

**ARTICLE 18**  
**SITE PLAN REVIEW**

**Sec. 18.01 STATEMENT OF PURPOSE**

- 18.01.01 This Article is intended to insure a thorough evaluation of a site and the potential impacts on public health, safety and welfare in relationship to the Township Master Plan and Grand River Avenue Corridor Study, drainage, utilities, natural resources, traffic patterns, adjacent parcels, landscaping, signs and the character of future development.
- 18.01.02 **Site Plan Review.** The site plan review standards and procedures provide an opportunity for the Planning Commission to review a proposed use in terms of site preparation and grading, building footprint, parking supply and design, service areas, easements, access points, vehicular and pedestrian traffic flow, landscape design, relationship to adjacent uses, adequacy of utilities, stormwater management, placement of signs and lighting fixtures, preservation of significant natural features and aesthetics. This article is also intended to assist the Township in ensuring that buildings, structures, and uses are in conformity with the provisions of this zoning ordinance, other ordinances of the Township, and state or county or federal statutes.
- 18.01.03 **Impact Assessment.** The impact assessment is intended to accompany a site plan to specifically address the anticipated impact of a proposed use on the natural features, economic climate, social environment, public infrastructure and public services in the Township. The impact assessment is intended to allow reasonable use of property while ensuring the long term community benefits associated with preserving environmentally sensitive lands and aesthetic resources; preventing erosion, excessive runoff or siltation; preventing flooding or water pollution; preserve natural water collection areas for purposes of protecting water quality and quantity; preserve certain habitats for wildlife; prevent excessive runoff and maintain water levels so as not to destroy vegetation; protect woodlands which moderate climatic extremes, recharge ground and surface water; buffer sight and sound; and, protect soils and watersheds.
- 18.01.04 **Approval Required.** Approval of a site plan by the Planning Commission and impact assessment by the Township Board shall be required prior to issuance of a land use permit for certain buildings, structures, and uses that may have an adverse impact. For impact assessments and special land uses, where approval by the Township Board is required, the site plan shall also be reviewed to determine if any changes are needed to comply with the impact assessment standards of Section 18.08 or the special land use standards of Article 19.

**Sec. 18.02 USES REQUIRING SITE PLAN REVIEW AND IMPACT ASSESSMENT**

Site Plan Review and approval shall be required for the following list of proposed types of construction or improvement. The level of approval varies between Township Board (TB), Planning Commission (PC) or Zoning Administrator (ZA) approval depending upon the extent of construction proposed. An environmental impact assessment is required to accompany any full site plan for approval by the Township Board, based upon the recommendation of the Planning Commission. Sketch plans are less detailed and do not require an environmental impact assessment. Items that are exempt from site/sketch plan approval still require a land use permit. All construction or building modification is subject to county building permit requirements.

<b>Table 18.2 Site Plan and Sketch Plan Review Requirements</b>			
	Site Plan Approval	Sketch Plan Approval	Land Use Permit
<b>New Construction</b>			
Construction of any building or structure in any zoning district for a non-residential use, except a farm	PC		
Construction of any building or structure containing three or more dwelling units in any zoning district	PC		
Public or essential service buildings or structures including, public utility buildings and structures, telephone exchange buildings, electric transformer stations and substations, gas regulator stations, natural gas distribution or storage facilities and transmission towers	PC		
Establishment of a new special land uses (see Article 19)	TB		
Planned Unit Development (see Article 10)	TB		
Establishment of a condominium (see Section 12.07)	TB		
Construction, reconstruction, erection and/or expansion of a single-family or two-family dwelling on a single lot or parcel			ZA
Construction of farm buildings or structures, when permitted in the particular zoning district			ZA
Construction or extension of a private road (see Article 15)	PC		
<b>Expansion/Modification to Existing Building</b>			
A cumulative expansion of more than 10% from the original site plan of the square footage of the non-residential building, provided that any previous minor expansions be considered in making the determination	PC		
A cumulative expansion of no more than 10% from the original site plan of the square footage of the building		PC	
Construction solely on the building interior that does not increase usable floor area			ZA
Upgrades to building façade to meet architectural standards of section 12.01			ZA
Expansion of an existing special land use (see Article 19)	Sec. 19.06		
<b>Change in Use</b>			
Any change of use in land or building to a more intensive use, as determined by the Zoning Administrator, that may involve substantial change in such features as parking, traffic flow, hours of operation, public services, effluent discharge, that may entail substantial alteration of an important physical aspect of the site	PC		
Change in use to a special land use (see Article 19)	TB		
Reuse of an existing building where no building expansion is proposed only if the Zoning Administrator determines the new use is similar or less intense than the past use in terms of parking, traffic generation, drainage, utility needs, noise, aesthetics and other external impacts		ZA	
Family day care and foster care family homes in any zoning district			ZA
<b>Accessory Structures and Site Improvements</b>			
Non-residential accessory structures		PC	
Construction of a new parking lot or addition to an existing parking lot that results in more than 5 new spaces	PC		
Paving or expansion to an existing parking lot that results in 5 or fewer new spaces		ZA	
Construction or erection of signs, retaining walls, fences, buffer walls, refuse storage stations, sidewalks, antennas, lights, poles, cooling/heating or other mechanical equipment			ZA
Permitted accessory buildings and structures which are accessory to a single family or two-family dwelling in any zoning district			ZA

**Sec. 18.03 SITE PLAN REVIEW PROCEDURES.**

The process for site plan and impact assessment review is illustrated in Figure 1.03.01.

