

Article: 54.0 SITE PLAN REVIEW**ARTICLE 54.0
SITE PLAN REVIEW****SECTION 54.01-PURPOSE**

It is the intent of this Section to establish procedures and standards that provide a consistent method for review of site plans. The purpose of this Section is to ensure that any development in the Township conforms to all applicable standards contained in this Ordinance, other applicable ordinances, and state and federal statutes; and is consistent with the adopted policies of the Township's General Development Plan. The Lodi Township Planning Commission shall have the authority to review and approve, approve with conditions or reject preliminary site plans, and recommend to the Township Board approval, approval with conditions or rejection of final site plans as required in this Article.

SECTION 54.02-DEVELOPMENTS AND USES REQUIRING SITE PLAN REVIEW

The following buildings, structures, and uses require site plan review.

- A.** A building containing three (3) or more dwelling units.
- B.** A mobile home park.
- C.** Any principal non-residential building or structure, and addition thereto, permitted in residential districts and any principal building or structure, and addition thereto, except single-family residences and all farm buildings and structures, permitted in conservation-preservation and agriculture districts.
- D.** A Planned Unit Development, in accordance with the provisions specified in Article 42.
- E.** Any building or structure, in any business and industrial district.
- F.** More than one (1) building or structure, except a sign, on a lot, parcel, or tract of land, or combination of lots under one ownership, in any commercial, or industrial district.
- G.** Any principal use of a lot in any business and industrial district which does not involve a building, such as, but not limited to outdoor sales, outdoor displays, and storage of wrecked vehicles.
- H.** A parking lot or addition thereto containing 5 or more parking spaces.
- I.** Any condominium development.
- J.** Public utility buildings and structures, but not including poles, towers, and telephone repeater buildings.
- K.** Any use subject to the provisions of Article 50.0 (Special Uses).

The Zoning Inspector shall not issue a Certificate of Zoning Compliance and the Building Inspector shall not issue a Building Permit for Construction of, addition to, any one of the above listed buildings or structures until a final site plan therefore has been approved and is in effect. A use, not involving a building or structure, as above listed, shall not be commenced, or expanded, nor shall the Building Inspector issue a Certificate of Occupancy for such use, until a final site plan has been approved and is in effect.

No grading, removal of trees or other vegetation, site balancing, or construction of improvements shall commence for any development for which site plan approval is required until a final site plan is approved and is in effect, except as otherwise provided in this Article.

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SECTION 54.03-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, review fee, and five (5) full size preliminary site plan drawing(s) 24" X 36" and ten (10) copies reduced to 1/2 size, 12" X 18", with the Township Clerk. The Clerk, upon receipt of the application, shall transmit the preliminary site plan drawings to the Planning Commission at least thirty-five (35) 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 (1) inch equals twenty (20) feet nor less than one (1) inch equals two hundred (200) feet, and of such accuracy that the Planning Commission can readily interpret the plan.
 2. Location and description of the site; dimensions and area, and vicinity map.
 3. General topography and soil information.
 4. Property owner(s) name and address; applicant(s) name and address and interest in the property; owner(s) signed consent for preliminary site plan approval application if the 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, size, and use of open areas and 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; typical dimensions of spaces and aisles; angle of spaces, surface type, number of spaces.
 10. Existing zoning classification of property; delineation of required yards; 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. Area of intended land balancing and/or cutting; outline of existing buildings/structures and drives; existing natural and manmade features to be retained or removed.
 12. Adjacent land uses and zoning; location of adjacent buildings, drives and streets.
 13. Location and area of development phases; building program for each phase; projected schedule of development by phase.
 14. Location and width of all easements on the site.
 15. General description of proposed water, sanitary sewer or soil percability, and storm drainage system.
 16. All adjacent property owned or controlled by the applicant or owner of the subject property.
 17. Location, size, and type of existing trees and bushes; location and description of existing wetlands, water courses, and water bodies, whether intermittent or permanent; and the location and description of any other natural features on the site.

