

## *DIVISION 5. SITE PLAN REVIEW*

### **Sec. 40-136. Site plan review.**

- (a) *Intent.* The intent of this section is to provide for consultation and cooperation between the developer and the township so as to realize maximum utilization of land and minimum adverse effects upon the surrounding land uses. Through application of these provisions, compliance with the master plan of the township will be ensured, and the township will develop in an orderly fashion consistent with its health, safety and welfare.
- (b) *Required review, approval, and exceptions.*
  - (1) *Existing uses and structures.* Site plan review and approval is required for an alteration to existing uses or structures, where an alteration to the existing use or structure would result in one of the following:
    - a. An increase or reduction of the floor area of a structure or land area occupied by the use.
    - b. A change of use, even if the change of use is permitted in the subject zoning district.
  - (2) *Proposed uses and structures.* Site plan review and approval is required for all proposed uses and structures within the township.
  - (3) *Exemptions.* The following shall be exempt from the requirements of this section.
    - a. Individual single family dwellings and other structures that are accessory to individual single family dwellings.
    - b. Farm buildings and structures where they conform to and are regulated by an applicable Generally Accepted Agricultural Management Practice (GAAMP) as adopted and published by the Michigan commission of agriculture. Further, such buildings and structures shall be exempt from the site plan approval process only as to those details, regulations and requirements which are specifically delineated and set forth in the applicable GAAMP.
- (c) *Commencement of development and conformity with site plan.*
  - (1) No grading, removal of trees or other vegetation, land filling, or construction of improvements shall commence for any development which requires site plan approval, until a site plan is approved in accordance with this section.
  - (2) All development and construction shall be in complete conformity with the site plan as approved. A building permit may be issued after satisfying all of the following:
    - a. Approved application and final site plan is filed with the building department.
    - b. Any and all conditions of said approval are met.
    - c. Performance guarantee, where required, is executed with the township and funds or letter of credit are deposited with the township in conformance with section 40-35 of this chapter.
- (d) *Expiration and amendments to approved final site plan.*
  - (1) Final site plan approval is valid for a period of 18 months from the date of township planning commission approval (or township board approval when required) within which time final engineering

---

review shall take place and all necessary building or construction permits shall be secured and construction commenced. The township supervisor or his designee may grant extensions of final site plan approval upon good cause shown. The township supervisor or his designee has the discretion to request the planning commission or the township board, in the case of applications and site plans requiring township board review, to review the request for a site plan extension. The township supervisor or his designee shall provide a report to the planning commission on each site plan approval extension including the rationale for granting the extension. No single extension shall be granted for a period of more than one year, and multiple extensions are allowed. All requests for extensions shall be made in writing and include a statement of why the extension is necessary and confirmation of the ability to complete construction in conformity with the final site plan as approved.

- (2) Amendments to an approved site plan shall be processed as follows:
- a. Changes to an approved site plan shall require an amendment to the site plan approval, which amendment shall follow all procedural steps required for an original site plan, except as allowed in this subsection.
  - b. An applicant may request administrative approval of a minor change to the approved site plan as outlined below. For such a request, the applicant shall submit an application to the township for such approval.
- (e) *Type of review required.* When required, site plan review shall follow one of the review procedures provided below.
- (1) *Administrative review.* Site plans may be reviewed and approved by a site plan committee without action by the planning commission or township board, pursuant to subsection 40-136(h)(1), when the site plan is in compliance with all ordinance requirements and any conditions of approval, and when one or more of the following circumstances are found:
- a. Expansion or reduction to an existing or proposed structure or use of 3,000 square feet or less or 15 percent of the floor area of the structure, whichever is less.
  - b. Provision for additional or reductions in parking or loading/unloading spaces proposed to bring the site toward conformance with current parking and loading/unloading requirements.
  - c. Site (grade) elevations and stormwater management requirements may be altered so long as the overall drainage is not affected.
  - d. Improvements to site access or circulation such as, without limitation, inclusion of pedestrian or bicycle paths, curbing, acceleration, or deceleration lanes.
  - e. Modifications to existing and/or approved landscaping or screening, provided that the modified landscaping and/or screening meets the applicable standards of this section and any conditions of approval.
  - f. New signage, or modifications to location and/or substitution of materials for signage, taking into consideration any adverse effect on traffic safety.
  - g. Other items deemed minor or consistent with the intent of this section, as determined by the site plan committee.
- (2) The committee shall follow this process in considering any request for a minor site plan amendment:
- a. The zoning administrator or site plan committee is authorized to employ the township planner, township engineer, or township attorney, or other experts to assist in review of special land use amendments under this section.