- 18.03.01 **Optional Conceptual Review.** The applicant has the option to meet with the Planning Commission at a regularly scheduled meeting to present a conceptual site plan. The purpose of this meeting is to allow the applicant to introduce the site plan concept, and receive comments or direction from the Planning Commission on the site plan or the need for additional material to evaluate the impacts of the use, such as a traffic or environmental studies. No formal action shall be taken. The applicant shall submit the following information in accordance with the review schedule and procedures adopted by the Planning Commission:
- (a) Application form;
  - (b) Conceptual review fee;
  - (c) The name and address of the owner and any designated representative of the owner;
  - (d) Written description of the proposed use;
  - (e) Conceptual site plan, illustrating existing site features, lot dimensions, general footprints for proposed buildings and parking, and relationship to adjacent land uses; and,
  - (f) A location map.
- 18.03.02 **Application.** Any person with legal interest in a lot or parcel may apply for review of a site plan and impact assessment by filing completed application forms, review fee and copies of the site plan and impact assessment with the Zoning Administrator in accordance with the review schedule and procedures adopted by the Planning Commission.
- 18.03.03 **Transmission.** The Zoning Administrator shall transmit the site plan and impact assessment to the Planning Commission and staff prior to the meeting.
- 18.03.04 **Review.** The Planning Commission shall review the site plan and environmental impact studies for compliance with the standards of Section 18.08, the requirements of this ordinance and other appropriate ordinances and statutes, staff, and consultant reports and shall either:
- (a) Approve the site plan pending approval of the Impact Assessment by the Township Board. The Planning Commission shall provide the Township Board with comments on the Impact Assessment.
  - (b) Approve the site plan with conditions which the Planning Commission determines are reasonable and necessary to ensure conformance with applicable ordinances and statutes. These conditions shall be listed in the motion. The applicant shall submit a revised site plan to the Township that incorporates the conditions imposed by the Planning Commission. The Zoning Administrator shall have the authority to sign the final site plan as approved upon determination that the conditions have been met. If the Zoning Administrator determines that the conditions have not been met, the site

plan shall be referred back to the Planning Commission. The Township Board shall not consider the Impact Assessment until a revised site plan has been submitted.

- (c) Upon determining that the site plan does not meet the standards, spirit and intent of this zoning ordinance and other appropriate ordinances and statutes, the Planning Commission shall deny the site plan or table action and direct the applicant to make modifications and resubmit the site plan. The applicant shall be required to prepare revised plans accompanied by a complete list of all changes with a certification, by the applicant's design professional that no other changes have been made. The Impact Assessment would receive no further action. If revisions are requested for the Impact Assessment, the revised document shall highlight all modified text.
- (d) **Implementation.** The adopted minutes of the Planning Commission shall serve as the official record of the Planning Commission's decision on a site plan, including any conditions of approval. The applicant shall be responsible for obtaining a copy of the adopted minutes, and submittal of revised plans and documents that demonstrate compliance with any conditions. Any question on the decision should be made in writing to the Planning Commission prior to adoption of the minutes.

**18.03.05 Impact Assessment Approval by Board.** Upon approval of the site plan by the Planning Commission, the Township Board shall receive the environmental impact assessment for action at a regularly scheduled meeting. The Township Board shall have final authority on approving the Impact Assessment, giving consideration to the comments of the Planning Commission. Final action by the Township Board on the Impact Assessment shall constitute final site plan approval. The Township Board shall either.

- (a) Approve the Impact Assessment. The applicant may then submit the necessary plans and documents for a land use permit(s).
- (b) Approve the Impact Assessment with conditions. The Township Board shall specify the conditions and may grant authority for administrative approval by the Zoning Administrator if a revised Impact Assessment meeting the conditions is received within thirty (30) days or another specified time period.
- (c) Deny the Impact Assessment as not meeting the standards of Section 18.08.

**18.03.06 Amendments or Deviations.** The site plan and impact assessment may be amended through the same procedure followed in the original granting of approval. Minor changes may be approved by the Zoning Administrator, as outlined in Section 18.10.

**18.03.07 Special Uses.** For site plans associated with Special Land Uses the standards of both this Article and Article 19 "Special Land Uses" shall be applied.

## **Sec. 18.04 REQUIRED SITE PLAN CONTENTS**

Each Site Plan submitted to the Township Planning Commission shall be in accordance with the provisions of this Ordinance. No site plan shall be considered until reviewed by the Zoning Administrator. The following information shall be included in the site plan submittal packet:

**18.04.01 Application form and fee.** A completed application form and payment of a non-refundable application fee.

18.04.02 **Applicant information.** The name and address of the property owner and applicant, interest of the applicant in the property, the name and address of developer, and current proof of ownership of the land to be utilized or evidence of a contractual ability to acquire such land, such as an option or purchase agreement.

