

PART 14

IMPLEMENTATION POLICIES

14.01 Introduction

An additional stage in the planning process is the implementation of the Master Plan. The studies, no matter how thorough, and recommendations, no matter how sound, are totally reliant on the vigor of local governmental officials and citizens in pursuing the goals of the Plan. Although a governmental agency may be given the responsibility to perform the function of area-wide planning, it is impossible for one unit to implement all elements of a plan alone. Plan implementation necessitates coordination by the various governmental authorities who control specific activities in a township. The County has direct control over local roads, public health, and general law enforcement. The school systems being semi-autonomous are responsible for public education, and the State exercises control over waters. Several federal agencies play critical roles especially in the area of transportation.

Policies in the Master Plan are implemented, for the most part, by day-to-day decisions by the Township's administration, Planning Commission, and Board of Trustees. A government agency might undertake a major project called for in the plan, such as construction of a road or acquisition of a tract of land for a public school, park or other facility, but these are infrequent events and are not the primary means of policy implementation. To be effective, the plan must be used in daily decisions. Used in this manner, the Lodi Township Master Plan will provide advance notice to prospective users of land and assurance of stability to property owners and residents. The Master Plan can be a forum for modifying certain policies, with all affected parties involved, when conditions underlying the Master Plan change or new opportunities arise. Thus, in terms of policy implementation, the plan is both a communication and a reference document. Its continuous daily use will help assure that it will be kept current and viable. Lodi Township has used its Master Plan in this fashion in the past and will continue to do so in the future.

Townships have several means at their disposal to implement a Master Plan. The Township's power includes control of land use enforced by zoning ordinances, subdivision regulations and other ordinances, and building construction enforced by a building code. A township has authority to establish and administer public utilities and to provide various service activities.

14.02 Zoning Regulations

The principal means of implementing comprehensive plan policies is the Zoning Ordinance. Zoning will be used in any one, or combination of, the following:

- A. **Zoning Districts** The Michigan Zoning Enabling Act (ZEA) Public Act 110 of 2006, as amended, authorizes organized townships to create, within the unincorporated portions of the township, zoning districts within which land uses, including the construction of buildings, and structures, may be regulated. A zoning ordinance is that body of regulations, standards and procedures adopted by a township as authorized by state law. The zoning ordinance, when properly adopted, has the force and effect of law. It can be differentiated from the Master Plan by the degree of specificity and the legal effect. They have common ultimate objectives, treat the same general

subject matter, and ideally should present no wide divergences. The Township Zoning Ordinance should be based on this Plan and be consistent with it.

Land should be zoned in a manner that is consistent with uses and densities designated in the Master Plan. In many cases, land that is designated in the Master Plan for various densities of residential use or nonresidential uses in the future is currently zoned for agricultural use. In general, most land owners in these situations do not want their land zoned for other uses until they are ready to sell it or develop it, rezoning to a use district that is consistent with the designation in the Master Plan should await petition by property owners.

It is suggested that this Plan should be periodically reviewed because of unpredictable technological advancements, trends in development, and community needs. Review should be based on established goals and sound planning principles, and should be undertaken preferably once a year with a total re-evaluation at least once every five years as required by State statute. Periodic revision is essential if the Plan is to be a continuous, reliable guide for community development and preservation.

B. Density Transfer This concept involves moving (transferring) proposed development (density) from one part of a site to another part that is considered to be more suitable for development. The process results in a portion of the site remaining undeveloped and the developed part having a higher net density, although the overall density of the site will not be increased. Density transfer may be used to preserve natural features while permitting a reasonable use of the entire property. This method is applicable to larger parcels and should be used only in conjunction with a special zoning district, such as the Planned Unit Development (PUD) district. Density transfer should meet the following standards:

1. All lands involved in the transfer must be contiguous and located in Lodi Township and the owner has fee simple title to the lands.
2. The total number of dwelling units allocated to the total net land area by the Master Plan will not be exceeded.
3. The transfer is made as part of a single PUD or similar special zoning district that includes all lands involved in the transfer.
4. The land that receives that transfer of density will, with the additional dwelling units, be compatible with the existing and planned use of the neighboring area.
5. The transfer will not affect contractual obligations for sanitary sewer services.

