

## **CHAPTER 14**

### **SITE PLAN REVIEW**

#### **SECTION 14.01**

##### **PURPOSE**

The purpose of this Chapter is to provide for consultation and cooperation between the applicant and the Township in order that the applicant may realize planned objectives in the use of land within the regulations of this Zoning Ordinance. It is also intended to ensure that the development be completed with minimum adverse effect on the use of adjacent **streets** and highways, and on the existing and future uses and the environment in the general vicinity.

#### **SECTION 14.02**

##### **SITE PLANS REVIEWED**

In accordance with the provisions of this Chapter, the **Township Board** shall be furnished a Site Plan of the proposed development prior to the creation of a use or the erection of a **building** in the **Districts** and conditions cited below:

A. All Permitted Uses within any **District** which includes the construction of a **building** addition with an enclosed floor area greater than 25 percent (25%) of the existing enclosed **building** floor area, and construction of a new **building** or **structure** with an enclosed **gross floor area** of five thousand (5,000) square feet or greater.

B. Special Land Uses in all **Zoning Districts**.

C. Site condominiums in any **District**.

D. The following shall be exempt from site plan review, except that the **Zoning Administrator** shall review a plan to ensure compliance with this Ordinance.

1. **Single family detached and two-family dwellings** (except those that are required to receive Special Land Use approvals).

2. **Farms.**
3. **Roadside stands** with less than two-hundred (200) square feet of sales area.
4. **State licensed residential family care facilities and family day care homes.**
5. **Home occupations.**

#### **SECTION 14.03**

##### **SITE PLAN REVIEW REQUIREMENTS**

A. Preliminary Site Plan Review

1. If the applicant elects to undergo a preliminary site plan review, ten (10) copies of a preliminary site plan shall be submitted for review by the **Township Board** prior to final site plan submittal. The purpose of such procedure is to allow discussion between the applicant and the **Township** to better inform the applicant of the acceptability of the proposed plans prior to incurring extensive engineering and other costs which might be necessary for final site plan approval.

2. Preliminary site plans shall include the following, unless deemed unnecessary, in writing, by the **Zoning Administrator**.

a. Small sketch of properties, **streets** and use of land within one half (½) mile of the area, including the zoning of surrounding property.

b. Ten (10) copies of a site plan at a scale not to exceed one (1) inch equals one hundred (100) feet (1" = 100'). The following items shall be shown on the plan:

(1) Existing adjacent **streets** and proposed **streets**.

(2) **Lot lines** and approximate dimensions.

(3) **Parking lots** and access points.

(4) Proposed buffer strips or screening.

(5) **Significant natural features**; and other natural characteristics, including but not limited to open space, stands of trees, brooks, ponds, floodplains, hills, and similar natural assets.

(6) Location of any **signs**.

- (7) Existing and proposed **buildings** on-site.
- (8) General topographical features including contour intervals no greater than five (5) feet.
- (9) All **buildings** and driveways within one hundred (100) feet of all **lot lines**. If adjacent property is vacant, the site plan shall indicate such fact.

c. A narrative (shown on the site plan or submitted separately) describing in general terms:

- (1) The overall objectives of the proposed development.
- (2) Approximate number of acres allocated to each proposed use, and gross area of **buildings, structure, off-street parking areas, streets** and drives, and open space.
- (3) **Dwelling unit** densities by type, if applicable.
- (4) Proposed method of providing sewer and water service, as well as other public and private utilities.
- (5) Proposed method of providing storm drainage.

3. The **Planning Commission** shall review the preliminary site plan and make such recommendations to the applicant that will cause the plan to be in conformance with the review standards required by this article. Such recommendations shall be forwarded to the **Township Board**. The **Township Board** shall advise the applicant as to the general acceptability of the proposed plan, but shall not be bound by any statements or indications of acceptance of the plan.

#### B. Final Site Plan Review

Ten (10) copies of a final site plan prepared by a licensed engineer, architect, or other design professional competent in such matters, shall be submitted for review. Applications for final site plan reviews shall include the following information, unless deemed unnecessary by the **Zoning Administrator**:

- 1. The date, north arrow, and scale. The scale shall be not less than 1"=20' for property

under three (3) acres, and at least 1"=100' for those three (3) acres or more.

- 2. The signed seal, name, and address of the professional individual, and firm, responsible for the preparation of the site plan.
- 3. The name and address of the property owner or petitioner.
- 4. A location sketch.
- 5. Legal description of the subject property or parent tract and leased parcel (if applicable).
- 6. The size (in acres) of the subject property, and approximate number of acres allocated to each proposed use. **Gross floor area** for **buildings and structure**, gross area for off-street **parking areas, streets** and drives, and open space shall also be indicated.
- 7. **Lot lines** and required **setbacks** shown and dimensioned.
- 8. The location of all existing **structure, driveways, and parking areas** within one hundred (100) feet of the subject property's boundary. If such land is vacant, the site plan shall indicate that fact.
- 9. The location and dimensions of all existing and proposed **structure** on the subject property including **dwelling unit** densities by type, if applicable.
- 10. The location of all existing and proposed drives (including dimensions and radii), acceleration and deceleration lanes, sidewalks, signs, exterior lighting, curbing, parking areas (including the dimensions of a typical parking space and the total number of parking spaces to be provided), and unloading areas.
- 11. The location, pavement width and right-of-way width of all roads, **streets**, and access easements within one hundred (100) feet of the subject property.
- 12. The existing zoning and use of all properties abutting the subject property.
- 13. The location of all existing vegetation and the location, type, and size of all proposed landscaping, and the location, **height** and type of existing and proposed fences and walls.
- 14. Size and location of existing and proposed utilities, including any proposed connections to public, or private community sewer or water supply systems.
- 15. The location and size of all surface water drainage facilities.