18.04.03 **Scale.** The site plan shall be drawn at an engineers scale on sheets measuring 24 x 36 inches at the scale noted below. Where a larger development is shown on more than one sheet, a composite sheet of the overall site shall also be provided.

Acreage	Scale
160 or more	1" = 200'
5 - 159.9	1" = 100'
2 - 4.99	1" = 50'
1 - 1.99	1" = 30'
0 - .99	1" = 20'

18.04.04 **Cover Sheet containing:**

- (a) The name and address of the project.
- (b) The name, address and professional seal of the architect, engineer, surveyor or landscape architect responsible for preparation of the site plan.
- (c) A complete and current legal description and size of property in acres and square feet. Where a metes and bounds description is used, lot line angles or bearings shall be indicated on the plan. Lot line dimensions and angles or bearings shall be based upon a boundary survey prepared by a registered surveyor and shall correlate with the legal description.
- (d) A small location sketch of sufficient size and scale to locate the property within the Township.
- (e) Title block with north arrow, date of preparation and any revisions.

18.04.05 **Existing Conditions Sheet(s) illustrating:**

- (a) All existing lot lines and dimensions, including setback lines and existing or proposed easements.
- (b) Existing topography (minimum contour interval of two feet).
- (c) Existing natural features such as streams, marshes, ponds; wetlands labeled with size and type (upland, emergent, etc.).
- (d) Existing woodlands shall be shown by an approximate outline of the total canopy; individual deciduous trees of eight (8) inch caliper or larger and individual evergreen trees six (6) feet in height or higher, where not a part of a group of trees, shall be accurately located and identified by species and size (caliper for deciduous, height for evergreens).

- (e) Soil characteristics of the parcel to at least the detail as provided by the Soil Conservation Service Soil Survey of Livingston County. A separate map or overlay at the same scale as the site plan map may be used.
- (f) Zoning and current land use of applicant's property and all abutting properties and of properties across any public or private street from the site.
- (g) Indication of existing drainage patterns, surface or water bodies.
- (h) The limits of any wetland regulated by the MDEQ, including attachment of any MDEQ approved wetland determination or documentation that an application for MDEQ review has been submitted. If an MDEQ regulated wetland is to be impacted, an indication of the status of application for an MDEQ wetland permit or copy of such a permit including description of any wetland mitigation required, shall be attached.
- (i) Aerial photograph indicating the limits of the site, surrounding land uses and street system.

**18.04.06 Proposed Project Information:**

- (a) Base information. The location of all existing buildings, structures, street names and existing right-of-way, utility poles, towers, drainage ditches, culverts, pavement, sidewalks, parking areas and driveways on the property and within one-hundred (100) feet of the subject property (including driveways on the opposite side of any street). Notes shall be provided indicating those which will remain and those which are to be removed.
- (b) Building information. Footprints, dimensions, setbacks, typical floor plans to scale.
- (c) Building elevations. Elevations drawings shall be submitted illustrating the building design and height, and describing construction materials for all proposed structures. Elevations shall be provided for all sides. Any rooftop or ground mounted equipment shall be shown. The Planning Commission may require color renderings of the building. Proposed materials and colors shall be specified on the plan and color chips or samples shall also be provided at the time of site plan review. These elevations, colors and materials shall be considered part of the approved site plan.
- (d) Building and lot coverage. Percentage of building coverage and impervious surface ratio (all paved areas and buildings v. total lot area) compared to the percentages specified in the zoning district.
- (e) Residential developments. Number of residential units for each project phase divided by acreage exclusive of any public right-of-way or private road access easement; lot area for each lot; recreation area and a description of the number of each unit by size and number of bedrooms; if a multi-phase development is proposed, identification of the areas included in each phase. For condominium developments, the building envelope shall be illustrated on a site plan.
- (f) Commercial and office uses: The gross floor area and useable floor area of each use or lease space. For industrial uses: The floor area devoted to industrial uses and the area intended for accessory office use.

- (g) Streets, driveways and circulation. The layout and dimensions of streets and drives (including grades, existing or proposed right-of-way or easement and pavement width, number of lanes and typical cross section showing surface and subbase materials and dimensions, grades of all entrances and exits, location and typical detail of curbs, intersection radii), access points (including deceleration or passing lanes, distance from adjacent driveways or street intersection), sidewalks (width, pavement type and distance from street) and recreation areas. Written verification of any access easements or agreements for shared access or driveway curb return extending beyond the property line shall be required.
- (h) Utilities. Existing and proposed locations of utility services (with sizes); 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 drain fields; location of manholes, catch basins and fire hydrants; location, size, and inverts for storm and sanitary sewers, any public or private easements; notes shall be provided clearly indicating which existing services will remain and which will be removed.
- (i) Grading and drainage. A site grading plan for all developments where grading will occur, with existing and proposed topography at a minimum of two (2) foot contour intervals and with topography extending a minimum of twenty (20) feet beyond the site in all directions and a general description of grades within fifty (50) feet, and further where required to indicate stormwater runoff into an approved drain or detention/retention pond so as to clearly indicate cut and fill required. A general description and location of the stormwater management system shall be shown including degrees of slope of sides of retention/detention ponds and calculations for size of storm drainage facilities. The Township Engineer may require detailed design information for any retention/detention ponds and stormwater outfall structures or basins. If MDEQ regulated wetlands are to be used, status of MDEQ permit application or copy of permit with attached conditions shall be provided.
- (j) Landscape and screening. A landscape plan indicating proposed ground cover and plant locations and with species, and common plant name, number and size at installation. For any trees to be preserved, a detail shall be provided to illustrate protection around the tree's drip line. Berms, retaining walls or fences shall be shown with elevations from the surrounding average grade. The location, type and height of proposed fences or walls shall be described.
- (k) Waste receptacles. Location of proposed outdoor trash container enclosures; size, typical elevation, and vertical section of enclosures; showing materials and dimensions.
- (l) Parking and loading. Parking, storage and loading/unloading areas, including the dimensions of a typical space, aisle, and angle of spaces. The total number of parking and loading/unloading spaces to be provided and the method by which the required parking was calculated shall be noted.
- (m) Lighting. Details and specifications of exterior lighting including location, height, method of shielding and style of fixtures.

