

Sec. 74-137. Conditions of approval.

In granting a conditional use permit, the Township Board shall impose conditions it deems necessary to achieve the objectives and standards of this chapter, the standards of the Michigan Zoning Enabling Act (MCL 125.3101 et seq.), and the public health, safety, and welfare of the Township. Failure to comply with any such conditions shall be considered a violation of this chapter. An approved conditional use permit, including all attached conditions, shall run with the parcel in the approval and shall remain unchanged except upon mutual consent of the Township Board and the landowner. Any such change shall be entered into Township records and recorded in the minutes of the Township Board meeting at which the action occurred. A public hearing shall be held on any proposed changes as required for an original application.

(Comp. Ords. 1990, § 130.2109)

Sec. 74-138. Reapplication.

No application for a conditional use permit which has been denied wholly or in part by the Township Board shall be resubmitted for a period of 365 days from the date of denial, except on grounds of new evidence or proof of changed conditions found by the Planning Commission to be valid.

(Comp. Ords. 1990, § 130.2110)

Secs. 74-139—74-170. Reserved.

DIVISION 4. SITE PLAN REVIEW*

Sec. 74-171. Authority.

The Planning Commission shall have the authority to review and approve or reject preliminary and final site plans as required in this article.

(Comp. Ords. 1990, § 130.2201)

Sec. 74-172. Development and uses requiring site plan review.

- (a) The following buildings, structures, and uses require site plan review:
- (1) A building containing two or more dwelling units;
 - (2) A mobile home park;
 - (3) Any principal nonresidential building or structure permitted in residential districts and any principal building and structures except single-family residences and all farm buildings and structures permitted in recreation-conservation and agriculture districts;
 - (4) Any building with a floor area greater than 500 square feet, or additions thereto, in any business and industrial districts;

***State law reference**—Site plans, MCL 125.686e, 125.686f.

- (5) More than one building or structure, except a sign, on a lot or parcel, or combination of lots under one ownership in any business and industrial districts;
- (6) Any principal use of a lot in any business and industrial district that does not involve a building, such as, but not limited to outdoor sales, outdoor displays, and storage of wrecked vehicles;
- (7) Public utility buildings and structures, but not including poles or towers;
- (8) Any parking lot or addition thereto containing five or more parking spaces;
- (9) Group foster care homes;
- (10) Conditional uses, as required in article II, division 3, conditional uses;
- (11) Planned unit developments, as required in section 74-56;
- (12) Any condominium development;
- (13) Any residential structure with a floor area greater than 5,000 square feet.

(b) The Zoning Officer shall not issue a certificate of zoning compliance, and the Building Inspector shall not issue a building permit for construction of or addition to any one of the buildings or structures listed in subsection (a) of this section, until a final site plan therefor has been approved and is in effect. A use not involving a building or structure, as listed in subsection (a) of this section, shall not be commenced or expanded, nor shall the Zoning Officer issue a certificate of zoning compliance, nor shall the Building Inspector issue an occupancy permit for such use until a final site plan has been approved and is in effect.

(c) No grading, removal of trees or other vegetation, landfilling or construction of improvements shall commence for any development which requires site plan approval until a final site plan is approved and is in effect, except as otherwise provided in this division.
(Comp. Ords. 1990, § 130.2202; Ord. No. 8-89, 8-21-1989)

Sec. 74-173. Preliminary site plan.

(a) *Application.* Any person with legal interest in a lot may apply for preliminary site plan approval therefor by filing completed forms, the review fee, and six full size preliminary site plan drawings 24 inches by 36 inches and 12 copies reduced to one-half size, 12 inches by 18 inches, with the Township Clerk. The Clerk, upon receipt of the application, shall transmit the preliminary site plan drawings to the Planning Commission at least 20 calendar days prior to its next meeting.

(b) *Information required.* Each preliminary site plan submitted for review shall provide the following information:

- (1) The site plan shall be of a scale not greater than one inch equals 20 feet nor less than one inch equals 200 feet, and of such accuracy that the Planning Commission can readily interpret the plan.
- (2) Location and description of site; dimensions and area, and vicinity map.