- 
- b. Review and actions. The committee shall review the proposed amendment and shall be entitled to make reasonable inquiries of and receive answers from the applicant. One of the following actions shall be taken by a majority vote of the committee after review of the plan:
1. Upon finding that the application and proposed amendment meet the criteria of this section and other applicable ordinances, policies or standards, the committee shall approve the amendment.
  2. Approval with minor revision. Upon finding that the application and proposed amendment meet the criteria of applicable ordinances, policies or standards except for minor revisions which can be made and confirmed without further technical review the committee may approve the amendment conditioned upon said revisions being made. The zoning official shall verify that such revisions have been made prior to any site changes or issuance of building permits.
  3. Postponing action. Upon finding that the proposed special land use amendment does not, but could, meet the requirements upon the making of revisions, confirmation of which requires further review, the committee may postpone action until such time as the proposed amendment is revised.
  4. During administrative review, a majority of the committee may elect to have any request for administrative special land use amendment approval reviewed under the full special land use process when it finds such review would better meet the intent of this section.
  5. Upon finding that the application and proposed amendment do not meet one or more of the criteria of this section and other applicable ordinances the committee shall deny approval.
- (3) *Full site plan review.* If a project does not qualify for administrative review it shall be reviewed and approved by the planning commission, pursuant to full site plan review procedures detailed in subsection 40-136(h)(2). Full site plan review is a four step process consisting of pre-application review, preliminary plan review, final site plan review and final engineering review.
- (f) *Criteria of site plan review.* Administrative and full site plans shall be reviewed and approved upon a finding that the following conditions are met:
- (1) The proposed use will not be injurious to the surrounding neighborhood.
  - (2) There is a proper relationship between major thoroughfares and proposed service drives, driveways and parking areas and provisions have been made for acceleration, deceleration and passing lanes or approaches so as to preserve the safety and convenience of pedestrian and vehicular traffic.
  - (3) The location of buildings, outside storage receptacles, parking areas, screen walls and utility areas is such that the adverse effects of such uses will be minimized for the occupants of that use and surrounding areas.
  - (4) It provides for proper development of roads, easements and public utilities and protects the general health, safety, welfare and character of the township.
  - (5) It meets the requirements and standards for grading and surface drainage and for the design and construction of storm sewers, stormwater holding facilities, parking lots, driveways, water mains, sanitary sewers and for acceleration, deceleration and passing lanes or approaches as determined by the township engineers and set forth in the township design and construction standards.
  - (6) Proper access to all portions of the site and all sides of any structure is provided. All structures or groups of structures shall be so arranged as to permit emergency service access by some practical means to all sides where possible. All driveways and parking lot lanes necessary to provide emergency

- 
- access shall be a minimum of over 18 feet in width. Site features such as, but not limited to, trees and other plant materials, fences, retaining walls, berms, outdoor furniture, outdoor structures, and natural and artificial water bodies shall be arranged to permit adequate emergency vehicle access.
- (7) Natural resources will be preserved to the maximum extent possible in the site design by development in a manner which will not detrimentally affect or destroy natural features such as lakes, ponds, streams, wetlands, steep slopes, groundwater and woodlands.
  - (8) The proposed development respects the natural topography to the maximum extent possible by minimizing the amount of cutting, filling and grading required.
  - (9) The proposed development will not cause soil erosion or sedimentation.
  - (10) Stormwater management systems and facilities will preserve the natural drainage characteristics and enhance the aesthetics of the site to the maximum extent possible, and will not substantially reduce or increase the natural retention or storage capacity of any wetland, water body or watercourse, or cause alterations which could increase flooding or water pollution on or off site.
  - (11) Wastewater treatment systems, including on-site septic systems will be located to minimize any potential degradation of surface water or groundwater quality.
  - (12) Sites which include storage of hazardous materials or waste, fuels, salt, or chemicals will be designed to prevent spills and discharges of polluting materials to the surface of the ground, groundwater or nearby water bodies.
  - (13) The proposed use is in compliance with all township ordinances and any other applicable laws, except as otherwise expressly allowed in this section.
  - (14) Buildings, parking, drives, landscaping and other improvements on the site are appropriate and consistent with good design standards for the lot size, shape, general location, and consistent with and/or an enhancement of area buildings and properties.
  - (15) Landscaping, including ground covers, trees, shrubs and other vegetation, is provided in areas disturbed by construction, to maintain the natural character of the area and improve the aesthetic quality and environmental functioning of the site and area.
  - (16) Deviations from the minimum setbacks found in this article may be allowed for preexisting legal nonconforming structures, provided that the proposed deviation does not increase the existing nonconformity and that the planning commission has made the following affirmative determinations:
    - a. The preexisting structure was, at the time of site plan approval, a legal nonconforming structure as described in section 40-931.
    - b. The proposed building setback in the proposed site plan will not have any material adverse impact on the proposed development or any adjoining parcels or infrastructure.
- (g) *Information required for site plans.* All site plans shall be submitted in digital and paper format. For paper submittal, sheet size shall be 24-inches by 36-inches with plan view drawn to a scale found on the U.S. Standard Engineers Scale. Where the size of a project requires more than one 24-inch by 36-inch sheet at a one inch equals 100 feet scale or a larger scale (lower number) is needed for clarity or detail, more than one 24-inch by 36-inch sheet shall be used with match lines clearly shown. Plan sheets shall be clearly drawn so that all information is legible and not obscured by other plan information.
- (1) *Administrative review.* At the direction of the administrative site plan committee, any information required in section 40-136(g)(2)c. information required on site plan, may be required for administrative site plan approval. However, at a minimum, submissions of a site plan shall include the following information:

- 
- a. Proprietors', applicants', and owners' names, addresses and telephone numbers.
  - b. Date (month, day, year), including revisions.
  - c. Title block and scale.
  - d. North point.
  - e. Proposed and existing structures, utilities, parking areas, etc. on the parcel, shown on a scaled drawing of a previously approved site plan may be used to demonstrate this information.
  - f. Proposed grading and resulting changes to stormwater facilities.
- (2) *Full site plan review.* The following information shall be required for each step of the full site plan review process.
- a. *Pre-application review.* Plans submitted for pre-application review are to be conceptual in nature with enough information to properly illustrate the development concept and to accomplish a productive meeting.
  - b. *Preliminary site plan review.* Every preliminary plan submitted to the planning commission shall include the following information:
    1. The general description, location, size and shape of the property involved.
    2. The general shape, size and location of proposed buildings, parking areas and service drives, loading zones, location of existing and proposed streets serving the property, and natural features including, but not limited to, general topography, soils, wetlands, wooded areas, native plant community types, tree rows and water bodies.
    3. The general location and type of all existing and proposed stormwater and sewage treatment systems serving the property.
    4. A written explanation or analysis of how the development and its concept will comply with the criteria of site plan review found in subsection (f) of this section.
    5. Any other information deemed necessary to properly illustrate the development concept.
  - c. *Final site plan review.* Plans submitted for final site plan review shall contain all of the following data and any other information that will assist the township in determining compliance with the criteria of site plan review. The minimum information as listed below shall be provided for review:
    1. General information.
      - (i) Proprietors', applicants' and owners' names, addresses and telephone numbers.
      - (ii) Date (month, day, year), including revisions.
      - (iii) Title block.
      - (iv) Scale.
      - (v) North point.
      - (vi) Location map showing proximity to major thoroughfares and section corners with north point indicated.
      - (vii) Architect, engineer, surveyor, landscape architect, or planner's seal.

- 
- (viii) Existing lot lines, building lines, structures, parking areas, etc., on the parcel, and within 100 feet of the site.
  - (ix) Proposed lot lines, property lines and all structures, parking areas, etc. within the site, and within 100 feet of the site.
  - (x) Centerline and existing and proposed right-of-way lines of any street.
  - (xi) Zoning classification of petitioner's parcel and all abutting parcels.
  - (xii) Gross acreage figure.

2. Physical features.

- (i) Acceleration, deceleration and passing lanes and approaches.
- (ii) Proposed locations of access drives, street intersections, driveway locations, sidewalks, bike paths, curbing and areas for public use.
- (iii) Location of existing and proposed service facilities above and below ground, including:
  - A. Well sites.
  - B. Septic systems and other wastewater treatment systems. The location of the septic tank and the drainfield (soil absorption system) should be clearly distinguished. Wastewater treatment systems process should be explained.
  - C. Chemical and fuel storage tanks and containers.
  - D. Storage, loading, and disposal areas for chemicals, hazardous substances, salt and fuels.
  - E. General location and concept of on-site utilities (both above and below ground) including water, wastewater system, and stormwater systems.
  - F. Preliminary calculations for stormwater facilities. Enough detail must be provided to determine the location and type of stormwater treatment proposed and the area needed for these facilities.
  - G. Location of all easements.
- (iv) All buildings with dimensioned floor plans, setbacks and yard dimensions and elevation views, of all sides of the building, including all roof-mounted mechanical units and screening, exterior materials and colors, including demonstration that the provisions of section 40-821 architectural and site design standards are met.
- (v) Dimensional parking spaces and the calculations, drives and method of surfacing.
- (vi) Exterior lighting locations and illumination patterns.
- (vii) Location and description of all existing and proposed landscaping, berms, fencing and walls.
- (viii) Trash receptacle pad location and method of screening.
- (ix) Transformer pad location and method of screening.
- (x) Dedicated road or service drive locations.