C. Special Districts The Township's current Zoning Ordinance has districts designed to be used within the Planned Unit Development (PUD) structure and procedure.

Other special districts might be considered in the future that would encompass a combination of residential, commercial, office, and technology districts.

The principal characteristic of this special zoning district (PUD) is its area plan. An area plan is a form of a site plan that is sufficient to describe the essential features of a proposed development. The features include land use densities, a list of specific uses, and the aesthetic characteristics that will be incorporated on the site. Future use of the property, once the special district is approved, must be in accordance with the approved district. Major changes to any of these features will require a zoning amendment, which will create a new version of the special district.

A request for a district modification must be presented to the Planning Commission and approved by the Township Board.

Special zoning districts should be used for one or more of the following purposes:

1. To create a compatible mixture of uses on a site, where a mixture is desirable and consistent with adopted policies.
2. To fit a proposed use into an existing developed area in a compatible manner.
3. To create an understanding between the petitioner and Township on uses, densities and layout.

D. Overlay Zones Overlay zones can be used to regulate the use of a specific part of a parcel of land. The regulations of the overlay district are in addition to, and supersede, the regulations of the underlying basic district. Overlay districts could be used to protect wetlands, woodlands, stream corridors, flood hazard areas, and ground water recharge areas. An overlay zone might not be clearly identifiable at the time the zone is adopted and shown on the official zoning map. The boundaries of such areas, especially wetlands and stream corridors, seldom follow property lines or other features commonly shown on maps. In addition, the boundaries of such areas might be somewhat indeterminate until detailed surveys are made. Therefore, overlay district regulations should be designed to recognize this fact and to provide a mechanism for the property owner and Township officials to agree on a reasonable delineation of such features at the time of development or use review.

E. Site Plan Review Site plan review is a means of ensuring that proposed developments will meet certain established standards of the Township, including applicable policies in the Master Plan. The review process should be a mechanism whereby the property owner or developer and Township officials coordinate a proposed development to the specific site while remaining harmonious to immediate neighborhoods and to the policies in the Master Plan. All new developments will be processed through site plan review except single-family detached residences or two-family attached residences on individual lots (R-3 zoning district), and new farm buildings. Completion of all site improvements shown on an approved site plan will be assured by appropriate financial guarantees.

14.03 Regulation of Land Division

Land may be divided into smaller parcels by one of three methods: by metes and bounds descriptions, by platting under the Land Division Act, and as a condominium under the Condominium Act.

By metes and bounds, review at the Township level is made by the administration to ensure compliance with the Zoning Ordinance and other Township regulations. Planning Commission or Township Board review is not a part of this method of land division.

Subdividing, or platting, is a more complex method of land division and is regulated by the Land Division Act and the Township's subdivision ordinance. This method of subdividing involves technical review by the Township Engineer and Planner, Planning Commission recommendations, and Township Board action on the various stages of the process. This process is aimed primarily at zoning compliance, compliance with the Master Plan, proper vehicular and pedestrian circulation, future street extensions, buildable lots, proper relationship with neighboring properties, and provision of all public facilities and utilities. The Township's review should be coordinated with those of County and State agencies. Subdivision

review should be used as a means for the Township to ensure that proper infrastructure planning and construction occur without public expense and that natural features are protected.

The site condominium is the third method of land division. In this method, land ownership is divided through the Condominium Act. Purchasers acquire fee simple rights to described physical spaces in which dwelling units may be constructed. (Site condominiums may also be used for non-residential developments.) The site condominium is a variation on the principle of land division involved in subdividing. However, the Condominium Act does not provide a specific review process, as does the Subdivision Control Act. Since the issues and interests are the same from the Township's point of view in either approach to land division, the Township's review process for site condominiums should be as similar as possible to that exercised in subdivision review. The site plan review process should be used to review proposed site condominium developments. Completion of all improvements shown on an approved site plan must be assured by appropriate financial guarantees.