- (n) Signs. Locations of all signs including location, size, area, type, height and method of lighting. Note that all regulatory signs shall meet the standards from the Michigan Manual of Uniform Traffic Control Devices (MMUTCD).

18.04.07 **Site flagged.** The applicant shall erect flagged stakes at the perimeter points of the property to assist Township officials and staff in reviewing the site.

#### **Sec. 18.05 WAIVER FROM REQUIRED SITE PLAN SUBMITTAL ITEMS**

The Zoning Administrator may waive particular site plan submittal item(s) upon determination that the item is not required for review of the project. In particular, the comprehensive list of submittal items may not be required for a minor revision or improvement to an existing site. A statement explaining the waiver shall be provided to the Planning Commission or Township Board when material is distributed for review.

#### **18.06 SKETCH PLANS**

18.06.01 **Sketch Plans.** Sketch plan approval shall follow the procedures outlined for site plan review, with separate review fees as established by the Township Board.

18.06.02 **Sketch plan contents.** Minimum contents of a sketch plan include:

- (a) Drawn to an engineers scale.
- (b) Application form and fee.
- (c) Proof of ownership.
- (d) Legal description of the property.
- (e) Property lines.
- (f) Existing and proposed buildings and parking lots with dimensions and setbacks.
- (g) Existing and proposed parking calculations.
- (h) Existing and proposed driveways.
- (i) Existing and proposed signs.
- (j) Existing and proposed landscaping illustrated on a plan and described in a plant list.
- (k) Layout of proposed changes to utilities.
- (l) Any proposed changes to grading, lighting, dumpsters, protected or landmark trees.
- (m) Architectural perspective or elevations of proposed changes to buildings.
- (n) Any other items requested by Township staff or the Planning Commission to assist in the review.

**Sec. 18.07 WRITTEN IMPACT ASSESSMENT REQUIREMENTS**

A written impact assessment shall accompany the site plan submittal and include at least the following information:

- 18.07.01 **Preparer.** Name(s) and address (es) of person(s) responsible for preparation of the impact assessment and a brief statement of their qualifications.
- 18.07.02 **Location.** Map(s) and a written description/analysis of the project site including all existing structures, manmade facilities, and natural features. The analysis shall also include information for areas within 100 feet of the property. An aerial photograph or drawing may be used to delineate these areas.
- 18.07.03 **Impact on natural features.** A written description of the environmental characteristics of the site prior to development and following development, i.e., topography, soils, geology, wildlife, woodlands, mature trees (eight inch caliper or greater), ground water (depth to aquifer(s), impermeable soil layers and identification of nearby wells), wetlands, drainage, lakes, streams, creeks, ponds, and surface and ground water quality. Documentation by a qualified wetland specialist shall be required wherever the Township determines that there is a potential regulated wetland. Written material may be accompanied by reduced copies of the Existing Conditions Map(s) or aerial photographs.
- 18.07.04 **Impact on stormwater management.** Description of natural drainage patterns, and soil infiltration and water capacity. A description of changes to site drainage and stormwater management facilities to be installed. Description of measures to control soil erosion and sedimentation during grading and construction operations and until a permanent ground cover is established. Recommendations for such measures may be obtained from the County Drain Commissioner.
- 18.07.05 **Impact on surrounding land uses.** Description of the types of proposed uses and other man made facilities, including any project phasing, hours of operation and an indication of how the proposed use conforms or conflicts with existing and potential development patterns. Compatibility with current and planned adjacent development, as well as the proposal's conformance with the Master Plan shall be described. A description shall be provided of any increases in light, noise or air pollution that could negatively impact adjacent properties. The description shall include the hours sites will be illuminated on the interior and exterior of the building and the intensity. In addition, methods to be used to control dust during construction must be described to address air pollution. Any increase or reduction in air pollutants (sulfur dioxide, nitrogen dioxide, carbon monoxide, ozone, and lead total suspended particulate matter) shall be documented. Noise levels generated by the use with a level exceeding 65 decibel at the property line shall be documented. The suitability of the site's ambient noise levels for the proposed use shall be described. Modification to the aesthetic character of the area, obstruction of views or sunlight shall be identified. Compliance with the site performance standards contained in Section 13.05 shall be described.
- 18.07.06 **Impact on public facilities and services.** Describe the number of expected residents, employees, visitors or patrons, and the anticipated impact on public schools, recreation facilities, police protection, fire protection and emergency services. Letters from the appropriate agencies may be provided, as appropriate.
- 18.07.07 **Impact on public utilities.** Describe the method to be used to serve the development with water and sanitary sewer facilities; the method to be used to control drainage on the site and