- 
- (xi) Entrance details including sign locations and size.
  - (xii) Designation of fire lanes.
  - (xiii) Any other pertinent physical features.
3. *Natural features.*
- (i) Soil characteristics of the parcel.
  - (ii) Existing topography with a maximum contour interval of two feet on parcels of more than one acre. Topography on the site and beyond the site for a distance of 100 feet in all directions shall be indicated.
  - (iii) General grading plan correlated with existing topography so as to clearly indicate all areas of grading.
  - (iv) Location of existing drainage courses and associated bodies of water, on and off site, and their elevations.
  - (v) Location of existing wetlands.
  - (vi) Location and identification of natural resource features, including woodlands and other native plant communities, and areas with slopes greater than ten percent (one foot of vertical elevation for every ten feet of horizontal distance). Parcels that are located within the priority resource protection areas may be required to collect additional information about the site's natural features, as described in section 40-892.
  - (vii) Location of invasive species. If found, an Invasive Species Management Program per Article V Invasive Species Control shall be provided.
4. *Additional requirements for multiple-family, cluster and PUD developments.*
- (i) Density calculations by type of unit by bedroom counts.
  - (ii) Designation of units by type and the number of units in each building.
  - (iii) Carport locations and details where proposed.
  - (iv) Specific amount and location of recreation spaces.
  - (v) Type of recreation facilities to be provided in recreation space.
  - (vi) Details of community building and fencing of swimming pool if proposed.
5. *Additional requirements for commercial, office, and industrial developments.*
- (i) Loading/unloading areas.
  - (ii) Total and useable floor area.
  - (iii) Number of employees in peak usage.
- d. *Final engineering review.* Plans submitted for final engineering review shall contain the following plans and information:
- 1. All site plan information as approved by the planning commission or township board (as required).
  - 2. All additional detailed engineering information as required by the Springfield Township Design and Construction Standards.

- 
3. All data and information submitted for outside agency review.
  4. All outside agency approval letters and/or permits.

(h) *Site plan review procedures.*

- (1) *Administrative review.* A minor site plan amendment may be reviewed administratively and approved by a site plan committee (committee), without action by the planning commission or township board. The committee shall be composed of a three-person committee consisting of the township supervisor, the chairperson of the planning commission, and the township board representative to the planning commission. Should one of the officials listed above not be available one or more of the following alternates may serve on the committee: Township clerk or the vice chair of the planning commission. The committee must be made up of at least one board member and one planning commissioner. The committee shall review the plan subject to all of the criteria, requirements and standards set forth in this article and the following standards:
  - a. The zoning official or site plan committee is authorized to employ the township planner, township engineer, township attorney or other experts to assist in the review of site plans submitted under this section.
  - b. The committee shall consider the criteria set forth in section 40-136(f) in the review of the site plans submitted under this section.
  - c. During administrative review a majority of the committee may elect to have any administrative site plan reviewed as a full site plan when it finds such a review would better meet the intent of this section. Full site plan shall follow the provisions of section 40-136(h)2.
  - d. *Review and approval.* The committee shall review the administrative site plan and shall be entitled to make reasonable inquiries of and receive answers from the applicant. One of the following actions shall be taken by a majority vote of the committee after review of the plan:
    1. *Approval.* Upon finding that the application and site plan meet the criteria of this section and other applicable ordinances, policies or standards, the committee shall approve the administrative site plan.
    2. *Approval with minor revision.* Upon finding that the application and site plan meet the criteria of site plan and other applicable ordinances, policies or standards except for minor revisions which can be made and confirmed without further technical review the committee may approve the administrative site plan conditioned upon said revisions being made. The zoning official shall verify that such revisions have been made prior to any site changes or issuance of building permits.
    3. *Postponing action.* Upon finding that the application and site do not, but could, meet the requirements upon the making of revisions, confirmation of which requires further review, the committee may postpone action until such time as the plan is revised.
    4. *Denial.* Upon finding that the application and site plan do not meet one or more of the criteria of this section and other applicable ordinances the committee shall deny approval of the administrative site plan.
  - e. *Notice of action.* A summary notice of the action of the committee shall be forwarded by the township to the applicant and shall be sufficient to satisfy the requirement of notice to the applicant.
- (2) *Full site plan review.* Full site plan review consists of four required steps: Pre-application review, preliminary site plan review, final site plan review, and final engineering review. In addition to the four required steps outlined below, potential applicants are encouraged to meet with township staff to

---

review overall plan concept, zoning, and review procedures. Each step in the full site plan review process is outlined below:

- a. *Pre-application meeting and review.* Potential applicants shall present and discuss a conceptual site plan with township staff including the township planning administrator, township supervisor or designee, planning consultant, engineering consultant, and township attorney as necessary. The pre-application meeting will:
  1. Identify the applicant's contact information for all future communications.
  2. Familiarize the applicant with policy and procedural matters.
  3. Identify other approvals or permits required from outside agencies.
  4. Review the need for special steps, such as conditional use or variances.
  5. Allow the applicant and township staff to discuss the proposal and to revise the site plan concept and/or application, if needed, prior to submission.
  6. Review submission requirements, zoning, landscaping, engineering and architectural design issues.
  7. Identify relevant historical, cultural and physical land features.
  8. Review the overall idea and concept.
  9. Review aspects of plan that will require legal review by township attorney.
- b. *Preliminary site plan review.* The purpose of preliminary site plan review is to provide the applicant and the township planning commission the opportunity to review a generalized site plan, discuss the overall idea of the development project and to consider the project's compliance with the criteria of site plan review found in 40-136(f) and other applicable township ordinances, policies or standards. The township encourages all applicants to take advantage of preliminary review. Preliminary plan review is required for all principal uses permitted subject to special conditions (special land uses), all developments containing greater than 25,000 square feet of structures, and developments larger than two acres in size. Projects for which preliminary plan review is not required or requested are subject to review pursuant to the requirements of section 40-136(h)2. of this section, final site plan review. The following procedures shall apply to preliminary plan review:
  1. An application supplied by the township shall be filed along with the applicable fee, plans and other documents with the township. The number of plans and other documents to be submitted shall be specified on the application.
  2. Upon receipt of an application for preliminary plan review, the township shall transmit the application, preliminary documents and plan to the township planner and township engineer. The planner's and engineer's reviews shall be limited to reviewing the required information found in section 40-136(g)(2)(b) for compliance with township zoning standards. Review of the preliminary plan shall be scheduled at a regular planning commission meeting in accordance with township policy.
  3. The planning commission shall review the preliminary plan and shall be entitled to make reasonable inquiries of and receive answers from the applicant review, the clerk shall provide the applicant with the official minutes of the meeting, which shall reflect the planning commission review comments.
  4. Where review by the township board is required by this chapter, the board shall review the preliminary plan and shall be entitled to make reasonable inquiries of and receive answers

---

from the applicant. Following review, the township shall provide the applicant with the official minutes of the meeting, which shall reflect township board review comments.

5. Preliminary plans not requiring special land use shall become null and void unless a final site plan review is submitted to the township within six months of concept review by the planning commission. Preliminary plans requiring special land use shall conform to the special land use provisions of this chapter.
- c. *Final site plan review.* After preliminary site plan review, a final site plan may be submitted. A final site plan review shall be required for the purpose of presenting a detailed site plan to the township for review. The following procedures shall be followed:
1. *Checklist review.* Upon filing with the township of three copies of an application, proposed site plan, other applicable information and applicable fees, a checklist review, to determine if all of the information required by section 40-136(g)(2)c. of this section is supplied, shall be conducted as follows:
    - (i) The person designated by the township shall perform a checklist review and notify the applicant in writing whether the proposed site plan contains all of the required information, or if not, the nature of information required to be submitted.
    - (ii) If a proposed site plan is incomplete, the applicant will be asked to prepare a new site plan to address deficiencies and submit it for another checklist review.
  2. *Technical review.* The purpose of technical review is to secure written comments and recommendations on a proposed plan from the planner, engineer and, attorney as needed. The township shall review those comments and recommendations, along with the proposed plan, for conformance with the criteria for site plan review in section 40-136(f) of this section, other applicable ordinances, regulations, standards, policies or laws. The applicant shall submit to the township the number of copies of the site plan, application and other required information specified on the application after receiving the township's checklist review indicating the application and information is complete. The applicant shall also submit plans to any county, state or federal agencies having jurisdiction and request that a copy of their review comments for compliance with agency rules, policies or laws is forwarded to the township. A copy of the transmittal letter forwarding plans to the agencies shall be included with the technical review application information submitted to the township. The following technical review procedure shall be met:
    - (i) Copies of the plans, documents and township checklist review shall be forwarded to the planner, engineer, and attorney (as necessary) for review.
    - (ii) The consultants shall review the plans and other information submitted for compliance with applicable ordinances, policies, laws and standards and shall furnish written comments, opinions and recommendations to the township, the applicant and the applicant's plan preparer within 14 days of plan submission. Detailed review of the design and construction standards will occur at the final engineering review stage.
    - (iii) After the township receives written responses from the planner and engineer, the plan may be scheduled for the required staff review meeting.
  3. *Staff review meeting.* After technical review, a staff review meeting is required prior to placement on an agenda of the planning commission as outlined below.