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18. Where applicable, a Natural Features Statement of Impact, Protection, and Mitigation is required under Section 55.08.
- 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 conforms to all regulations of the Zoning Ordinance for the district(s) in which it is located.
 3. That the applicant may legally apply for site plan review.
 4. That vehicular and pedestrian traffic within the site, and in relation to streets and sidewalks serving the site, shall be safe and convenient.
 5. That the proposed site plan 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 and natural features will be preserved to a maximum feasible extent, and that the development as proposed will not cause soil erosion or sedimentation.
 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 to the maximum feasible extent, and minimizes the amount of cutting and site balancing required.
 9. That organic, wet, or other soils which are not suitable for development, will be undisturbed, or will be modified in an acceptable manner.
 10. That the proposed development properly respects floodways and flood plains 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.
 12. A natural features statement of impact, protection, and mitigation for the proposed development.
- D. Planning Commission Action-**The Planning Commission shall study the plan and shall, within ninety (90) days of the filing date, if the submitted application is complete, 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 thirty (30) days without written request after giving written notice of such action to the applicant.
- E. Effect of Approval-**Approval of a preliminary site plan by the Township Planning Commission shall indicate its acceptance of the proposed buildings, streets, drives, parking and other facilities and areas in and of the general character of the proposed development. The Township 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 which may be attached to such permit for grading and foundation work shall include, but shall not be 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 site restoration if work does not proceed to completion.

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- F. Expiration of Approval-**Approval of a preliminary site plan shall be valid for a period of one hundred eighty (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 (10) 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 greater than two (2) 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, by the Planning Commission, a one (1) year extension.

SECTION 54.04-FINAL SITE PLAN

- A. Application -** Following approval of a preliminary site plan by the Planning Commission, the applicant shall submit to the Township Clerk five (5) full size final site plans 24" X 36" and other data and exhibits hereinafter required, the review fee, and a completed application form and ten (10) copies reduced to 1/2 size, 12" X 18". The Clerk, upon receipt of the application, shall transmit the final site plan drawing(s) to the Planning Commission at least fourteen (14) 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, where applicable:
1. The site plan shall be of a scale not greater than one (1) inch equals twenty (20) feet nor less than one (1) inch equals two hundred (200) feet, and of such accuracy that the Planning Commission can readily interpret the plan. The information shall be presented on more than one (1) drawing, when required by the Planning Commission for purposes of clarity.
 2. Scale, north arrow, name and date of plan; date of revisions thereto.
 3. Name and address of property owner(s) and applicant; interest of applicant in property; name and address of developer; owners signed consent for final site plan approval application if applicant is not the owner.
 4. Name and address of designer. A final site plan shall be prepared by an architect, registered community planner, engineer, landscape architect, or land surveyor.
 5. A vicinity map; legal description of the property; dimensions and lot area. 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.
 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 (6) inch diameter 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 on the final site 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.
 8. General description of deed restrictions, if any.
 9. Owner, use, and zoning classification of adjacent properties; location and outline of buildings, drives, parking lots, and other improvements on adjacent properties.
 10. 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 catch basins; location

