plans. It is currently a part of §6.04.

§x.40 Final Site Plan Review Process

This section has been added to outline the process that applies specifically to final site plans. It is currently a part of §6.04.

§x.45 Administrative Site Plan Review Process

This is a new section that is intended to capture the concept located in §6.07(A)(1). The current version is not consistent with the Zoning Enabling Act. The site plans that could use this approach are limited. While a public hearing is not required, notice would be provided, which would allow those objecting to an approval the opportunity to appeal the decision to the Zoning Board of Appeals.

§x.50 Amendment Process

This section helps guide individuals looking to amend an approved site plan to the appropriate sections of this Article. Earlier drafts of this Article had more details in this section, but the majority of the Zoning Ordinance Review Committee felt it was better to incorporate that into the individual sections.

§x.55 Site Plan Decision Criteria

This is currently §6.05. This draft clarifies what decision criteria (*findings*) apply to the different types of site plans.

§x.60 Inspections and Maintenance

This is a new section that is intended to outline the Township's expectations following approval.

§x.65 Appeals of an Approved Site Plan

This is a new section that is intended to make it clear that it is possible to appeal decisions related to site plans to the Zoning Board of Appeals.



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12.11.2015

ARTICLE XX

SITE PLANS

§ XX.05 - INTENT & PURPOSE

It is the intent and purpose of this Article to:

- (A) Ensure that developments and uses will not have a substantially adverse impact on surrounding uses or properties and the public health, safety, and general welfare;
- (B) Achieve safe and convenient traffic and pedestrian movement within a site and in relation to access streets;
- (C) Encourage compatibility of site layout in relationship to uses and structures, both within a site and in relation to adjacent sites and uses;
- (D) Encourage preservation of natural features and resources;
- (E) Encourage efficient use of the land;
- (F) Ensure adequate infrastructure and public services are available for developments and uses;
- (G) Define the types of developments and uses that require site plan approval;
- (H) Provide a consistent and uniform method of review for site plans;
- (I) Delegate the authority for review and approval of site plans;
- (J) Define the data required for site plans;
- (K) Define standards for the review of site plans;
- (L) Ensure that developments and uses are compatible with the goals and objectives of the Master Plan;
- (M) Encourage cooperation and consultation between applicants and the Township; and
- (N) Ensure full compliance with the provisions of this Ordinance, other Township ordinances, and state and federal laws.

SECTION XX.10 - AUTHORITY

- (A) **Site Plan Review:** Authority to approve, approve with conditions, or deny a site plan shall be with the Planning Commission or the Director of Planning and Zoning, as outlined below:
 - (1) *Standard Site Plans:* Standard site plans, including preliminary and final site plans, shall be reviewed by the Planning Commission;
 - (2) *Administrative Site Plans:* Administrative site plans shall be reviewed by the Director of Planning and Zoning. The Director of Planning and Zoning may defer review of administrative site plans to the Planning Commission; and
 - (3) *Amended Site Plans:* Amended site plans shall be reviewed by the original approving authority.
- (B) **Development Agreement Review:** Authority to approve, approve with conditions, or deny a development agreement shall be with the Township Board.

- (C) **Variance Review:** Authority to approve, approve with conditions, or deny a variance associated with a site plan shall be with the Zoning Board of Appeals.
- (D) **Appeal of Decision:** Authority to hear an appeal of a decision of a site plan shall be with the Zoning Board of Appeals.

§ XX.15 - SITE PLANS REQUIRED

(A) **Site Plan Required:** The following structures, sites, and uses shall require site plan approval before issuance of a **Preliminary Certificate of Zoning Compliance**, unless otherwise noted :

- (1) All permitted uses in Commercial and Public Lands Districts;
- (2) All commercial, institutional, and public uses, regardless of the zoning district in which the use is located;
- (3) All special land uses;
- (4) All multiple-family dwellings;
- (5) Mobile home parks;
- (6) Planned unit developments;
- (7) Open space communities;
- (8) Site condominiums or platted subdivisions;
- (9) Any alteration, addition, or expansion of an existing use that requires a site plan; and
- (10) Any parking lot or parking lot addition.

(B) **Limitations:** Grading, excavation, construction, or use of or for structures, sites, or uses requiring a site plan shall not commence until a site plan has been approved and all necessary permits have been issued, unless otherwise noted in this Ordinance.

(C) **Administrative Site Plan Limitations:** Administrative site plans shall be limited to the following:

- (1) **Minor Changes:** Minor changes, determined by the Director of Planning and Zoning, relative to an approved site plan that are required during construction due to other governmental agencies;
- (2) **Change of Use:** A change in use to a similar or less intensive use;
- (3) **Structure Relocation:** Minor changes in the location of any structure from its location in an approved site plan;
- (4) **Building Height:** Changes to building height that do not add an additional floor;
- (5) **Building Addition:** Increase or addition of a building limited to an increase in lot coverage of up to twenty (20) percent up to a lot coverage of ten (10) percent; **(CUMULATIVE TOTAL)**
- (6) **Building Reduction:** Reduction in the size of a building;
- (7) **Barrier Free Access:** Minor reconfiguration of an approved site plan or existing site to allow for barrier free access;
- (8) **Site Improvements:** The relocation or addition of accessory structures, such as, but not limited to: fences, signs, sidewalks, trails, bus stops;
- (9) **Landscaping Changes:** Additions to or substitutions of approved or existing landscaping;

- (10) *Parking Increase:* An increase in the parking or loading area of up to twenty-five (25) percent of the existing parking area or the parking in an approved site plan;
- (11) *Parking Lot Reconfiguration:* Internal reconfiguration of a parking lot, provided the necessary number of spaces are still provided;
- (12) *Group Day Care Home:* Establishment of a new or reconfiguration of an existing group day care home;
- (13) *Others:* Relocation of wells required by the Washtenaw County Environmental Health Department.

