

ARTICLE: 5.0 - SITE PLAN REVIEW

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SECTION 5.01 - AUTHORITY FOR SITE PLAN REVIEW

The Freedom Township Planning Commission shall have the authority to review and to approve, approve with conditions, or reject a preliminary site plan. The Planning Commission shall also have the authority to review and approve, approve with conditions, or reject a final site plan submitted in conformance to an approved preliminary site plan.

SECTION 5.02 - DEVELOPMENT AND USES REQUIRING SITE PLAN REVIEW

The following buildings, structures, and uses require site plan review and approval:

- A. A building containing three (3) or more dwelling units;
- B. Two (2) or more multiple-family buildings on a lot or parcel of land, or on a combination of lots under one ownership;
- C. A mobile home park;
- D. A group foster care home;
- E. Any principal non-residential building or structure, except farm buildings, permitted in any district;
- F. Any building with a floor area greater than 500 square feet, or additions thereto, in any business and industrial districts;
- G. More than one (1) building or structure, except a sign, on a lot or parcel, or combination of lots under one ownership, in any business and industrial districts;
- H. 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 and wrecked vehicles;
- I. Public utility buildings and structures, but not including poles, towers not defined herein;
- J. Any parking lot or addition thereto containing five (5) or more parking spaces;
- K. Any Conditional Use as provided for and defined in Article 6 Conditional Uses herein;
- L. A Planned Unit Development (PUD) as defined in Article 4.0 Planned Unit Development herein; or
- M. Site Condominiums as defined in Article 8 Site Condominium review herein.

The Zoning Administrator shall not issue a building permit for construction of, or addition to, any one of the above listed buildings or structures until a final site plan therefore has been approved and is in effect.

Any above-listed use not involving a building or structure shall not be commenced or expanded, nor shall the Zoning Administrator issue a Certificate of Zoning Compliance, nor shall the Zoning Administrator 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, land filling or construction of improvements shall commence for any development which requires site plan approval until a final site plan is approved and is in effect, except as otherwise provided in this Article.

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SECTION 5.03 - PRELIMINARY SITE PLAN

- A. Application** - Any person with legal interest in a lot may file an application for preliminary site plan approval therefore by filing completed forms, payment of the review fee, and eight (8) copies of the preliminary site drawing(s) with the Township Clerk. The Clerk, upon receipt of the application, shall transmit the preliminary site plan drawings to the Planning Commission prior to its next regular meeting.
- B. Fees:** The Township Board shall establish, by resolution or ordinance, fees for preliminary site plan review. Such fee shall be paid in full at the time of the filing of the petition and no part of such fee shall be returnable to the petitioner.
- C. Information Required** - Each preliminary site plan submitted for review shall provide the following information:
1. Location and description of site; dimensions and area;
 2. General topography; soil information including delineation of slopes over twelve (12) percent;
 3. Existing natural and man-made features to be preserved, added, or removed, including trees, upland brush, hedgerows, woodlands, prairies, and meadows;
 4. Delineation of the 100-year floodplain, and all lakes, ponds, stream courses, and wetlands, including the on-site watershed for such on-site water features;
 5. Delineation of any wetlands or watercourses;
 6. Property owner's name and address; applicant's name, address and interest in property; owner's signed consent for preliminary site plan approval application if applicant is not the owner;
 7. Scale, north arrow, date of plan;
 8. Proposed buildings/structures; location, outline, general dimensions, distances between, floor area, number of floors, height, number and type of dwelling units (where applicable);
 9. Location and size of open areas, recreation areas;
 10. Proposed streets/drives: general alignment, right-of-way, (where applicable), surface type, and width;
 11. Proposed parking: location and dimensions of lots, dimension of spaces and aisles, angle of spaces, surface type, number of spaces;
 12. Existing zoning classification of property; 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;
 13. Areas of intended filling, cutting; outline of existing buildings/structures and drives; existing natural and man-made features to be retained or removed;
 14. Adjacent land uses; location of adjacent buildings; drives/streets;
 15. Location, area of development phases; building program for each phase; projected schedule of development, by phase;
 16. Location and width of easements on site; and