14.04 Infrastructure

- A. Public Roads** All public roads in Lodi Township are under the jurisdiction of the Washtenaw County Road Commission. Costs of road construction and maintenance are the responsibility of the Road Commission. New developments must provide internal roads at the developer's expense. The developer should also be required to pay a reasonable share of any improvements to existing roads, or future roads proposed in this Master Plan, which may be required to adequately and safely serve a new development. An example of this policy would be paving of unpaved roads. The reasonable shares should be negotiated by the developer and the agency with jurisdiction, and all agreements would be in place before the Township grants final development approval.
- B. Private Roads** This type of road is encouraged in new residential development and mixed use types of development, as envisioned within the designated Lodi Central area. These projects would be submitted and reviewed through the planned unit development (PUD) process. Costs of road construction and maintenance would be the responsibility of each individual developer. As with public roads, the developer would be encouraged to pay a reasonable share of any improvements to existing roads, or future roads proposed in this Master Plan, which may be required to adequately and safely serve a new development. All necessary agreements would be in place before the Township grants final development approval.
- C. Public Utilities** When municipal services are proposed for the planned Municipal Service Areas, developers must be required to construct, at their expense, necessary lines and appurtenances to support the overall municipal system needed to serve their properties. The Township's policy is that general fund money will not be used to provide or support the municipal water and sanitary sewer systems. System maintenance would be financed by user fees.
- D. Stormwater Drainage** On-site retention of stormwater is a requirement of all developments. Large-scale retention areas serving several properties will be encouraged, in place of retention areas on each property. Drainage courses, retention areas, and outlets should be constructed at the developer's expense, and should be maintained at the expense of the properties served by the facilities. Long-term maintenance of all segments of a drainage system should be established in an acceptable manner before the Township gives final development approval. Open drainage facilities, such as drainage courses and retention areas, should be designed as landscape features, maintained in a manner appropriate for the character and setting of the features, and should remain accessible for use by the property owners.

Future development will be required to minimize the amount of impervious surface within the development and the amount of runoff into Township drainage watershed systems. The level of impervious surface from new development should not exceed 10 percent. To limit the amount of impervious surface, clustering of development projects will be promoted through the PUD process. Also all drainage systems shall be designed to meet low impact design standards as recommended by the Office of the Washtenaw County Water Resources Commissioner.

14.05 The Building Code

A building code is a compilation of rules, regulations, and standards designed for the construction, alteration, and removal of buildings and structures to better promote the health, safety, and welfare of the community. Lodi Township uses the Washtenaw County Building Code as its building code.

14.06 Zoning Compliance

Building permits will not be issued until zoning compliance has been ascertained by the Lodi Township Zoning Administrator.

14.07 Other Considerations

Legal regulations are sometimes only the beginning in real Plan implementation. A most significant share of the responsibility of implementing the Plan rests on private efforts. A township resident has substantial influence in determining the appearance of the township and influencing public opinion. The influence of an alert and informed citizenry may well compensate in a large part for the limited authority vested in the Township. A Plan cannot be successfully implemented in the absence of government coordination and educated public support.

14.08 Capital Improvement Program

One of the most important non-regulatory tools a township has available to implement a Plan is the Capital Improvement Program (CIP). This listing of proposed municipal facilities and infrastructure improvements over the next six to ten years includes a description of each project, its location, cost, means of financing and timing. The first year of the CIP is the capital budget and as each year is completed a new year is added at the end. This tool alerts citizens and developers of the intention of township authorities to make certain improvements in particular places at particular times. This helps coordinate private investment, prevents scattered development and prevents development occurring at a too rapid rate.