AMENDED SITE PLAN

§ XX.20 - GENERAL SITE PLAN PROVISIONS

- (A) **Combined Site Plan Review:** An applicant may request a combined preliminary and final site plan review. The Director of Planning and Zoning or the Planning Commission may require separate preliminary and final site plan review if, in their opinion, the complexity or size of the proposed development makes such a separation necessary. Combined site plan review shall not be considered for a project with more than one (1) phase.
- (B) **Developments with Multiple Phases:** Projects with multiple phases shall have one (1) preliminary site plan for the entire project and one (1) final site plan for each phase.
- (C) **Site Plans Requiring a Variance:** The applicant shall obtain any necessary variance(s) before preliminary or amended site plan approval. All site plans requiring a variance shall be reviewed by the Planning Commission.
- (D) **Site Plans for Special Land Uses:** Site plans for special land uses shall have the special land use approval before or at the same meeting as the preliminary, administrative, or amended site plan review.
- (E) **Site Plans for Open Space Communities:** Site plans for open space communities shall have the open space community approval before or at the same meeting as the preliminary, combined, or administrative site plan review.
- (F) **Changes to Preliminary Site Plan:** The Planning Commission may approve changes to an approved preliminary site plan during final site plan review.
- (G) **Right to Enter Property:** Submission of a site plan application shall constitute permission for the Township to access the property to complete onsite investigations for the purpose of administering this Article.
- (H) **Development Agreement:** A development agreement between the applicant and the Township shall be necessary for all site plan approvals, except as noted below. The Township Board may waive the development agreement if it finds all of the following to be true:
 - (1) *Minor Project:* The scope of the project shall be of such a limited nature that a development agreement is not necessary to ensure completion; and
 - (2) *No Harm:* The lack of a development agreement shall not cause harm to surrounding properties or the Township in general.

- (I) **Master Deed and Bylaws:** Any site plan with a master deed and/or bylaws shall have those approved by the Township and shall address, at a minimum, the following items:
- (1) **Maintenance:** For condominiums or subdivisions, the master deed shall contain provisions describing the responsibilities of an association, owners, and public entities concerning maintenance of the property in a manner consistent with the approved site plan.
 - (2) **Financing:** The master deed shall contain provisions for financing the regular maintenance and replacement of common improvements of the approved site plan.
- (J) **Performance Guarantee:** The applicant shall provide a performance guarantee, in a form acceptable to the Township, before issuance of a **Preliminary Certificate of Zoning Compliance**. The performance guarantee may be included as part of the development agreement and shall be provided to the Township no later than the Preconstruction Conference.
- (1) **Amount:** The amount of the performance guarantee shall be adequate to complete the improvements or restore the site and maintain the site.
 - (2) **Form:** The performance guarantee shall be a cash deposit or irrevocable (evergreen) letter of credit.
 - (3) **Waiver of Performance Guarantee:** The Township Board may waive the performance guarantee if it finds all of the following to be true:
 - a. **Minor Project:** The scope of the project is of a such limited nature that a development agreement is not necessary to ensure completion; and
 - b. **Other Guarantees:** There are other guarantees that will ensure that the project will be developed according to the approved site plan and any conditions of that approval.
- (K) **Conditions of Approval:** The approving authority may impose reasonable conditions in granting an approval related to the following:
- (1) **Health, Safety, and Welfare:** Conditions shall be designed to protect the health, safety, and welfare of those who will use the site under consideration, residents and landowners immediately adjacent to the site, and the community as a whole;
 - (2) **Public Services and Facilities:** Conditions shall be designed to ensure that public services and facilities affected by a proposed activity will be capable of accommodating the resulting increased service and facility loads;
 - (3) **Police Power:** Conditions shall be related to the valid exercise of the police power and purposes that are affected by the activity;
 - (4) **Compliance:** Conditions shall be necessary to ensure compliance with the standards and provisions of this Ordinance, other Township Ordinances, or state and federal law;
 - (5) **Development Agreement:** If a development agreement has not been approved or the requirement to have a development agreement has not been waived by the Township Board before a final, amended, or administrative site plan approval, the approval or waiver of a development agreement shall be a condition of approval; and
 - (6) **Master Deed and Bylaws:** If a master deed and bylaws has not been approved by the Township before a final, amended, or administrative site plan approval, the approval of a master deed and bylaws shall be a condition of approval.

(L) **Contact with Planning Commissioners (Ex-parte Contact):** No person shall communicate directly with any member of the Planning Commission outside of a public hearing with the intent of influencing the member's action or decision. Written comments may be submitted to the Director of Planning and Zoning for distribution to the Planning Commission. This shall not prohibit the Director of Planning and Zoning from promulgating staff reports and other related materials to the Planning Commission.

§ XX.25 - GENERAL SITE PLAN REVIEW PROCESS

Site plans shall be reviewed as described below and in this Article.