- 
- (i) The review is conducted by the staff review team together with the applicant and will review and discuss comments provided by the township consultants technical review to determine if the plan is complete and may proceed to the planning commission for review.
    - A. Review the need for special steps, such as special land use or variances.
  - (ii) The staff review team may meet as frequently as twice each month and shall include any combination of the following staff members as necessary for the review of the project: Township planning administrator, township supervisor or designee, planning consultant, engineering consultant, and township attorney as necessary.
  - (iii) The staff review team shall make a determination if the site plan is complete. If the plan is incomplete based on the consultants reviews, the applicant will be directed to make revisions and resubmit for an additional staff review meeting. Consultant reviews of the resubmittal shall be completed within ten days of plan resubmission.
  - (iv) If the staff review team makes the determination that the application is administratively complete, the township staff will:
    - A. Schedule the application on the planning commission's next available meeting agenda.
    - B. Track project progress.
4. *Planning commission review.* Upon successful completion of technical review and the required staff review meeting, the site plan will be scheduled for a regular planning commission business meeting. The purpose of planning commission review is to take one of the following actions:
- (i) *Approval.* Upon finding that the application and site plan meet the criteria of site plan review in section 40-136(f) of this section and other applicable ordinances, policies or standards, the planning commission shall approve the final site plan or, if required, recommend approval by the township board.
  - (ii) *Approval with minor revision.* Upon finding that the application and site plan meet the criteria of site plan review in section 40-136(f) of this section, and other applicable ordinances, policies or standards except for minor revisions which can be made and confirmed without further technical review by the engineer, planner and reviewing agencies, the planning commission may approve the final site plan or recommend approval by the township board, conditioned upon said revisions being made. The township shall verify that such revisions have been made prior to any site changes, issuance of building permit or submission of the plan to the township board.
  - (iii) *Tabling.* Upon finding that the application and site do not, but could, meet the requirements upon the making of revisions, confirmation of which requires further technical review by the engineer, planner and/or reviewing agencies, the planning commission may table action until such time as the plan is revised and applicable technical review provisions have been completed.
  - (iv) *Denial.* Upon finding that the application and site plan do not meet one or more of the criteria of site plan review in section 40-136(f) of this section and other applicable ordinances, policies or standards and that revisions necessary

---

to meet said criteria are so extensive as to require the preparation of a new site plan, the planning commission shall deny approval or recommend denial by the township board.

- (v) *Notice of action or recommendation.* A copy of the planning commission minutes shall be forwarded by the township to the applicant and shall be sufficient to satisfy the requirement of notice to the applicant.

5. *Township board review.* The following procedures shall be met:

- (i) Township board review of a site plan shall only be required under the following circumstances:
  - A. For all special land uses.
  - B. For all condominium developments.
- (ii) If a final site plan is required to be submitted to the township board, the following procedures shall be followed:
  - A. *Planning commission denials.* Where the planning commission has recommended denial of an application and site plan, the township shall not place that application and site plan on a township board agenda for action unless the applicant files a written request for township board consideration with the township. Said request shall contain the applicant's reasons in support of a finding by the township board that the criteria of site plan review in section 40-136(f) of this section have been met, despite the planning commission finding to the contrary.
  - B. *Planning commission approvals.* Where the planning commission has approved or conditionally approved an application and site plan, the township shall schedule them for a township board meeting in accordance with township policy.
  - C. *Township board action.* Based upon the criteria of site plan review in subsection (f) of this section and other applicable ordinances, policies or standards, and after considering the planning commission findings and applicant's position regarding satisfaction of those criteria, the township board may approve, approve with conditions, refer back to the planning commission, table or deny the application and site plan, with any conditions of approval or reasons for denial to be furnished to the applicant in writing by the township. A copy of the Township board minutes is sufficient for this purpose.
  - D. *Official record.* Upon approval or conditional approval of an application and site plan, the township shall note on at least one copy of the application and plan, the date and any conditions of approval, which shall be the official township permanent record.

d. *Final engineering review.* After planning commission approval, and township board approval (when required) the following procedures shall be met:

- 1. The final engineering review will:
  - (i) Confirm compliance with all township engineering standards (design and construction standards).
  - (ii) Confirm that issues still open with any outside agency are resolved.

- 
- (iii) Confirm that all conditions made by the planning commission have been met.
2. Final engineering is the final step in the site plan approval process. If changes to the site plan are required as a result of the engineer's final review, the site plan shall be resubmitted to the township for review by the approving body pursuant to section 40-136(h)(2).

(Ord. No. 26, § 18.07, 9-13-1990; Ord. of 10-9-2008, § 1(10); Ord. of 12-11-2008(2), § 1(8—11); Ord. of 3-11-2010, § 1; Ord. of 4-14-2011(1), § 1; Ord. No. 2014(3), § 1, 8-14-2014; Ord. No. 2018(5), § 1, 8-9-2018; Ord. No. 2019(1), § 1, 1-10-2019; Ord. No. 2020(3), §§ 1—3, 10-8-2020)

State law reference(s)—Submission and approval of site plan, MCL 125.3501.