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- and size of wells, septic tanks and drain fields.
11. Name and right-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.
 12. Zoning classification of the subject property; location of required yards; 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.
 13. Grading plan, showing finished contours at a minimum interval of two (2) 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 or before the property lines.
 14. Location and exterior dimensions of proposed buildings and structures, with the location to be referenced to property lines or to a common base point; distances between buildings; height in feet and stories; finished floor elevations and contact grade elevations.
 15. 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 surface, base, and sub-base materials, dimensions, and slopes; location and typical details of curbs; turning lanes with details (where applicable); location, width, surface elevations and grades of all entries and exits; curve-radii.
 16. Location and dimensions of proposed parking lots; numbers of spaces in each lot; dimensions of spaces and aisles; drainage pattern of lots; typical cross-section showing surface, base, and sub-base materials; angle of spaces.
 17. Location and size of proposed improvements of open spaces and recreation areas, and maintenance provisions for such areas.
 18. Location, width, and surface of proposed sidewalks and pedestrian ways.
 19. Location and type of proposed screens and fences; height, typical elevation and vertical section of screens, showing materials and dimensions.
 20. Location of proposed outdoor trash container enclosures; size, typical elevation, and vertical section of enclosures; showing materials and dimensions.
 21. Location, type, size, area, and height of proposed signs.
 22. Layout, size of lines, inverts, hydrants, drainage flow patterns, location of manholes and catch basins for proposed sanitary sewer, water and storm drainage utilities; location and size of retention/detention ponds and degrees of slope of sides of ponds; calculations for size of storm drainage facilities; location of electricity and telephone poles and wires; location and size of underground tanks where applicable; location and size of surface mounted equipment for electricity and telephone services; location and size of outdoor incinerators; location and size of wells, septic tanks, and drain fields where applicable. 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; retaining walls; shall 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, or a copy of the permit from the Washtenaw County Environmental Health Department shall be submitted to the Planning Commission Secretary prior to Planning Commission approval of the final site plan.
 23. Landscape plan showing location and size of plant materials.
 24. Description of measures to control soil erosion and sedimentation during grading and construction

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operations and until a permanent ground cover is established. Such plan shall be approved by the County Soil Erosion and Sedimentation Control Enforcing Agent.

25. Location of proposed retaining walls; dimensions and materials of same; fill materials; typical vertical sections; restoration of adjacent properties, where applicable.
26. Location, type, direction, and intensity of outside lighting.
27. 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.
28. The Natural Features Statement of Impact Protection, or Mitigation if required.

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 Township Planning Commission.
2. That all required information is provided.
3. That the plan complies with all Zoning Ordinance regulations.
4. That the plan, including all engineering drawings, meets the specifications of Lodi Township for fire and police protection, water supply, sewage disposal or treatment, storm drainage, and other public facilities and services, and has been approved by the Fire Chief and the Township Engineer.
5. That the proposed development will not cause soil erosion or sedimentation problems.
6. That the drainage plan for the proposed development is adequate to handle anticipated storm water runoff and will accommodate upstream drainage and not cause undue runoff onto neighboring property or overloading of watercourses in the area. The drainage plan shall be approved by and conform to the standards of the Washtenaw County Drain Commissioner.
7. That the proposed development is coordinated with improvements serving the subject property and with the 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 Natural Features Statement of Impact Protection, or Mitigation for the development has been recommended by the Commission, and 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.

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- D. Township Board Action-**After review by the Planning Commission, the final site plan shall be forwarded to the Township Board. Upon receipt, the Township Board shall study the final site plan and shall, within ninety (90) days approve, or reject the final site plan.

This time limit may be extended upon written request by the applicant and approval by the Township Board or the Township Board may extend the time limit up to thirty (30) days without written request after giving written notice to the applicant. The Board may suggest and/or require changes or modifications in the proposed site plan as are needed to gain approval. The Board may attach conditions to its approval. The Township Board shall include in its study of the site plan consultation with the Township Zoning Inspector, the Fire Chief, and the Township Engineer, and other government officials and departments and public utility companies that might have an interest in or be affected by the proposed development.

Upon Township Board approval of a final site plan, the applicant, the owner(s) of record, or the legal representative thereof, and the Township Board Clerk shall sign six (6) copies of the approved final site plan. The Township Board Secretary shall transmit two (2) signed copies of the plan and any conditions attached to the approval to the Zoning Inspector, and one (1) signed copy each to the Township Clerk, Chair of the Planning Commission, and to the applicant. The Township Board Clerk shall attach a certificate of approval to the copy to be sent to the applicant. One (1) signed copy shall be retained in the Township Board's files. If the final site plan is rejected, the Township Board shall notify the applicant in writing of such action and the reasons therefor, within ten (10) days following the action.