- (A) **Preapplication Meeting:** The applicant shall meet with Township Officials, other agencies, and other interested parties prior to submission of a site plan application.
- (1) **Intent:** The intent of the preapplication meeting is to inform Township Officials and other interested parties of the general concept of the proposed development and to provide the applicant with feedback and guidance concerning the application. Statements made in the course of a preapplication meeting shall not be legally-binding on any party nor construed as representing approval or actions the approving authority may make during site plan review.
 - (2) **Township Attendance:** The Director of Planning and Zoning shall invite the following individuals to attend the preapplication meeting:
 - a. Other Township Officials, including, but not limited to: the Planning Commission Chair, the Township Engineer, and the Township Attorney; and
 - b. Officials from other agencies, including, but not limited to: the Washtenaw County Road Commission, the Washtenaw County Environmental Health Department, the Washtenaw County Water Resources Commissioner, the Dexter Area Fire Department, and local schools.
 - (3) **Applicant Attendance:** The applicant, or an agent, shall attend and shall be responsible for inviting individuals responsible for preparing the site plan.
- (B) **Application:** The applicant shall submit a complete and accurate site plan application form, provided by the Township for that purpose. The application shall include all relevant materials, as outlined in this Article, any materials requested by the approving authority, and any additional materials determined necessary by the Director of Planning and Zoning. Submission of an application constitutes a representation that all the information is complete and accurate.
- (C) **Fee:** A fee, as established by the Township Board, shall be submitted at the time of application. No fee shall be required if the applicant is acting on behalf of the Township.
- (D) **Review of Completeness:** An application for a site plan shall be reviewed by the Director of Planning and Zoning for completeness.
- (1) **Review Letter:** The Director of Planning and Zoning shall issue a review letter within fourteen (14) business days of receiving the application stating whether the application is complete or, if not, what additional materials or information is necessary for it to be considered complete. This period may be extended at the applicant's request in writing. If the review letter is not issued within the above period, a site plan application reviewed by the Planning Commission shall be placed on the next available Planning Commission agenda.

- (2) *Administratively Complete:* The date on which the Director of Planning and Zoning declares an application complete or the expiration of the fourteen (14) day period described above, unless the application has been declared incomplete, shall be considered the date the application is administratively complete.
- (E) *Planning Commission Review:* When the Planning Commission is the approving authority, site plan review shall be conducted at a public hearing.
- (F) *Director of Planning and Zoning Review:* When the Director of Planning and Zoning is the approving authority, site plan review shall not be conducted at a public hearing but shall require notice as outlined in this Article.
- (G) *Transmission of Materials:* The Director of Planning and Zoning or appropriate official or body shall transmit all relevant records and other materials to the Planning Commission.
- (H) *Hearing Appearance:* Any party may appear in person or by duly-authorized agent at public hearings.
- (I) *Hearing Recess:* The Planning Commission may recess public hearings for site plans from time to time with notice conforming to the requirements of the Open Meetings Act.
- (J) *Timely Decisions:* Decisions shall be made in a timely manner, based on the approving authority, as follows:
- (1) *Planning Commission:* The Planning Commission shall render its decision within sixty (60) days of the date the application is administratively complete, unless a delay is agreed to by the applicant and the Planning Commission. The decision shall be final upon adoption of meeting minutes or signing of a resolution by the Township, whichever occurs first.
 - (2) *Director of Planning and Zoning:* The Director of Planning and Zoning shall render a decision within thirty (30) days of the date the application is administratively complete, unless a delay is agreed to by the applicant and the Director of Planning and Zoning. The decision shall be final upon issuance of a letter outlining the decision by the Director of Planning and Zoning.
- (K) *Acceptance of Conditions:* The approval of any site plan shall only be effective upon acceptance of the approval and any conditions of the approval by the applicant.
- (L) *Preconstruction Meeting:* A preconstruction meeting shall be held between the applicant and Township officials and other interested parties prior to issuance of a Preliminary Zoning Certificate of Compliance for the project.
- (M) *Rehearing:* A rehearing shall be processed in the same manner as the original application, including a new fee, unless initiated by the Planning Commission or Township Board. A request for rehearing shall be made within thirty (30) days of the decision becoming final. The only grounds upon which a rehearing of a previously-denied site plan shall be granted is if the approving authority, upon inspection, finds one (1) or more of the following to be true:
- (1) *New Evidence:* Newly-discovered evidence is available;
 - (2) *Inaccurate Evidence:* Evidence previously relied upon is found to be inaccurate; or
 - (3) *Procedures:* Proper procedures were not followed.

- (N) **Reapplication:** A site plan application that has been denied shall not be resubmitted for reconsideration for a period of one (1) year from the date the decision became final, unless:
- (1) *Changed Conditions:* The approving authority, upon inspection, finds proof of changed conditions that contributed to the denial; or
 - (2) *Changes to Site Plan:* Substantial changes have been made to the site plan that addresses the reasons for denial.
- (O) **Revocation:** An approved site plan may be revoked by the approving authority as outlined below.
- (1) *Notice:* Notice shall be sent to the applicant of the possible revocation, including the time and place the revocation will be considered and the reason for the revocation.
 - (2) *Public Hearing:* If the Planning Commission is the approving authority, the revocation shall be heard at a public hearing.
 - (3) *Decision Criteria:* In order to revoke an approved site plan, the approving authority shall find any one (1) of the following to be true:
 - a. *Ordinance Standard:* The execution or use of a **Preliminary Certificate of Zoning Compliance** related to the approved site plan is not consistent with a standard of this Ordinance as it existed at the time of approval;
 - b. *Site Plan and Conditions:* The execution or use of the site plan or a **Preliminary Certificate of Zoning Compliance** related to the approved site plan is not consistent with the approved site plan, any condition of approval, or any written commitment; or
 - c. *Fraud:* The approval was a result of fraud or misrepresentation of facts.
 - (4) *Effect:* Upon revocation of a site plan, all activity shall cease immediately, except for work directly related to securing the site or correcting a violation.
- (P) **Suspension:** An approved site plan may be suspended temporarily and immediately by the approving authority as outlined below.
- (1) *Notice:* The applicant shall receive notice of the possible suspension, including the time and place the suspension will be considered and the reason for the suspension.
 - (2) *Public Hearing:* A public hearing shall not be necessary for suspension of an approved site plan.
 - (3) *Decision Criteria:* In order to suspend an approved site plan, the approving authority shall find all of the following to be true:
 - a. *Threat:* A severe and imminent threat exists to the health, safety, and welfare of neighboring persons or properties; and
 - b. *Delay:* The delay required for noticing would be detrimental to efforts to mitigate or respond to the threat.
 - (4) *Effect:* Upon suspension of a site plan, all activity shall cease immediately, except for work directly related to securing the site or addressing the threat.