from the site, including runoff control during periods of construction. For sites served with or expected to be served with public sanitary sewer or public water systems, calculations for pre- and post development flows shall be provided in comparison with sewer line capacity. Expected sewage rates shall be provided in equivalents to a single family home. Where septic systems or private individual water supply systems are proposed, final approval from the Livingston County Health Department shall be provided. The discharge of sump pumps or backwash from water conditioning devices shall not be discharged to the sanitary sewer system. All sites are required to utilize a potassium based softening agent; salt or sodium based regenerates are prohibited. Other utilities serving the site shall be identified. The method of solid waste disposal shall be documented. (as amended 3/5/10)

18.07.08 **Storage and handling of any hazardous materials.** A description of any hazardous substances expected to be used, stored or disposed of on the site. The information shall describe the type of materials, location within the site and method of containment. Documentation of compliance with federal and state requirements, and a Pollution Incident Prevention Plan (PIPP) shall be submitted, as appropriate. A detailed description of any underground storage tanks and the materials to be stored shall be documented and appropriate permits obtained from the State Police Fire Marshal Division, Hazardous Materials Section. If flammable or combustible liquids are to be stored in fixed aboveground storage containers with a capacity greater than 1,100 gallons, this shall be documented and appropriate permits obtained from the State Police Fire Marshal Division. Storage of pesticide or fertilizer in quantities greater than 55 gallons or 100 pounds shall be documented and appropriate permits obtained from the Michigan Department of Agriculture, Pesticide and Plant Pest Division. All necessary permits shall be included within the appendix of the Environmental Impact Assessment.

18.07.09 **Traffic Impact Study.**

- (a) Traffic impact studies shall be required as follows:
  - (1) A Traffic Impact Assessment that evaluates current and future traffic operations at site access points shall be required for projects which could generate 50-99 directional trips during a peak hour.
  - (2) A traffic Impact Statement that evaluates current and future traffic operations at site access points and major signalized or non-signalized intersections in proximity to the site shall be required for any proposed development which would be expected to generate over one hundred (100) directional trips during the peak hour of the traffic generator or the peak hour on the adjacent streets, or over seven hundred fifty (750) trips in an average day. The exact study area of a Traffic Impact Statement shall be established by the Township Engineer.
- (b) Traffic Impact Statement or Assessment shall also be required for new phases or changes to a development where a traffic study is more than two (2) years old and roadway conditions have changed significantly (volumes increasing more than 2 percent annually); or for a change or expansion at an existing site where the increased land use intensity is expected to increase traffic by at least fifty (50) directional trips in a peak hour or result in at least 750 vehicle trips per day for the entire project.
- (c) The contents of the traffic impact study shall include:

- (1) Illustrations and a narrative which describes the characteristics of the site and adjacent roadway system (right-of-way, functional classification, lane configuration, speed limits, any sight distances limitations, current traffic conflicts, etc.) This description should include surrounding land uses, expected development in the vicinity which could influence future traffic conditions, special site features and a description of any committed roadway improvements. The study should define and justify the study area selected for analysis.
- (2) For a rezoning, a description of the potential uses which would be allowed, compared to this allowed under current zoning. For a site plan review, mobile home park, condominium project, a subdivision tentative preliminary plat, or specified Special Land Uses; a description of factors such as the number and types of dwelling units, the gross and usable floor area, the number of employees and shift change factors. Intended phasing or future expansion should also be noted.
- (3) Existing traffic conditions including existing peak-hour traffic volumes (and daily volumes if applicable) on street(s) adjacent to the site. Existing counts and levels of service for intersections in the vicinity which are expected to be impacted, as identified by the Planning Commission or its staff/consultants shall be provided for projects requiring a Traffic Impact Statement. Traffic count data shall be collected using accepted practices and shall not be over two (2) years old.
- (4) The existing right-of-way shall be identified along with any planned or desired expansion of the right-of-way requested by the applicable road agency.
- (5) The traffic study shall include traffic generated by other projects in the vicinity which have been approved or are under construction.
- (6) For any project with a completion date beyond one (1) year at the time of the traffic study, the analysis shall also include a scenario analyzing forecast traffic at date of completion along the adjacent street network using a forecast based on a network traffic assignment model (if available), historic annual percentage increases and/or future development in the area which has been approved.
- (7) Forecasted trip generation of the proposed use for the a.m. (if applicable) and p.m. peak hour and average day. The forecasts shall be based on the data and procedures outlined in the most recent edition of Trip Generation published by the Institute of Transportation Engineers (ITE). The applicant may use other commonly accepted sources of data or supplement the standard data with data from at least three (3) similar projects in Michigan.
- (8) Any trip reduction for pass-by trips, transit, ridesharing, other modes, internal capture rates, etc. shall be based both on ITE findings and documented survey results acceptable to the Township and applicable road agency. The community may elect to reduce the trip reduction rates used.