- E. Effect of Approval-**Approval of a final site plan authorizes issuance of a certificate of zoning compliance and issuance of a building permit, provided all other requirements for a building permit have been met. In the case of uses without buildings or structures, approval of a final site plan authorizes issuance of a certificate of zoning compliance and issuance of a certificate of occupancy, provided all other requirements for such certificates have been met.

At the discretion of the Township, approval of a final site plan authorizes the execution of a Development Agreement between the Township and the property owner(s)/developer(s). Execution of the Development Agreement authorizes issuance of a Building Permit, provided all other requirements for a Building Permit have been met. No site work or construction shall begin prior to the execution and recording of the Development Agreement.

- F. Expiration of Approval-**Approval of a final site plan shall expire and be of no effect unless a building permit shall have been issued within one hundred eighty (180) days of the date of approval of the final site plan. Approval of a final site plan shall expire and be of no effect five hundred forty-five (545) days following the date of approval unless construction has begun on the property and is diligently pursued to completion in conformance with the approved final site plan.

SECTION 54.05-COMBINING PRELIMINARY AND FINAL SITE PLANS

An applicant may, at the applicant's discretion and risk, with approval of the Township Planning Commission, combine a preliminary and final site plan in an application for approval. The Planning Commission shall have the authority to require submittal of a preliminary site plan separate from a final site plan, where, in its opinion, the complexity and/or size of the proposed development so warrant. A preliminary and final site plan shall not be combined for any development consisting of two (2) or more phases.

In combining a preliminary and final site plan, the Planning Commission shall review and make a recommendation to the Township Board regarding a combined preliminary and final site plan. Upon receipt of the combined preliminary and final site plan, the Board may suggest and/or require changes or modifications in the proposed site plan as are needed to gain approval. The Board may attach conditions to its approval.

SECTION 54.06-AMENDMENT OF APPROVED SITE PLAN

A site plan may be amended upon application and in accordance with procedures and requirements provided in Section 54.03, herein, for a preliminary site plan and in Section 54.04, herein, for a final site plan. Minor changes in a preliminary site plan may be incorporated into a final site plan without an amendment to the approved preliminary site plan, at the discretion

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of the Planning Commission. The Planning Commission may require, in case of minor changes in an approved preliminary or final site plan, that a revised preliminary or final site plan drawing(s) be submitted showing such minor changes, for purposes of record. The Planning Commission shall have the authority to determine if a proposed change is minor or major and if such change requires an amendment to an approved preliminary or final site plan. The Planning Commission shall record its determinations and reasons therefor in the minutes of the meeting at which the action is taken.

SECTION 54.07-MODIFICATION OF PLAN DURING CONSTRUCTION

It shall be the responsibility of the applicant to notify the Zoning Inspector, the Building Inspector, and the Planning Commission before any changes may take place during construction.

If the applicant makes changes in the development in relation to the approved final site plan, such changes shall be made at the applicant's risk, without any assurances that the Planning Commission will approve the changes. Such changes must be submitted in the form of a revised site plan

SECTION 54.08-PHASING OF DEVELOPMENT

The applicant may divide the proposed development into two or more phases. In such case the preliminary site plan shall cover the entire property involved and shall clearly indicate the location, size, and character of each phase. A final site plan shall be submitted for review and approval for each phase.

SECTION 54.09-INSPECTION

The Zoning Inspector or representative shall be responsible for inspecting all improvements for conformance with the approved final site plan. All sub-grade improvements, such as utilities, sub-base installations for drives and parking lots, and similar improvements shall be inspected and approved prior to covering. The applicant shall be responsible for requesting the necessary inspections.

The Zoning Inspector or representative shall obtain inspection assistance from the Fire Chief, Building Inspector, and Engineer, where applicable.