§ xx.30 - SITE PLAN INFORMATION

- (A) **Site Plan Preparation:** All site plans shall be prepared and stamped by a professional engineer, architect, planner, landscape architect, or surveyor who is registered or licensed in the State of Michigan. All landscape plans for sites with an area of more than one (1) acre shall be prepared and stamped by a landscape architect or landscape contractor licensed in the State of Michigan.
- (B) **Readability:** Site plans shall include a north arrow, graphic scale, and be easily legible in the format submitted. If a site plan is shown on more than one (1) sheet, match lines and a composite sheet of the overall site shall also be provided. Site plans shall be at a scale acceptable to the Township.
- (C) **Nonapplicable Items:** If any of the required information in the table below is not applicable to a particular site plan, a list of those items shall be included with the application or on the site plan and shall state the reasons why the applicant believes each listed item should not be considered necessary.
- (D) **Waiver of Information:** The Director of Planning and Zoning, Township Engineer, and Planning Commission Chair (or designee), may waive the requirement to include specific information from a site plan, as outlined below:
 - (1) **Criteria:** The approving authority shall make a written finding describing how omission of the information will not negatively impact the ability to review the site plan for compliance with this Ordinance, other Township ordinances, and state and federal law.
 - (2) **Rescinding Waiver:** The approving authority may rescind the waiver at a later date if it determines the information is necessary for reviewing the site plan.
- (E) **Other Items:** The approving authority may require additional information beyond what is listed in the table below that it determines necessary to determine compliance with this Ordinance, other Township ordinances, and state and federal laws.
- (F) **Combined Site Plan:** Combined site plans shall include the information necessary for both preliminary and final site plan review.
- (G) **Amended Site Plan:** Amended site plans shall include the information for the type of site plan being amended and shall clearly illustrate what is being amended.
- (H) **Site Plan Data:** Site plans shall include the following information:

<i>Table xx.30(C)- Data Required for Site Plans</i>			
(1) Application	Administrative	Preliminary	Final
a. Name and address of the applicant(s) and property owner(s)	x	x	x
b. Address(es), parcel id(s), and legal description of the site	x	x	x
c. Project Name	x	x	x
d. Dimensions of the site and the lot area (net) and total acreage (gross) and	x	x	x
e. Zoning district of the site and all adjacent properties	x	x	x
f. Description of the proposed project or use(s)	x	x	x
g. Name and address of the individual and/or firm that prepared the site plan	x	x	x
h. Proof of property ownership and control or authority	x	x	x

(2) Site and Zoning Data	Administrative	Preliminary	Final
a. Project Name	x	x	x
b. Survey and legal description of the existing and proposed site	x	x	x
c. Vicinity sketch	x	x	x
d. Location and dimensions of existing rights-of-way	x	x	x
e. Existing lot lines, buildings, parking areas, and other structures and improvements on and within 100 feet of the site	x	x	x
f. Proposed lot lines, buildings, parking areas, and other structures and improvements on and within 100 feet of the site, including dimensions and setbacks	x	x	x
g. Location, legal description, and type of all existing and proposed easements and deed restrictions	x	x	x
h. Zoning district of the site and all abutting properties	x	x	x
i. Existing and proposed use of the site and existing use of all abutting properties	x	x	x
j. Total existing and proposed lot area (net) and proposed site acreage (gross)	x	x	x
k. Lot (building) coverage, including square footage and percentage of the lot area	x	x	x
l. Impervious surface coverage, including square footage and percentage of the lot area	x	x	x
m. Number or residential units for residential developments and number of bedrooms for multiple-family developments	x	x	x
n. Required setbacks (required yards)	x	x	x
o. North arrow	x	x	x
p. Scale, including graphic representation	x	x	x
q. Location, character, and size of each phase for multiple-phase developments	x	x	x
(3) Natural Features	Administrative	Preliminary	Final
a. Location of existing plant materials, identifying those to remain and those to be removed	x	x	x
b. Location, sizes, species, and condition of existing trees with a caliper of 6 inches or more that are located outside of a woodland area	x	-	x
c. Location of woodland areas	x	x	x
d. Location of steep slope areas	x	x	x

(3) Natural Features (continued)	Administrative	Preliminary	Final
e. Topography of and within 150 feet of the site at 2 foot contours or better, referenced to a USGS benchmark	x	x	x
f. Location of existing drainage courses and county drains	x	x	x
g. Location of floodplains, including the base flood elevation and FIRM panel number	x	x	x
h. Location of existing and proposed surface waterbodies	x	x	x
i. Location and area of existing and proposed wetlands	x	x	x
j. Location and area of wetlands to be disturbed	x	x	x
k. Soil information, including the type and any restrictions on development	x	x	x
l. Groundwater information	x	x	x
(4) Access, Circulation, and Parking	Administrative	Preliminary	Final
a. Location of existing and proposed streets, driveways, parking lots, sidewalks, and non-motorized pathways	x	x	x
b. Dimensions, curve radii, centerlines, and widths of existing and proposed streets, parking lots, sidewalks, non-motorized pathways, and rights-of-way	x	-	x
c. Driveways and intersections within 300 feet of the site	x	x	x
d. Clear-vision zones required by this Ordinance and the Washtenaw County Road Commission	x	x	x
e. Cross-sections and details of proposed roads, driveways, parking lots, sidewalks, and non-motorized pathways	x	-	x
f. Dimensions of acceleration, deceleration, and passing lanes	x	-	x
g. Calculation for number of required parking spaces, including floor area and number of employees for the largest shift, or number of dwelling units/bedrooms	x	x	x
h. Dimensions of parking spaces, islands, maneuvering lanes, and loading zones	x	-	x
i. Location and dimensions of existing and proposed queuing spaces	x	x	x
j. Designation of fire lanes, including signage	x	-	x
k. Location and details of traffic regulatory signs and pavement markings	x	-	x
l. Shared parking agreement for site plans using shared parking	x	-	x
m. Construction access routes	x	-	x