- (9) For projects intended to be developed in phases, the trip generation by phase shall be described.
  - (10) Trip Distribution. The projected traffic generated shall be distributed (inbound v. outbound, left turn v. right turn) onto the existing street network to project turning movements at site access points, and nearby intersections where required. Projected turning movements shall be illustrated in the report. A description of the application of standards engineering procedures for determining the distribution should be provided (trip distribution model, market studies, counts at existing driveways, etc.).
  - (11) Level of service or "capacity" analysis at the proposed access points using the procedures outlined in the most recent edition of the Highway Capacity Manual published by the Transportation Research Board. For projects requiring a Traffic Impact Statement or Regional Traffic Analysis, before and after capacity analyses shall also be performed for all street intersections where the expected traffic generated at the site will comprise at least five percent (5%) of the existing intersection capacity, unless other intersections are identified by the Township. Gap studies for unsignalized intersections shall be provided where applicable.
  - (12) The report shall include a map and description of the location and design of proposed access (driveways or new street intersections) including. any sight distance limitations, dimensions from adjacent driveways and intersections within 250 feet on either side of the main roadway, potential for shared access facilities, data to demonstrate that the number of driveways proposed is the fewest necessary, support that the access points will provide safe and efficient traffic operation and be in accordance with the standards of Article 15 and the applicable road agency. Comments shall also be provided on internal circulation design such as the adequacy of queuing (stacking) at site access points and other features which may affect traffic operations and safety.
  - (13) The study shall outline mitigation measures and demonstrate any changes to the level of service achieved by these measures. Any alternatives or suggested phasing of improvements should be described. The mitigation measures may include items such as roadway widening, need for bypass lanes or deceleration tapers/lanes, changes to signalization, use of access management techniques or a reduction in the proposed intensity of use. Proposed mitigation measures should be discussed with the Livingston County Road Commission and Michigan Department of Transportation, as applicable. The responsibility and timing of roadway improvements shall be described.
- (d) Qualifications of Preparer. The person responsible for the preparation of the study shall have a degree or specific professional training in the preparation of traffic impact studies. The preparer shall have at least three (3) years of recent experience in the preparation of traffic impact studies, provide evidence of ongoing experience and familiarity with the Highway Capacity Manual and other traffic operation evaluation techniques, be an associate (or higher) member of one or more professional transportation-related organizations, and be either a registered professional engineer (PE) or a planner with AICP or PCP certification. Any study

involving roadway or traffic signal design work shall be prepared by or under the supervision of a registered engineer (PE) with specific training in traffic engineering.

- (e) The requirement for a traffic impact study, or the specific study elements required may be waived or modified by the Planning Commission based on input from Township staff and consultants or a representative of the applicable road agency. Reasons for the waiver or modification shall be documented. Factors to be considered include:
  - (1) Roadway improvements are scheduled which are expected to mitigate any impacts associated with the proposed project.
  - (2) The existing level of service along the roadway is not expected to drop below C due to the proposed project.
  - (3) The existing level of service is not expected to be significantly impacted by the proposed project due to specific conditions at this location.
  - (4) A similar traffic study was previously prepared for the site and is still considered applicable.

18.07.10 **Historic and Cultural Resources.** If the proposal involves the alteration or demolition of structures 50 years old, or older, the historic significance of the structure on a local, regional and state level shall be identified. If a structure to be altered or demolished is on the State or National Register of Historic Places, all necessary documentation shall be provided to the Michigan Department of State, Bureau of Michigan History, State Historic Preservation Office.

18.07.11 **Special Provisions.** General description of any deed restrictions, protective covenants, master deed or association bylaws shall be included or attached as an exhibit.

18.07.12 A list of all sources shall be provided.

18.07.13 Any impact assessment previously submitted relative to the site and proposed development which fulfills the above requirements may be submitted to satisfy the Impact Assessment requirement.

## **Sec. 18.08 STANDARDS FOR APPROVAL OF SITE PLAN AND IMPACT ASSESSMENT**

Based upon the following standards, the Planning Commission or Township Board, as applicable, may approve, or approve with conditions or deny the site plan and impact assessment.

18.08.01 **Building relationships.** Buildings and structures will meet or exceed setback standards, height and other dimensional standards, and be placed to preserve environmentally sensitive areas. Maximum building and lot coverage (impervious surface ratios) are consistent with the standards required by the zoning district.

18.08.02 **Impact on surrounding land uses and zoning.** The proposed site plan will be harmonious with, and not harmful, injurious, or objectionable to, existing and planned future uses in the immediate area. The proposed development will be coordinated with improvements serving the subject property and with the other developments in the vicinity.