- (3) General topography, soil information.
- (4) Property owner's name, address; applicant's name, address, interest in property; owner's signed consent for preliminary site plan approval application if applicant is not the owner.
- (5) Scale, north arrow, date of plan.
- (6) Proposed buildings/structures: location, outline, general dimensions, distances between floor area, number of floors, height, number and type of dwelling units (where applicable).
- (7) Location and size of open areas, recreation areas.
- (8) Proposed streets/drives: general alignment, right-of-way (where applicable), surface type, and width.
- (9) Proposed parking: location and dimensions of lots, dimensions of spaces and aisles, angle of spaces, surface type, number of spaces.
- (10) Existing zoning classification of property; required yards; dwelling unit schedule, density of development, and lot area per dwelling unit schedule, density of development, and lot area per dwelling unit for residential projects; lot coverage (percent) and floor area ratio; location and size of required transition and landscape strips, if applicable.
- (11) Areas of intended filling, cutting; outline of existing building/structures and drives; existing natural and manmade features to be retained or removed.
- (12) Adjacent land uses; location of adjacent buildings; drives/streets.
- (13) Location, area of development phases; building program for each phase; projected schedule of development, by phase.
- (14) Location and width of easements on site.
- (15) General description of proposed water, sanitary sewer, and storm drainage systems.
- (16) Location, size, and type of existing trees and brush; location and description of existing wetlands, watercourses, and water bodies, whether intermittent or permanent; and the location and description of any other natural features on the site.
- (17) All drawings shall be on sheets no larger than 24 inches by 36 inches.
- (18) Location of any drain tile that serves the property, whether located on or off the property which is the subject of the site plan; and any drain tile on the property which serves other properties. If the applicant determines that no drain tile exists on the property, the applicant will provide a written statement to the Planning Commission representing that the applicant has made a good faith investigation into the existence of drain tile on the property, and that there is no evidence to indicate the presence of any drain tile on the property.

(c) *Standards for review.* In reviewing a preliminary site plan the Planning Commission shall consider the following standards:

- (1) That all required information has been provided.
- (2) That the proposed development as shown in the preliminary site plan conforms to all regulations of this chapter for the district in which it is located.
- (3) That the applicant is legally authorized to apply for site plan review.
- (4) That the movement of the vehicular and pedestrian traffic within the site and in relation to access streets and sidewalks will be safe and convenient.
- (5) That the proposed development will be harmonious with and not harmful, injurious, or objectionable to existing and future uses in the immediate area and is compatible with the general development plan.
- (6) That natural resources will be preserved to a maximum feasible extent; and that the development as proposed will not cause soil erosion or sedimentation, and will comply with, among others, Township ordinances regarding drainage and drain tiles.
- (7) That the proposed development is adequately coordinated with improvements serving the subject property and with other developments.
- (8) That the proposed development respects natural topography and minimizes the amount of cutting and filling required.
- (9) That organic, wet, or other soils not suitable for development will be undisturbed, or will be modified in an acceptable manner.
- (10) That the proposed development properly respects floodways and floodplains on or in the vicinity of the subject property.
- (11) That phases of development are in logical sequence so that any phase will not depend upon a subsequent phase for adequate access, public utility services, drainage, or erosion control.

(d) *Planning Commission action.* The Planning Commission shall study the plan and shall confirm that the applicant has provided all information and paid all fees required by this chapter for the preliminary site plan review. Within 135 days of the date of the meeting at which the Planning Commission confirms that all required information has been provided, and after all fees have been paid, the Planning Commission shall approve or reject the preliminary site plan. The Planning Commission may require changes in the plan, and may attach conditions to its approval. The Planning Commission shall advise the applicant in writing of its actions on a preliminary site plan. The time limit may be extended upon a written request by the applicant and approval by the Planning Commission. The Planning Commission may extend the time limit up to an additional 135 days if additional information or analysis is required.

(e) *Effect of approval.* Approval of a preliminary site plan by the Planning Commission shall indicate its acceptance of the proposed layout of buildings, streets, drives, parking areas, and other facilities and areas, and of the general character of the proposed development. The Planning Commission may, at its discretion, and with appropriate conditions attached, authorize issuance of permits by the Building Inspector for grading and foundation work on the basis of an approved preliminary site plan. The conditions to be attached to such permit issued for grading and foundation work shall include, but are not limited to, provisions for control of possible erosion, for exempting the Township from any liability if a final site plan is not approved, and for furnishing a bond for restoration of the site if work does not proceed to completion.