(5) Landscape Plan	Administrative	Preliminary	Final
a. General landscape plan, including location and type of all required live plant materials	x	x	x
b. Existing live plant material to remain	x	x	x
c. Existing and proposed topography	x	x	x
d. Calculations used to determine the necessary amount of plantings	x	x	x
e. Planting list for all proposed landscaping materials, with caliper size or height of material, method of installation, botanical and common names, spacing, and quantity	x	-	x
f. Irrigation system plan for watering and draining landscape areas	x	-	x
g. Location of landscape elements, such as berms, walls, ponds, retaining walls, and tree wells	x	x	x
h. Sections, elevations, plans, and details of landscape elements, such as berms, walls, ponds, retaining walls, and tree wells	x	-	x
i. Proposed methods of protecting existing plant material during construction, including type and location	x	-	x
j. Proposed dates of plant installation	x	-	x
k. Landscaping maintenance plan/schedule	x	-	x
(6) Building, Structure, and Miscellaneous Information	Administrative	Preliminary	Final
a. Location, height, and exterior dimensions of all existing and proposed buildings and structures	x	x	x
b. Building floor plans, including total floor area	x	-	x
c. Finished floor level for all existing and proposed buildings	x	-	x
d. Location, size, height, and lighting details of all existing and proposed signs	x	x	x
e. Building façade elevations for all sides	x	-	x
f. Location of exterior lighting	x	x	x
g. Details of exterior light fixtures and photometric plan	x	-	x
h. Location of trash receptacles, transformer pads, hvac equipment, generators, and screening methods	x	x	x
i. Location of any outdoor sales or display area	x	x	x
j. Location of any screening or buffering	x	x	x

(7) Utilities	Administrative	Preliminary	Final
a. Location of existing and proposed sanitary sewers and/or septic systems	x	x	x
b. Size of existing and proposed sanitary sewers and septic systems	x	-	x
c. Location of existing and proposed water mains, well sites, water service, and fire hydrants	x	x	x
d. Size of existing and proposed water mains, well sites, water service, and fire hydrants	x	-	x
e. Location of existing and proposed above and below-ground gas, electric, telephone, and cable lines	x	x	x
f. Location of existing and proposed utility easements	x	x	x
g. Location of existing and proposed transformers and utility boxes	x	-	x
(8) Grading and Drainage	Administrative	Preliminary	Final
a. Proposed site grading, drainage patterns, and other stormwater management measures	x	x	x
b. Stormwater drainage calculations	x	x	x
c. Location of stormwater retention/detention pond(s)	x	x	x
d. Stormwater retention/detention pond(s) details, including grading, side slopes, high-water elevation, volume, and outfalls	x	-	x
e. Location of existing and proposed storm sewer and drains	x	x	x
f. Dimensions of existing and proposed storm sewer and drains	x	-	x
g. Extent of disturbed area, including square footage and percentage of lot area	x	x	x
(9) Additional Information for Open Space Communities	Administrative	Preliminary	Final
a. Conventional Plan	x	x	-
b. Table of deviations from the standards of this Ordinance	x	x	x
c. Density bonus calculations	x	x	x
(10) Additional Information for Planned Unit Developments	Administrative	Preliminary	Final
a. Table of deviations from the standards of this Ordinance	x	x	x

(11) Additional Information/Studies	Administrative	Preliminary	Final
a. Completion schedule	x	x	x
b. Table of required permits and the issuing authority	x	x	x
c. Date/revision date of the site plan	x	x	x
d. Depiction of changes made since the previous site plan	x	-	x
e. Description and location of methods to contain any hazardous materials	x	x	x
f. Traffic study for all projects anticipated to generate 100 or more trips in a day	x	x	-
g. Impact statement <u>(FIRE, POLICE, SCHOOLS, ETC)</u>	x	x	-
h. Noise/sound study	x	-	x

§ XX.35 - PRELIMINARY SITE PLAN REVIEW PROCESS

Preliminary site plans shall be reviewed as outlined in this Section.

(A) **Application Materials:** An application for a preliminary site plan review shall include the following:

- (1) **Application Form:** A signed and completed application form, provided by the Township;
- (2) **Fee:** An application fee, as outlined in the adopted fee schedule;
- (3) **Site Plans:** The applicant shall submit at least one (1) hard copy and a digital copy of the associated site plan, in a format acceptable to the Township, with the application and shall submit at least fifteen (15) additional hard copies following the review of completeness.; and
- (4) **Additional Materials:** Any additional information determined necessary by the Director of Planning and Zoning.

(B) **Scheduling:** Upon declaration of an administratively complete preliminary site plan application by the Director of Planning and Zoning, the application shall be placed on the next available agenda for the Planning Commission. The applicant may request it be placed on a later meeting agenda or may request a special meeting, with payment of an additional special meeting fee.

(C) **Applicant's Responsibilities:** The applicant shall post a public notice sign or signs, provided by the Township for that purpose, on the site, clearly visible from each adjacent street and mark the property, at least fifteen (15) days before the public hearing. The public notice sign(s) and marking shall be maintained in good condition until a decision is made.

(D) **Notice of Hearing:** The Township shall give public notice of the preliminary site plan public hearing, as outlined in Section XX of this Ordinance and **STATE REFERENCE HERE**.