The Zoning Inspector or representative shall notify the Planning Commission and Township Board in writing, when a development for which a final site plan is approved has passed inspection with respect to the approved final site plan. The Zoning Inspector or representative shall notify the Township Board, the Planning Commission, and Building Inspector, in writing, of any development for which a final site plan was approved, which does not pass inspection with respect to the approved final site plan, and shall advise the Township Board, Planning Commission, and Building Inspector, or representative, of steps taken to achieve compliance. In such case, the Zoning Inspector shall periodically notify the Township Board, Planning Commission, and Building Inspector of progress toward compliance with the approved final site plan and when compliance is achieved.

SECTION 54.10-PERFORMANCE GUARANTEES

To ensure compliance with this Ordinance and any conditions of final site plan approval, a performance guarantee may be required by the Township to insure faithful completion of the improvements, subject to the following:

- A.** A required performance guarantee shall be in the form of an irrevocable bank letters of credit, cash deposit, or other security, acceptable to the Township Board, and shall be provided by the applicant to the Township Clerk. The guarantee shall be provided after a final site plan is approved but prior to issuance of a certificate of occupancy for any building covered by the site plan. The guarantee shall cover the estimated cost of site improvements shown on the approved final site plan which will not be completed prior to issuance of the certificate of occupancy. Site improvements shall include, among other items, the following: streets and drives, parking lots, sidewalks, grading, required landscaping, required visual screens, storm drainage, exterior lighting and utilities.
- B.** The applicant shall provide a cost estimate of the improvements to be covered by the guarantee and such estimate shall be verified as to amount by the Township Engineer. The form of the guarantee shall be approved by the Township Attorney.

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- C.** If the applicant shall fail to provide any site improvements according to the approved plans within the time period specified in the guarantee, the Township Board shall be entitled to enter upon the site and complete the improvements. The Township Board may reimburse itself for the cost of such work, including administrative costs, by appropriating funds from the deposited security, or may require performance by the bonding company.
- D.** If a cash deposit is used, the applicant and Township Clerk, after consulting with the Township Engineer, shall decide at the time of deposit on the means of rebating portions of the deposit in proportion to the amount of work completed on the covered improvements. All required inspections for improvements for which the cash deposit is to be rebated shall have been made before any rebate shall be made.
- E.** The Zoning Inspector, or representative, may refuse to sign a certificate of occupancy in order to achieve compliance with the approved final site plan, and approved engineering plans related thereto. In such cases, a certificate of occupancy shall be signed by the Zoning Inspector, or representative, upon compliance with the approved plans or upon provision of adequate security to guarantee compliance following occupancy.

SECTION 54.11-FEES

Fees for the review of site plans and inspections as required by this Article shall be established and may be amended by resolution of the Township Board.

SECTION 54.12-CONSTRUCTION RECORD DRAWINGS

- A.** The applicant shall provide as-built drawings of all sanitary sewer, water, and storm sewer lines and all appurtenances which were installed on a site for which a final site plan was approved. The drawings shall be submitted to the Township Building Inspector, and shall be approved by the Township Engineer prior to the release of any performance guarantee or part thereof covering such installation.
- B.** The construction record drawings shall show, but shall not be limited to, such information as the exact size, type and location of pipes; location and size of manholes and catch basins; location and size of valves, fire hydrants, tees and crosses; depth and slopes of retention basins; and location and type of other utility installations. The drawings shall show plan and profile views of all sanitary and storm sewer lines and plan views of all water lines.
- C.** The construction record drawings shall show all work as actually installed and as field verified by a professional engineer or a representative thereof. The drawings shall be identified as "Construction Record Drawings" in the title block of each drawing and shall be signed and dated by the owner of the development or the owner's legal representative and shall bear the seal of a professional engineer.

SECTION 54.13-VIOLATIONS

The approved final site plan shall become part of the record of approval and all subsequent action relating to the site in question shall be consistent with the approved final site plan, unless the Planning Commission agrees to such changes as provided in this Article. Any violation of the provisions of this article, including any improvement not in conformance with the approved final site plan, shall be deemed a violation of this Ordinance as provided in Section 57.09, herein, and shall be subject to all penalties therein.