(f) *Expiration of approval.* Approval of a preliminary site plan shall be valid for a period of 180 days from the date of approval and shall expire and be of no effect unless an application for a final site plan for all or part of the area included in the approved preliminary site plan is filed with the Township Clerk within that time period. The Planning Commission secretary shall, within ten days of the date of approval of the preliminary site plan, transmit a written certification of such approval to the applicant. If a final site plan is submitted for only a part of the area included in the approved preliminary site plan, successive final site plans shall be filed at intervals no longer than two years from the date of approval of the previously approved final site plan. If such period is exceeded, the approved preliminary site plan will become invalid with respect to the remaining parts of the site, unless the applicant requests and is granted a one-year extension by the Planning Commission.

(Comp. Ords. 1990, § 130.2203; Ord. of 9-17-1990; Ord. No. 8-02, § 130.2203, 5-20-2002; Ord. No. 10-03, § 130.2203, 7-21-2003)

Sec. 74-174. Final site plan.

(a) *Application.* Following approval of a preliminary site plan, the applicant shall submit to the Township Clerk six full size final site plans, 24 inches by 36 inches, and other data and exhibits required by this section, the review fee, and a completed application form and 12 copies reduced to one-half size, 12 inches by 18 inches. The Clerk, upon receipt of the application, shall transmit the final site plan drawings to the Planning Commission at least ten days prior to its next regular meeting.

(b) *Information required.* Each final site plan submitted for review shall provide the following information and shall meet the following specifications:

- (1) The site plan shall be of a scale not greater than one inch equals 20 feet or less than one inch equals 200 feet, and of such accuracy that the Planning Commission can readily interpret the plan. More than one drawing shall be included as part of a final site plan where required by the Planning Commission for clarity.
- (2) Scale, north arrow, name and date of plan; date of any revisions thereto.
- (3) Name and address of property owner and applicant; interest of applicant in property; name and address of developer; owner's signed consent for final site plan approval application if applicant is not the owner.

- (4) Name and address of designer. A detailed site plan shall be prepared by a registered community planner, architect, landscape architect, engineer, or land surveyor.
- (5) A vicinity map; legal description of site; dimensions and lot area. Where a metes and bounds description is used, the lot line angle or bearings shall be indicated on the plan and the lot line dimensions and angles or bearings shall be based upon a boundary survey prepared by a registered surveyor.
- (6) Existing topography (minimum contour interval of two feet); existing natural features such as trees, wooded areas, streams, marshes, ponds, and other wetlands; clear indication of all natural features to remain and to be removed. Groups of trees shall be shown by an approximate outline of the total canopy; individual deciduous trees of six-inch diameter or larger and individual evergreen trees 12 feet in height or higher, not a part of group of trees, are to be accurately located on the plan.
- (7) Existing buildings, structures, and other improvements, including drives, utility poles and towers, easements, pipelines, excavations, ditches (elevations and drainage directions), bridges, culverts; clear indication of all improvements to remain and to be removed; deed restrictions, if any.
- (8) Owner, use, and zoning classification of adjacent properties; location and outline of buildings, drives, parking lots, other improvements on adjacent properties.
- (9) Existing public utilities on or serving the property; location and size of water lines and hydrants; location, size, and inverts for sanitary sewer and storm sewer lines; location of manholes and catchbasins; location and size of wells, septic tanks and drainfields.
- (10) Names and rights-of-way of existing streets on or adjacent to the property, surface type and width; spot elevations of street surface, including elevations at intersections with streets and drives of the proposed development.
- (11) Zoning classification of the subject property; location of required yards; total site area and floor area; total ground floor area and lot coverage (percent); floor area ratio. In the case of residential units, the plan shall note dwelling unit density, lot area per dwelling unit, and a complete schedule of the number, size, and type of dwelling units.
- (12) Grading plan, showing finished contours at a minimum interval of two feet, and correlated with existing contours so as to clearly indicate cut and fill required. All finished contour lines are to be connected to existing contour lines at the property lines.
- (13) Location and exterior dimensions of all proposed buildings and structures, location to be referenced to property lines or a common base point; distances between buildings; height and feet in stories; finished floor elevations and contact grade elevations.
- (14) Location and alignment of all proposed streets and drives; rights-of-way where applicable; surface type and width, and typical cross section of same showing base and