- 18.08.03 **Views.** Placement and height of buildings, structures and parking shall preserve existing views of lakes, woodlands and other significant visual resources to the greatest extent reasonable.
- 18.08.04 **Architecture.** Proposed architecture shall complement the character of the surrounding area and comply with the standards of Section 12.01.
- 18.08.05 **Preservation of wetlands.** Regulated and non-regulated wetlands, and organic soils are preserved or modified in an acceptable manner. Required wetland setbacks are provided.
- 18.08.06 **Stormwater management and Soil Erosion Control.** The development will not substantially reduce the natural retention storage capacity of any watercourse, thereby increasing potential for flooding. Provisions have been made to accommodate stormwater which complements the natural drainage patterns and wetlands, prevents erosion and the formation of dust. On-site storage or sedimentation ponds may be required to reduce or filter stormwater runoff. Stormwater runoff on paved areas will be collected at intervals not obstructing the flow of vehicular or pedestrian traffic, create standing water or cause unnecessary erosion of soil or other material.
- 18.08.07 **Preservation of topography.** The site plan and impact assessment demonstrate judicious effort to preserve the integrity of the land, existing topography and natural drainage patterns. 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. All finished grades are to match existing grades at the property lines unless grading easements are obtained from adjacent property owners.
- 18.08.08 **Preservation of woodlands and trees.** The site plan has been designed to preserve existing woodlands and individual quality trees with a caliper of eight (8) inches or greater to the greatest extent reasonable. In particular, the applicant has strived to preserve mature oak, hickory, beech and maple trees. Woodlands, trees and natural areas to be preserved will be protected during construction by fencing or other barrier obvious to construction personnel. If any trees are to be transplanted, the applicant has described transplant methods adequately.
- 18.08.09 **Greenbelts, landscaping and screening.** Greenbelts along public street frontage and buffer zones from adjacent zoning districts have been provided in accordance with Section 12.02. Required parking lot landscaping is provided. The amount, type and minimum size of landscaping are identified in a plant list and appropriate labeling. Trees and shrubs native to Michigan have been used where appropriate. The overall design promotes the impression of a rural, natural landscape. Groundcover is primarily living material.
- 18.08.10 **Traffic impacts and mitigation.** Traffic impacts are thoroughly addressed in the Impact Assessment, including detailed analysis where required. Traffic improvements, where warranted, are provided in accordance with the recommendations of the Township Engineer and in accordance with the standards of the Livingston County Road Commission and Michigan Department of Transportation. (as amended 3/5/10)
- 18.08.11 **Access, internal streets and circulation.** Safe, convenient, uncongested, and well defined vehicular and pedestrian circulation is provided within and accessing the site. Access to the site is designed to minimize conflicts between vehicles and with traffic using adjacent streets and driveways. All streets driveways will be in accordance with the standards of Article 15,

the Livingston County Road Commission and the Michigan Department of Transportation, as applicable.

- 18.08.12 **Pedestrian Circulation.** Required sidewalks and nonmotorized pathways are provided in accordance with Section 12.05. Safe pedestrian circulation is provided with the site is designed to minimize conflicts between vehicles and pedestrians.
- 18.08.13 **Emergency vehicle access.** Adequate access will be provided for emergency vehicles to the site and all buildings or groups of buildings, and has been approved by the Fire Department.
- 18.08.14 **Parking and Loading Spaces.** The number and dimensions of off-street parking and loading/unloading spaces, and the design of parking and loading areas, meets the standards of Article 14.
- 18.08.15 **Waste receptacles.** Waste receptacles (dumpsters, compactors and individual recycle stations) meet the standards of Section 12.04.
- 18.08.16 **Exterior lighting.** Exterior lighting meets the standards of Section 12.03.
- 18.08.17 **Signs.** Proposed signs meet the standards of Article 16 and are generally complementary with surrounding signs and traffic operations.
- 18.08.18 **Storage of potentially hazardous materials or waste.** Information has been provided to help insure compliance with the Special Land Uses standards for hazardous waste storage and handling and Section 13.07, to minimize adverse affects on adjacent properties, the lakes, wetlands, and drinking water. Commercial and industrial facilities comply with the site performance standards of Section 13.05 and the floor drain requirements of Section 13.06.
- 18.08.19 **Utilities.** The development provides adequate sanitary sewer, either through on-site septic systems, connections to public or publicly approved sewer facilities, or by providing separate sewer facilities. All new utility distribution lines will be placed underground. The proposed utilities have been approved by the Township Engineer. As a condition of approval, permits shall be required from the Livingston County Health Department for on-site septic or individual private water supply.
- 18.08.20 **Phasing.** Any 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.
- 18.08.21 **Agency Coordination.** The applicant has demonstrated the site plan meets the standards of other government agencies, where applicable.

#### **Sec. 18.09 VALIDITY OF APPROVED SITE PLAN**

- 18.09.01 **Valid Period.** Approval of the site plan and Impact Assessment is valid for a period of twelve (12) months following Township Board approval of the Impact Assessment. If actual physical construction of a substantial nature of the improvements included in the approved site plan has not commenced and proceeded meaningfully toward completion within twelve (12) months following Township Board approval of the Impact Assessment, and if a written request for extension of the approval has not been submitted by the applicant, the approval of the final site plan shall be deemed null and void.