- (E) **Planning Commission Review:** The Planning Commission, following a public hearing, shall approve, approve with conditions, deny, or postpone a preliminary site plan using the standards in this Article.
- (1) *Approval:* If a preliminary site plan is approved, the Planning Commission shall cite its reasons for approval and any conditions necessary for approval, and the applicant may apply for a final site plan. The concurring vote of at least four (4) members of the Planning Commission shall be necessary to approve a preliminary site plan.
 - (2) *Denial:* If a preliminary site plan is denied, the Planning Commission shall cite its reasons for denial.
 - (3) *Postpone:* If the Planning Commission determines that the preliminary site plan does not contain enough information necessary to conduct a review, additional information is necessary, or significant changes are necessary to receive approval, it may postpone review until a later date and shall cite the reasons for postponement.
- (F) **Decision Criteria:** The Planning Commission shall approve or approve with conditions a preliminary site plan upon finding that all of the applicable decision criteria outlined in §xx.55 of this Article are true.
- (G) **Copies of Approved Preliminary Site Plan:** The applicant shall submit four (4) hard copies and a digital copy, in a format acceptable to the Township, of the approved preliminary site plan. Two hard (2) copies shall be returned to the applicant after they have been stamped and signed.
- (1) *Modifications and Conditions:* The approved preliminary site plan shall include any modifications and conditions required for approval.
 - (2) *Signatures:* The approved preliminary site plan shall be stamped and signed by the Planning Commission Chair or Acting Chair and the Director of Planning and Zoning and signed by the applicant.
 - (3) *Record:* The approved preliminary site plan shall become a part of the record.
- (H) **Expiration:** Approval of the preliminary site plan shall be valid for eighteen (18) months from the date of approval.
- (1) *Final Site Plan Application:* An application for a final site plan review shall be submitted within this time or the preliminary site plan shall be considered expired.
 - (2) *Multiple-phase Developments:* An application for the final site plan review of the first phase of a multiple-phase development shall be submitted to the Township within this time, and applications for the final site plans for additional phases shall be submitted according to a schedule outlined on the approved preliminary site plan.
 - (3) *Effect:* Preliminary site plans that have expired shall be resubmitted for review as a new application.
 - (4) *Extension Request:* If an application for an extension has been submitted prior to the expiration date, the preliminary site plan shall remain valid until the Director of Planning and Zoning makes a decision.

- (I) **Extension:** The Director of Planning and Zoning may grant one (1) extension of an approved preliminary site plan for a period of up to one (1) year, upon finding that all of the following are true:
- (1) *Application Date:* The application for an extension was submitted prior to the expiration date;
 - (2) *Applicant Effort:* The applicant has made a good-faith effort to submit a final site plan in a timely manner, and the delay was not the result of actions or inaction of the applicant;
 - (3) *Substantial Changes:* There have been no substantial changes on abutting properties since the original approval that would raise concern of the impact of the approved preliminary site plan on those properties or on the site; and
 - (4) *Current Standards:* The approved preliminary site plan shall be in compliance with this Ordinance at the time of extension.
- (J) **Revocation:** An approved preliminary site plan may be revoked by the Planning Commission, as outlined in this Article.

§ XX.40 - FINAL SITE PLAN REVIEW PROCESS

Final site plans shall be reviewed as outlined in this Section.

- (A) **Application Materials:** An application for a final site plan review shall include the following:
- (1) *Application Form:* A signed and completed application form, provided by the Township;
 - (2) *Fee:* An application fee, as outlined in the adopted fee schedule;
 - (3) *Site Plans:* The applicant shall submit at least one (1) hard copy and a digital copy of the associated site plan, in a format acceptable to the Township, with the application and shall submit at least fifteen (15) additional hard copies following the review of completeness; and
 - (4) *Additional Information:* Any additional information determined necessary by the Planning Commission at preliminary site plan review or by the Director of Planning and Zoning.
- (B) **Scheduling:** Upon declaration of an administratively complete final site plan application by the Director of Planning and Zoning, the application shall be placed on the next available agenda for the Planning Commission. The applicant may request it be placed on a later meeting agenda or may request a special meeting, with payment of an additional special meeting fee.
- (C) **Applicant's Responsibilities:** The applicant shall post a public notice sign or signs, provided by the Township for that purpose, on the site, clearly visible from each adjacent street and shall mark the site, at least fifteen (15) days before the public hearing. The public notice sign(s) and marking shall be maintained in good condition until a decision is made.
- (D) **Notice of Hearing:** The Township shall give public notice for the public hearing, as outlined in Section XX of this Ordinance and **STATE REFERENCE HERE**.
- (E) **Planning Commission Review:** The Planning Commission, following a public hearing, shall approve, approve with conditions, deny, or postpone a final site plan using the standards in this Article.
- (1) *Approval:* If a final site plan is approved, the Planning Commission shall cite its reasons for approval and any conditions of approval, and the applicant may apply for a **Preliminary Certificate of Zoning Compliance**. The concurring vote of at least four (4) members of the Planning Commission shall be necessary to approve a final site plan.