**Secs. 40-137—40-144. Reserved.**

*DIVISION 6. SPECIAL LAND USES*

**Sec. 40-145. Standards for approval of special land uses.**

- (a) *Special land uses.* Special land uses, as used herein, shall refer to such principal uses permitted subject to special conditions enumerated in the several zoning districts based upon a review and recommendation by the planning commission and approval by the township board. On application for a special land use, the planning commission and township board may grant approval for such uses as are specified in the several zoning districts as requiring special permission. In addition to requiring compliance with the general minimum requirements specified for such uses in the zoning district in which the use is located and those found elsewhere in this chapter, plus special conditions expressly imposed for such use, the planning commission may recommend, and the township board approve, specific conditions with respect to approval of the special land use as it shall deem necessary to meet the standards of this section and the intent of this chapter. The planning commission and the township board, in arriving at this recommendation and decision relative to any application for a special land use, shall apply the following standards:
- (1) The proposed use shall be of such location, size and character as to be in harmony with the appropriate and orderly development of the zoning district in which situated and shall not be detrimental to the orderly development of adjacent zoning districts.
  - (2) The location and size of the proposed use or uses, the nature and intensity of the principal use and all accessory uses, the site layout and its relation to streets giving access to it, shall be such that traffic to and from the use, and the assembly of persons in connection therewith, will not be hazardous or inconvenient to the neighborhood. In applying this standard the planning commission and township board shall consider, among other things: convenient routes for pedestrian traffic, the relationship of the proposed use to main traffic thoroughfares and to street and road intersections, the general character and intensity of the existing and potential development of the neighborhood, and relationship to the township master plan. The planning commission and township board shall determine that the proposed use will not have a detrimental effect.
  - (3) Unless a variance is granted, the standards of density and required open spaces for the proposed use shall be at least equal to those required by this chapter in the zoning district in which the proposed use is to be located. After the granting of approval of a special land use by the township board, the zoning board of appeals shall also have the power to grant variances as provided by this chapter.
  - (4) The public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity.

- 
- (5) Protection of the natural environment and conservation of natural resources and energy.
  - (6) Compatibility with adjacent uses of land and promotion of the use of land in a socially and economically desirable manner.
  - (7) The planning commission and township board shall find that the foregoing standards are substantially met by the applicant and shall so set forth in their official record of the proceedings.
- (b) *Application and fee.* Application for any special land use permissible under the provisions of this chapter shall be made to the township clerk by filing an application and the required fee.
- (c) *Site plan requirements.*
- (1) Pre-application meeting and review. A pre-application meeting shall be required for each proposed special land use request. The pre-application meeting shall follow the procedures set forth in section 40-136(h)(2)a.
  - (2) *Preliminary site plan.* An application for a special land use under section 40-594, cluster housing regulations, shall include a preliminary site plan and all other required information in conformance with section 40-594(e). An application for all other special land use requests shall include a preliminary site plan and all other required information in conformance with section 40-136(g)(2)(b). Procedures for preliminary site plan review set forth in section 40-136(h)(2)(b) shall be followed.
  - (3) *Final site plan.* Upon approval of the special land use the applicant shall be authorized to submit a final site plan. Procedures for final site plan review, in conjunction with the special land use review, set forth in section 40-136(h)(2)(c) shall be followed, and the information set forth in section 40-136(g)(2)(c).
- (d) *Review procedure.*
- (1) *Planning commission action.* The planning commission shall review the application for a special land use permit in reference to the standards and findings required herein and in relation to the information provided at the public hearing. The planning commission may request additional information it deems necessary to make a decision. The planning commission shall recommend approval, approval with conditions or denial of the application for a special land use permit and shall transmit its recommendations, to the township board. The information provided to the township board shall contain the planning commission's analysis of the application in relation to the required standards and findings, and shall include a summary of the findings made as a result of the public hearing.
  - (2) *Township board action.* The township board shall review the recommendation of the planning commission and shall approve, approve with conditions, or deny an application for a special land use permit. The township board's decision, the basis for the decision, and all conditions imposed shall be described in a written statement, which shall be made a part of the record of the meeting at which action is taken.
- (e) *Public hearing.*
- (1) A single public hearing on the request for special land use approval shall be held before the planning commission.
  - (2) In all cases where the township is required to make a discretionary decision on a special land use or activity, the township shall give notice of a request for a special land use or activity. The notice of public hearing shall be given as set forth in Public Act No. 110 of 2006 (MCL 125.3101 et seq.).
  - (3) The notice of public hearing shall:
    - a. Describe the nature of the special land use request.
    - b. Describe the property which is the subject of the special land use request.