- 18.09.02 **Extensions.** The Township may grant extensions to the site plan approval where written application for an extension is filed with the Zoning Administrator prior to the termination of the twelve (12) month approval period. The Zoning Administrator shall review the site plan for compliance with any Zoning Ordinance amendments adopted since the site plan and impact assessment were approved.
- (a) If there have been no changes to the Zoning Ordinance that would affect the site plan, then the Zoning Administrator may grant the extension. The Zoning Administrator may grant up to two (2) extensions; extensions beyond two (2) shall require Planning Commission approval.
  - (b) If there have been changes to the zoning ordinance that could affect the site plan, then the request for extension shall be reviewed by the Planning Commission, for the site plan, and Township Board, for the impact assessment and special land use, if applicable, to determine if an extension should be granted or if an amended site plan must be submitted for approval to comply with the new ordinance amendments.
  - (c) Each extension shall be for a further period of not more than twelve (12) months. (as amended 8/24/07)

**Sec. 18.10 DEVIATIONS FROM APPROVED SITE PLAN**

Minor changes to the approved final site plan may be approved by the Zoning Administrator without requiring a resubmittal to the Planning Commission or Township Board, as applicable, provided that the applicant or property owner notifies the Zoning Administrator of any proposed amendment to such approved site plan prior to making said change on the site and the Zoning Administrator determines the proposed revision does not alter the basic design, compliance with the standards of approval, nor any specified conditions of the approved site plan. Where the modifications are not determined to be minor, then the site plan shall require resubmittal to the Planning Commission or Township Board, as applicable, for approval as a site plan amendment. For purposes of interpretation, the following shall be considered minor changes.

- 18.10.01 The size of structures may be reduced, or increased by up to five percent (5%) provided the overall density of units does not increase.
- 18.10.02 Movement of a building or buildings by no more than ten (10) feet.
- 18.10.03 Plantings approved in the landscape plan may be replaced by similar types and sizes of landscaping which provides a similar screening effect on a one-to-one or greater basis.
- 18.10.04 Trees to be preserved that were damaged or lost during construction may be replaced by trees of a similar species with a minimum caliper of 2 inches, with two new trees required for each tree replaced.
- 18.10.05 Improvements to site access or circulation, such as deceleration lanes, boulevards, curbing, pedestrian/bicycle paths, etc.
- 18.10.06 Changes of building materials to another of higher quality, as determined by the Zoning Administrator.
- 18.10.07 Changes in floor plans which do not alter the character of the use.

- 18.10.08 Slight modification of sign placement or reduction of size.
- 18.10.09 Changes required or requested by the Township, county, state or federal agency for safety reasons.
- 18.10.10 Situations similar to the above.

#### **Sec. 18.11 APPEALS OF FINAL SITE PLAN**

- 18.11.01 **Appeal.** Any person aggrieved by the decision of the Planning Commission or Township Board in granting or denial of a site plan approval shall have the right to appeal the decision to the Zoning Board of Appeals. The appeal shall be filed with the Township Clerk within five business days of the final decision by the Planning Commission or Township Board. The appeal shall state the aggrieved parties' grounds for appeal.
- 18.11.02 **Filing.** The filing of an appeal of a decision of the Planning Commission concerning a site plan shall act to stay any land use permit issued for improvements on the property which is the subject of the appeal.
- 18.11.03 **Hearing.** On hearing such appeal, the Zoning Board of Appeals shall review the record before the Planning Commission or Township Board and shall determine whether or not there was support on the record for the original decision. The appellant shall not have the right to present new evidence. The Zoning Board of Appeals shall approve the site plan if the requirements of this zoning ordinance, other applicable Township ordinances and applicable state and federal statutes are met, and prepare written findings on its decision on the appeal.
- 18.11.04 **Remedies.** An appeal of a Zoning Board of Appeals decision concerning a site plan shall be to the Circuit Court of Livingston County.

#### **Sec. 18.12 PROPERTY MAINTENANCE AFTER APPROVAL**

- 18.12.01 **Maintenance.** It shall be the responsibility of the owner of a property for which site plan approval has been granted to maintain the property in accordance with the approved site design on a continuing basis until the property is razed, or until new zoning regulations supersede the regulations upon which site plan approval was based, or until a new site design is approved. Any property owner who fails to so maintain an approved site design shall be deemed in violation of the use provisions of this Ordinance and shall be subject to the same penalties appropriate for a violation.
- 18.12.02 **Inspections.** The Zoning Administrator may make periodic investigations of developments for which site plans have been approved. Non-compliance with the requirements and conditions of the approved site plan shall constitute grounds for the Planning Commission to terminate said approval following a public hearing.
- 18.12.03 **Condominium Association.** With respect to condominium projects, the Master Deed shall contain provisions describing the responsibilities of the condominium association, condominium owners, and public entities, with regard to maintenance of the property in accordance with the approved site plan on a continuing basis. The Master Deed shall further establish the means of permanent financing for required maintenance and improvement activities which are the responsibility of the condominium association. Failure to maintain an

approved site plan shall be deemed in violation of the use provisions of this Ordinance and shall be subject to the same penalties appropriate for a use violation.