- (2) *Denial:* If a final site plan is denied, the Planning Commission shall cite its reasons for denial.
 - (3) *Postpone:* If the Planning Commission determines that a final site plan does not contain enough information necessary to conduct a review, additional information is necessary, or significant changes are necessary to receive approval, it may postpone review until a later date and shall cite the reasons for postponement.
- (F) **Decision Criteria:** The Planning Commission shall approve or approve with conditions a final site plan upon finding that all of the applicable decision criteria outlined in §xx.55 of this Article are true.
- (G) **Copies of Approved Final Site Plan:** The applicant shall submit four (4) hard copies and a digital copy, in a format acceptable to the Township, of the approved final site plan. Two hard (2) copies shall be returned to the applicant after they have been stamped and signed.
- (1) *Modifications and Conditions:* The approved final site plan shall include any modifications and conditions required for approval.
 - (2) *Signatures:* The approved final site plan shall be stamped and signed by the Planning Commission Chair or Acting Chair and the Director of Planning and Zoning and signed by the applicant.
 - (3) *Record:* The approved final site plan shall become a part of the record.
- (H) **Expiration:** Final site plan approval shall be valid for one (1) year from the date of approval.
- (1) **Preliminary Certificate of Zoning Compliance:** The applicant shall receive a Preliminary Certificate of Zoning Compliance within this time or the final site plan shall be considered expired.
 - (2) *Substantial Work Completed:* Substantial work on the project shall be completed within this time and diligently pursued or the final site plan shall be considered expired.
 - (3) *Effect:* Final site plans that have expired shall be resubmitted for review as a new application, and all activity shall cease immediately, except for work directly related to securing the site.
 - (4) *Extension Request:* If an application for an extension has been submitted prior to the expiration date, the final site plan shall remain valid until the Director of Planning and Zoning makes a decision.
- (I) **Extension:** The Director of Planning and Zoning may grant one (1) extension of an approved final site plan for a period of up to one (1) year, upon finding that all of the following are true:
- (1) *Application Date:* The application for an extension was submitted prior to the expiration date;
 - (2) *Applicant Effort:* The applicant has made a good-faith effort to submit a Preliminary Certificate of Zoning Compliance in a timely manner, and the delay was not the result of actions or inaction of the applicant;
 - (3) *Substantial Changes:* There have been no substantial changes on abutting properties since the original approval that would raise concern of the impact of the approved final site plan on those properties or on the site;
 - (4) *Current Standards:* The approved final site plan shall be in compliance with this Ordinance at the time of extension.
- (J) **Revocation:** An approved final site plan may be revoked by the Planning Commission as outlined in this Article.
- (K) **Suspension:** An approved final plan may be suspended temporarily and immediately by the Planning Commission as outlined in this Article.

- (L) **As-built Plans:** The applicant shall submit one (1) hard copy and a digital copy, in a format acceptable to the Township, of the final site plan as constructed or shall certify that the site was developed exactly as-shown in the approved final site plan.

§ xx.45 - ADMINISTRATIVE SITE PLAN REVIEW PROCESS

Administrative site plans shall be reviewed as outlined in this Section.

- (A) **Application Materials:** An application for a administrative site plan review shall include the following:
- (1) **Application Form:** A signed and completed application form, made available by the Township;
 - (2) **Fee:** An application fee, as outlined in the adopted fee schedule;
 - (3) **Site Plans:** At least five (5) hard copies of the site plan and a digital copy of the site plan, in a format acceptable to the Township;
 - (4) **Additional Information:** Any additional information determined necessary by the Director of Planning and Zoning.
- (B) **Applicant's Responsibilities:** The applicant shall mark the property before submitting an application. The marking shall be maintained in good condition until a decision is made.
- (C) **Director of Planning and Zoning Review:** The Director of Planning and Zoning, following notice, shall approve, approve with conditions, or deny an administrative site plan using the standards in this Article.
- (1) **Notice:** The Director of Planning and Zoning shall provide notice to interested persons that an administrative site plan review application has been received and will be reviewed.
 - (2) **Approval:** If an administrative site plan is approved, the Director of Planning and Zoning shall cite the reasons for approval and any conditions of approval, and the applicant may apply for a Preliminary Certificate of Zoning Compliance.
 - (3) **Denial:** If an administrative site plan is denied, the Director of Planning and Zoning shall cite the reasons for denial.
- (D) **Decision Criteria:** The Director of Planning and Zoning shall approve or approve with conditions an administrative site plan upon finding that all of the applicable decision criteria outlined in §xx.55 of this Article are true.
- (E) **Copies of Approved Administrative Site Plan:** The applicant shall submit four (4) hard copies and a digital copy, in a format acceptable to the Township, of the approved administrative site plan. Two hard (2) copies shall be returned to the applicant after they have been stamped and signed.
- (1) **Modifications and Conditions:** The approved administrative site plan shall include any modifications and conditions required for approval.
 - (2) **Signatures:** The approved administrative site plan shall be stamped and signed by the Director of Planning and Zoning and signed by the applicant.
 - (3) **Record:** The approved administrative site plan shall become a part of the record.

- (F) **Expiration:** Administrative site plan approval shall be valid for eighteen (18) months from the date of approval.
- (1) **Preliminary Certificate of Zoning Compliance:** The applicant shall receive a Preliminary Certificate of Zoning Compliance within this time or the administrative site plan shall be considered expired.
 - (2) **Substantial Work Completed:** Substantial work on the project shall be completed within this time or the administrative site plan shall be considered expired.
 - (3) **Effect:** Administrative site plans that have expired shall be resubmitted for review as a new application, and all activity shall cease immediately, except for work directly related to securing the site.
 - (4) **Extension Request:** If an application for an extension has been submitted prior to the expiration date, the administrative site plan shall remain valid until the Director of Planning and Zoning makes a decision.
- (G) **Extension:** The Director of Planning and Zoning may grant one (1) extension of an approved administrative site plan for a period of up to one (1) year, upon finding that all of the following are true:
- (1) **Application Date:** The application for an extension was submitted prior to the expiration date;
 - (2) **Applicant Effort:** The applicant has made a good-faith effort to submit a Preliminary Certificate of Zoning Compliance in a timely manner, and the delay was not the result of actions or inaction of the applicant;
 - (3) **Substantial Changes:** There have been no substantial changes on abutting properties since the original approval that would raise concern of the impact of the approved administrative site plan on those properties or on the site; and
 - (4) **Current Standards:** The approved administrative site plan shall be in compliance with this Ordinance at the time of extension.
- (H) **Revocation:** An approved administrative site plan may be revoked by the Director of Planning and Zoning as outlined in this Article.
- (I) **Suspension:** An approved administrative site plan may be suspended temporarily and immediately by the Director of Planning and Zoning as outlined in this Article.
- (J) **As-built Plans:** The applicant shall submit one (1) hard copy and a digital copy, in a format acceptable to the Township, of the administrative site plan as constructed or shall certify that the site was developed exactly as-shown in the approved administrative site plan.