- subbase materials, dimensions, and slopes; location and typical details of curbing; turning lanes (where applicable) with details; location, width, surface elevations and grades of all entries and exits; curve radii.
- (15) Location and dimensions of proposed parking lots; number of spaces in each lot; dimensions of spaces and aisles; drainage pattern of lots; typical cross section showing surface, base, and subbase materials; angle of spaces.
 - (16) Location, width, and surface of proposed sidewalks and pedestrian ways.
 - (17) Location, use, size, and proposed improvements of open spaces and recreational areas; maintenance provisions for such areas.
 - (18) Location and type of proposed screens and fences; height, typical elevation and vertical section of screens, showing materials and dimensions.
 - (19) Location of proposed outdoor trash container enclosures; size, typical elevation, and vertical section of enclosure, showing materials and dimensions.
 - (20) Location, type, size, area, and height of proposed signs.
 - (21) Layout, size of lines, inverts, hydrants, drainage flow patterns, location of manholes and catchbasins for proposed utilities; location and size of retention ponds and degree of slope of sides of ponds; calculations for sizing of storm drainage facilities; location of electricity and telephone poles and wires; location and size of surface mounted equipment for electricity and telephone services; location and size of underground tanks where applicable; location and size of outdoor incinerators; location and size of wells, septic tanks, and drainfields, if on-site facilities are to be used. Final engineering drawings for all site improvements, such as but not limited to water, sanitary sewer, and storm sewer systems; streets, drives, and parking lots, retention ponds and other ponds or lakes; and retaining walls are to be submitted to and approved by the Township Engineer prior to Planning Commission approval of the final site plan. If on-site water and sewer facilities are to be used, a letter of approval of same by the county health department shall be submitted prior to Planning Commission approval.
 - (22) Landscape plan showing location and size of plant materials.
 - (23) Plan for the control of soil erosion and sedimentation during grading and construction operations and until a permanent ground cover is established. Such plan shall be approved by the county soil erosion and sedimentation control enforcing agent.
 - (24) Location of proposed retaining walls, and dimensions and materials of same; fill materials; typical vertical sections; restoration of adjacent properties, where applicable.
 - (25) Location, type, direction, and intensity of outside lighting.
 - (26) Right-of-way expansion where applicable; reservation or dedication of right-of-way to be clearly noted, dedication of right-of-way where applicable shall be executed, or provisions made for same prior to approval of the final site plan by the Planning Commission.

- (27) All drawings shall be on sheets no larger than 24 inches by 36 inches.
- (28) Location of any drain tile which serves the property, whether located on or off the property which is subject to the site plan; and any drain tile on the property which serves other properties. If the applicant continues to believe that no drain tile exists on the property, the applicant will provide an updated written statement to the Planning Commission representing that the applicant has made a good faith investigation into the existence of drain tile on the property, and that there is no evidence to indicate the presence of any drain tile on the property.

(c) *Standards for review.* In reviewing the final site plan, the Planning Commission shall determine whether the plan meets the following specifications and standards:

- (1) That the final site plan conforms to the preliminary site plan as approved by the Planning Commission.
- (2) That all required information is provided.
- (3) That the plan complies with all zoning regulations.
- (4) That the plan, including all engineering drawings, meets specifications of the Township for fire and police protection, water supply, sewage disposal or treatment, storm drainage, and other public facilities and services.
- (5) That the plan meets all specifications of this division.
- (6) That the drainage plan for the proposed development is adequate to handle anticipated stormwater runoff and will not cause undue runoff onto neighboring property or overloading of watercourses in the area, and complies with, among others, Township ordinances regarding drainage and drain tiles.
- (7) That the proposed development is coordinated with improvements serving the subject property and with other developments in the general vicinity.
- (8) That outside lighting will not adversely affect adjacent or neighboring properties, or traffic on adjacent streets.
- (9) That outdoor storage of garbage and refuse is contained, screened from view, and located so as not to be a nuisance to the subject property or neighboring properties.
- (10) That grading or filling will not destroy the character of the property or the surrounding area and will not adversely affect the adjacent or neighboring properties.
- (11) That parking layout will not adversely affect the flow of traffic within the site or to and from the adjacent streets.
- (12) That the plan meets the standards of other government agencies, where applicable, and that the approval of these agencies has been obtained or is assured.
- (13) That the plan provides for the proper expansion of existing public streets serving the site, where applicable.