16. Existing and proposed topographic contours at a minimum of five (5) foot intervals.

17. Recreation areas, common use areas, flood plain areas and areas to be conveyed for public use and purpose.

18. A narrative and schedule describing any potentially hazardous materials and the methods of storage and handling of such materials.

#### **SECTION 14.04 APPLICATION AND REVIEW**

A. Site plans, a completed application form, and an application fee shall be submitted to the **Zoning Administrator**, by the petitioner or his designated agent, at least thirty (30) days prior to the next regular **Planning Commission** meeting. The **Zoning Administrator** shall cause the submittal to be placed on the agenda of the next regular **Planning Commission** meeting.

B. The **Planning Commission** shall review the site plan and make a recommendation to the **Township Board**, which shall have the responsibility and authorization to approve, disapprove, or approve subject to conditions, the site plan, in accordance with the provisions of this Chapter and the purpose of this Ordinance.

C. Any conditions or modifications desired by the **Township Board** shall be recorded in the official minutes of the **Township Board**.

D. Three (3) copies of the final approved site plan shall be signed and dated by the **Township Supervisor** and the applicant. One (1) of these approved copies shall be kept on file by the **Township Clerk**, one (1) shall be kept on file by the **Zoning Administrator**, and one (1) shall be returned to the petitioner or his designated representative.

E. Each development shall be under construction within one (1) year after the date of approval of the site plan, except as noted below. If neither of the provisions below are fulfilled, or the six (6) month extension has expired prior to construction, the site plan approval shall be null and void.

1. The **Township Board** may grant one (1) six (6) month extension of such time period, provided the applicant requests, in writing, an extension prior to the date of the expiration of the site plan.

2. The extension shall be approved if the applicant presents reasonable evidence to the effect that said development has encountered unforeseen difficulties beyond the control of the applicant, and the project will proceed within the extension period.

#### **SECTION 14.05 PLAT REQUIREMENTS**

In those instances in which Act 288, Michigan Public Acts of 1967, as amended, the Land Division Act, is involved, the owner shall, after Site Plan approval, submit the preliminary and final plats to the proper officer in conformance with Act 288, and in accordance with all other applicable codes, acts and ordinances. Such plats shall remain in conformance with the approved Site Plan.

#### **SECTION 14.06 ADMINISTRATIVE FEES**

A. Any Site Plan application shall be accompanied by a non-refundable fee, and refundable deposit fee, in amounts to be established by the **Township Board**.

B. Such deposit fee may be used to reimburse another party retained by the Township to provide expert consultation and advice regarding the application. The unused portion/balance shall be returned to the applicant.

#### **SECTION 14.07 CHANGES IN THE APPROVED SITE PLAN**

Changes to the approved site plan shall be permitted only under the following circumstances:

A. The holder of an approved site plan shall notify the **Zoning Administrator** of any proposed change to an approved site plan.

B. Minor changes may be approved by the **Zoning Administrator** upon determining that the proposed revision(s) will not alter the basic design nor any specified conditions imposed as part of the original approval. Minor changes shall include the following:

1. Change in any **building** size, up to five percent (5%) in **gross floor area**.
2. Movement of **buildings** or other **structure** by no more than ten (10) feet.
3. Replacement of plant material specified in the landscape plan with comparable materials of an equal or greater size.
4. Changes in **building** materials to a comparable or higher quality.
5. Changes in floor plans which do not alter the character of the use.
6. Changes required or requested by the **Township**, the Washtenaw County Road Commission, or other County, State, or Federal regulatory agency in order to conform to other laws or regulations.

C. A proposed change not determined by the **Zoning Administrator** to be minor shall be submitted to the **Township Board** as a site plan amendment, and shall be reviewed in the same manner as the original application.

**SECTION 14.08  
REVIEW STANDARDS**

The following standards shall be utilized by the **Township Board** in reviewing all site plans. These standards are intended to provide a frame of reference for the applicant in the preparation of site plans as well as for the reviewing authority in making judgment concerning them. These standards shall not be regarded as inflexible requirements, and are not intended to discourage creativity, invention, or innovation.

A. The uses proposed will not adversely affect the public health, safety, or welfare. Uses and **structure** located on the site shall take into

account topography, size of the property, the uses on adjoining property and the relationship and size of **buildings** to the site.

B. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.

C. Safe, convenient, uncongested, and well-defined vehicular and pedestrian circulation shall be provided for ingress and egress points, and within the site. Drives, **streets** and other circulation routes shall be designed to promote safe and efficient traffic operations within the site and at ingress and egress points.

D. The arrangement of vehicular and pedestrian connections to existing or planned streets in the area shall provide a safe and efficient circulation system for traffic within Lyndon Township.

E. Removal or alteration of **significant natural features** shall be restricted to those areas which are reasonably necessary to develop the site in accordance with the requirements of this Ordinance. The **Township Board** may require that landscaping, buffers, and greenbelts be preserved or provided to ensure that proposed uses will be adequately buffered from one another, and from surrounding public and private property.

F. Areas of natural drainage such as swales, wetlands, ponds, or swamps shall be protected and preserved, insofar as practical, in their natural state to provide areas for natural habitat, preserve drainage patterns, and to maintain the natural characteristics of the land.

G. The site plan shall provide reasonable visual and sound privacy for all dwelling units located therein, and adjacent thereto. Fences, walls, barriers, and landscaping shall be used, as appropriate, to accomplish these purposes.

H. All **buildings** and groups of **buildings** shall be arranged so as to permit necessary emergency vehicle access. To this end the

**Township** shall refer all site plans for review and comment by the Fire Authority for the **Township**.

I. All streets and driveways shall be developed in accordance with the **Township** Land Division Ordinance, the Washtenaw County Road Commission, or Michigan Department of Transportation specifications, as appropriate. Except that the **Township Board** may impose more stringent requirements than those for the Road Commission or Department of Transportation with respect to driveway location and spacing. In addition, sidewalks may be required if determined to be necessary or appropriate for pedestrians and non-motorized vehicles.

J. Appropriate measures shall be taken to ensure that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Provisions shall be made to accommodate storm water, prevent erosion and the formation of dust. The use of detention or retention ponds may be required. Surface water on all paved areas shall be collected at intervals so that it will not restrict vehicular or pedestrian traffic, or create puddles in paved areas. Catch basins may be required to contain oil filters or traps to prevent contaminants from being discharged to the natural drainage system.

K. Exterior lighting shall be arranged so that it is deflected away from adjacent properties, and so that it does not interfere with the vision of motorists along adjacent **streets**. Lighting of **buildings** or **structure** shall be minimized to reduce light pollution and preserve the rural character of the **Township**.

L. All loading and unloading areas, outside storage areas, and areas for the storage of trash which are visible from **Residential Districts** or public streets, shall be screened by a vertical screen consisting of structural or plant materials no less than six (6) feet in **height**. The finished side of any wall, fence, or other screen shall face adjacent properties.

M. Entrances and exits shall be provided at appropriate locations so as to maximize the convenience and safety for persons entering or leaving the site. The number of entrances to and exits from the site shall be determined with reference to the number of dwelling units or other land uses within the site, the nature and location of the surrounding **streets**, the effect of traffic in the area, nearby topography, and other factors.

N. Site plans shall conform to all applicable requirements of County, State, Federal, and Township statutes and ordinances. Approval may be conditioned on the applicant receiving necessary County, State, Federal, and Township permits before final site plan approval or an occupancy permit is granted.

O. Appropriate fencing may be required by the **Township Board** around the boundaries of the development if deemed necessary to minimize or prevent trespassing or other adverse effects on adjacent lands.

P. The general purposes and spirit of this Ordinance and the **Master Plan** of Lyndon Township shall be maintained.

#### SECTION 14.09 CONDITIONS OF APPROVAL

A. As part of an approval to any site plan, the **Township Board** may impose any additional conditions or limitations as in their judgment may be necessary for protection of the public interest.

B. Such conditions shall be related to and ensure that the review standards of this Chapter are met and shall meet the requirements of the **Zoning Act**.

C. Approval of a site plan, including conditions made as part of the approval, shall apply to the property described as part of the application and to all subsequent owners.

D. A record of conditions shall be maintained. The conditions shall remain unchanged unless an amendment to the site plan is approved in accordance with this Ordinance.

E. A record of the decision of the **Township Board**, the reason for the decision reached, and any conditions attached to such decision shall be kept and made a part of the minutes of the **Township Board**.

F. The **Zoning Administrator** may make periodic inspections of developments for which site plans have been approved. Non-compliance with the requirements and conditions of the approved site plan shall be considered violations of this Ordinance.

#### **SECTION 14.10 APPEAL**

A. If any person shall be aggrieved by the action of the **Township Board**, an appeal in writing may be submitted to the **Township Board of Appeals** within twenty-one (21) days after the date of such action. The **Board of Appeals** shall fix a time and place for a public hearing to be published in a newspaper prior to the hearing. All interested parties shall be afforded the opportunity to be heard thereat.

B. After such hearing, the **Board of Appeals** shall affirm or reverse the action of the **Township Board**, stating its findings and the reasons for its action and a written copy of such findings, reasons, and action shall be given to the appellant.