§ XX.50 - AMENDMENT OF AN APPROVED SITE PLAN

A site plan may be amended upon mutual consent of the property owner and the approving authority as outlined in this Section.

- (A) **Amended Preliminary Site Plans:** Amended preliminary site plans shall be reviewed as outlined in §x.35.
- (B) **Amended Final Site Plans:** Amended final site plans shall be reviewed as outlined in §x.40.
- (C) **Amended Administrative Site Plans:** Amended administrative site plans shall be reviewed as outlined in §x.45.

§ XX.55 - SITE PLAN DECISION CRITERIA

Site plans shall be approved, or approved with conditions, if the approving authority finds the following applicable criteria to be true:

<i>Table xx.55- Site Plan Decision Criteria</i>				
	Admin	Prelim	Final	Amend
(A) <i>Health, Safety, and Welfare:</i> The site and use shall not be injurious to the general health, safety, and welfare of the surrounding area and the Township.	x	x	x	x
(B) <i>Information:</i> All of the required information has been supplied or waivers have been granted.	x	x	x	x
(C) <i>Organization:</i> All elements of the site shall be harmoniously and efficiently designed in relation to topography, the size and type of the site, the character of the surrounding area, and the type and size of buildings.	x	x	-	x
(D) <i>Existing and Surrounding Uses:</i> The development shall be compatible with existing and possible future uses in the immediate area.	x	x	-	x
(E) <i>Ordinance Standards:</i> The site shall meet the provisions of this Ordinance for the proposed use.	x	-	x	x
(F) <i>Master Plan:</i> The use shall be generally consistent with the Master Plan.	x	x	-	x
(G) <i>Applicable Ordinances and Laws:</i> The site shall be consistent with this Ordinance, other Township Ordinances, and state and federal laws.	x	x	x	x
(H) <i>Privacy:</i> The site shall be arranged to provide reasonable visual, sound, and light privacy for all dwelling units located on it and in the surrounding area.	x	x	-	x
(I) <i>Access:</i> The site shall have adequate and safe access from existing public or private streets, and every structure and dwelling unit shall have access to a public or private street, sidewalk, or other dedicated common use area.	x	x	-	x
(J) <i>Street Capacity:</i> The street network shall be adequately able to accommodate the anticipated traffic generated by the site.	x	x	-	x
(K) <i>Circulation Arrangement:</i> The arrangement of streets, driveways, and trails in the site shall respect the pattern of existing and planned streets and pedestrian improvements in the area.	x	x	-	x
(L) <i>Internal Circulation:</i> The site shall be organized to provide safe and convenient vehicular and pedestrian movement within the site, including a pedestrian circulation system that is insulated as much as reasonable from the vehicular circulation system.	x	x	x	x
(M) <i>Emergency Access:</i> The site and buildings shall be arranged to provide for emergency access throughout the site and to all sides of buildings.	x	x	-	x
(N) <i>Hazardous Material Storage:</i> Adequate provisions shall be provided to contain any hazardous materials that may be used or stored on the site.	x	x	-	x
(O) <i>Landscaping:</i> There shall be adequate room on the site to provide the required landscaping.	-	x	-	-

<i>Table xx.55- Site Plan Decision Criteria (continued)</i>	Admin	Prelim	Final	Amend
(P) <i>Landscape Preservation:</i> The landscape shall retain, as much as possible, a natural state, by reasonably minimizing tree, vegetation, and soil removal and topographical modifications.	x	x	x	x
(Q) <i>Storm Water:</i> The storm water management system shall preserve natural drainage patterns, shall not increase flooding or sedimentation to other properties, and shall meet the standards of the Washtenaw County Water Resources Commissioner.	x	-	x	x
(R) <i>Water Supply:</i> An adequate water supply shall be approved.	x	-	x	x
(S) <i>Sewage System:</i> An adequate sewage system shall be approved.	x	-	x	x
(T) <i>Public Service Capacity:</i> The site shall not place an unreasonable burden on the provision of public services, such as, but not limited to, fire protection, police protection, schools, and utilities.	x	x	-	x
(U) <i>Original Approval:</i> The approval shall not negatively affect the original reasons or conditions of approval.	-	-	x	x

§ xx.60 - INSPECTIONS & MAINTENANCE

(A) **Inspections:** The Township shall inspect improvements associated with approved site plans.

- (1) *Subgrade Improvements:* All subgrade improvements, including, but not limited to, utilities, sub-base installations for drives and parking lots, storm water management, and similar, shall be inspected and approved prior to covering.
- (2) *Applicant's Responsibilities:* The applicant shall be responsible for requesting inspections in a timely manner.
- (3) *Costs:* All costs incurred by the Township to conduct inspections shall be paid by the applicant.

(B) **Maintenance:** The property owner shall be responsible for maintaining the property in a manner consistent with the approved site plan and development agreement.

§ xx.65 - APPEALS OF AN APPROVED SITE PLAN

(A) **Appeal:** Any person aggrieved by the decision of the approving authority to approve, approve with conditions, or deny a site plan shall have the right to appeal the decision to the Zoning Board of Appeals.

(B) **Filing Deadline:** An appeal of decision concerning a site plan shall be filed within ten (10) days of the decision.

(C) **Effect:** Filing of a completed appeal of decision application concerning a site plan shall stay any **Preliminary Certificate of Zoning Compliance** issued for the approved site plan until the appeal of decision has been decided. Any work associated with the site plan shall cease until the appeal of decision has been decided, but work necessary to secure the site may continue.

(D) **Record:** In hearing the appeal, the Zoning Board of Appeals shall consider the record established during the site plan review process; additional information shall not be considered.

End of Article xx.

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V 02.12.2016 PC