- 
- c. State the date, time, and place of the public hearing.
  - d. Indicate when and where the written comments will be received concerning the request.
- (f) *Final township board action.* Upon review of the application and preliminary site plan in accordance with the standards established in section 40-594(a) through (c) for cluster housing projects and in subsection (a) of this section for all other special land uses, findings of the public hearing held in accordance with subsection (d) of this section, and the requirements of other provisions of this chapter as they apply to the proposed special land use, the township board shall approve, approve with conditions, or deny the special land use.
- (1) Upon review of the special land use application and preliminary site plan, the township board may require reasonable conditions necessary to accomplish compliance with the special land use standards and to minimize impact on adjacent uses.
  - (2) Conditions imposed with respect to the approval of a special land use shall be recorded in the record of the approval action and shall remain unchanged except upon mutual consent of the township and the landowner.
  - (3) Any approval of a special land use shall require submittal and approval of a final site plan prepared in accordance with section 40-136, including any conditions of approval attached to the approved preliminary plan.
- (g) *Expansion or alteration of a special land use.* Expansion or alteration of a special land use shall be considered an amendment to such use and subject to the review and approval of the township in accordance with all procedures and standards set forth herein.
- (h) *Voiding of special land use permit.*
- (1) Special land use approval becomes null and void unless a site plan is submitted within 12 months and approved within 24 months of township board special land use approval.
  - (2) Any special land use and final site plan granted under this section shall become null and void unless construction and/or use is commenced within 12 months of township board approval.
  - (3) Special land use and/or final site plan review and the deadline for commencement of construction may be extended for up to 12 months upon written request to the township board. All requests shall include a statement of why the extension is necessary and provide confirmation of the ability to complete construction in conformity with the approved site plan.
  - (4) A violation of a requirement, condition or safeguard shall be considered a violation of this chapter and grounds for the township to terminate and cancel approval of such special land use.
- (i) *Administrative approval of minor amendments.*
- (1) An amendment to a special land use may be reviewed administratively and approved by the site plan committee described in section 40-136(h)(1), when the amendment is in compliance with all ordinance requirements and any conditions of approval, the committee determines the amendment is minor or incidental, and one or more of the following circumstances are found:
    - a. An expansion or reduction to a structure under construction, or use of 1,000 square feet or less or ten percent of the floor area of the structure, whichever is less.
    - b. Provision for additional, or reductions in, parking or loading/unloading spaces proposed to bring the site toward conformance with current parking and loading/unloading requirements.
    - c. Site (grade) elevations and stormwater management requirements may be altered so long as the overall drainage is not affected.

- 
- d. Improvements to site access or circulation such as, without limitation, inclusion of pedestrian or bicycle paths, curbing, acceleration, or deceleration lanes.
  - e. Modifications to approved landscaping or screening, provided that the modified landscaping and/or screening meets the applicable standards of this section and any conditions of approval.
  - f. New signage, or modifications to location and/or substitution of materials for signage, taking into consideration any adverse effect on traffic safety.
  - g. Other items deemed minor or consistent with the intent of this section, as determined by the site plan committee.
- (2) The committee shall follow this process in considering any request for a minor special land use amendment:
- a. The zoning administrator or site plan committee is authorized to employ the township planner, township engineer, or township attorney, or other experts to assist in review of special land use amendments under this section.
  - b. The committee shall consider the criteria set forth in section 40-145(a) in review of a special land use amendment submitted under this section.
  - c. Review and actions. The committee shall review the proposed amendment and shall be entitled to make reasonable inquiries of and receive answers from the applicant. One of the following actions shall be taken by a majority vote of the committee after review of the plan:
    - 1. Upon finding that the application and proposed amendment meet the criteria of this section and other applicable ordinances, policies or standards, the committee shall approve the amendment.
    - 2. Approval with minor revision. Upon finding that the application and proposed amendment meet the criteria of applicable ordinances, policies or standards except for minor revisions which can be made and confirmed without further technical review the committee may approve the amendment conditioned upon said revisions being made. The zoning official shall verify that such revisions have been made prior to any site changes or issuance of building permits.
    - 3. Postponing action. Upon finding that the proposed special land use amendment does not, but could, meet the requirements upon the making of revisions, confirmation of which requires further review, the committee may postpone action until such time as the proposed amendment is revised.
    - 4. During administrative review, a majority of the committee may elect to have any request for administrative special land use amendment approval reviewed under the full special land use process when it finds such review would better meet the intent of this section.
    - 5. Upon finding that the application and proposed amendment do not meet one or more of the criteria of this section and other applicable ordinances the committee shall deny approval.
  - d. Notice of action. A summary notice of the action of the committee shall be forwarded by the township to the applicant and shall be sufficient to satisfy the requirement of notice to the applicant.
- (3) If an amendment does not qualify for administrative approval, it shall be reviewed and approved in accordance with subsection 40-145(g).

---

(Ord. No. 26, § 18.08, 9-13-1990; Ord. of 12-11-2008(2), § 1(12); Ord. No. 2019(4), § 1, 3-14-2019; Ord. No. 2020(4), § 1, 10-8-2020)

State law reference(s)—Special land uses, MCL 125.3502 et seq.

**Secs. 40-146—40-152. Reserved.**