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17. General description of proposed water, sanitary sewer, and storm drainage systems.
- D. Standards for Review** - In reviewing a preliminary site plan the Planning Commission shall determine that the following standards are met:
1. That all required information has been provided;
 2. That the proposed development as shown in the preliminary site plan conforms to all regulations of the zoning ordinance for the district(s) in which it is located and all other applicable sections of the Zoning Ordinance and is compatible with the adopted Growth Management Plan;
 3. That the applicant is legally authorized to require site plan review.
 4. That the movement of the vehicular and pedestrian traffic within the site and in relation to access streets and sidewalks will be safe and convenient;
 5. That the proposed development will be harmonious with, and not harmful, injurious, or objectionable to, existing and future uses in the immediate area;
 6. That natural resources 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 and extent of cutting and filling required;
 9. That organic, wet, or other soils which are not suitable for development will be undisturbed or will be modified in such fashion as to make development feasible; and
 10. That a satisfactory and harmonious relationship will exist between the proposed development and the existing and prospective development of contiguous lands and adjacent neighborhoods;
- E. Planning Commission Action** - The Planning Commission shall study the plan and shall, if the submitted application is complete, approve or deny the preliminary site plan. The Planning Commission may require changes in the plan and may attach conditions to its approval. The Planning Commission shall file a report with its recommendation, setting forth the conclusions of its study and the reasons for its recommendation
- F. Effect of Approval** - Approval of a preliminary site plan by the Township Planning Commission shall indicate its acceptance of the proposed layout of buildings, streets, drives, parking areas, and other facilities and areas, 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 Zoning Administrator for grading and foundation work on the basis of an approved preliminary site plan. The conditions to be attached to such permit issued for grading and foundation work shall include, but are not 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 restoration of the site if work does not proceed to completion.
- G. Expiration of Approval** - Approval of a preliminary site plan shall be valid for a period of one year from the date of approval and shall expire and be of no effect thereafter 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 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 longer than two (2) years from the date of approval of the previously approved final site plan. If such period is exceeded, the Township Planning Commission may

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declare the approved preliminary site plan invalid with respect to the remaining parts of the site. In such case the Township Planning Commission may require a new preliminary site plan be submitted, unless good cause can be shown for the delay.

SECTION 5.04 - FINAL SITE PLAN

- A. Application** - Following approval of a preliminary site plan, the applicant shall submit eight (8) copies of a final site plan and other data and exhibits hereinafter required, the review fee, and a completed application from to the Township Clerk. The Clerk, upon receipt of the application, shall transmit the final site plan drawing(s) to the Planning Commission prior to its regular meeting.
- B. Fees:** The Township Board shall establish, by resolution or ordinance, fees for final site plan review. Such fee shall be paid in full at the time of the filing of the petition for final site plan approval and no part of such fee shall be returnable to the petitioner.
- C. 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. More than one (1) drawing shall be included as part of a final site plan when required by the Planning Commission for clarity.
 2. Scale, north arrow, name and date of plan; date of any revisions thereto.
 3. Name and address of property owner and applicant owner and applicant; interest of applicant in property; name and address of developer; owner's signed consent for final site plan approval application, if applicant is not the owner.
 4. Name and address of designer. A detailed site plan shall be prepared by a registered community planner, architect, landscape architect, engineer, or land surveyor registered in the State of Michigan.
 5. A vicinity map; legal description of site; dimensions and lot area. Where a metes and bound description is used, lot line angles or bearings shall be indicated on the plan and the lot line dimensions and angles or bearings shall be based upon a boundary survey prepared by a registered surveyor.
 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, not a part of a group of trees, are to be accurately located on the 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; deed restrictions, if any.
 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, 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 and size of wells, septic tanks and drain fields.

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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 proposed development.
12. Zoning classification of the subject property; location of required yards; total site area and floor area; 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 the property lines.
14. Location and exterior dimensions of all proposed buildings and structures, location to be referenced to property lines or a common base point; distances between buildings; height and feet in stories; finished floor elevations and contact grade elevations.

Description of building construction, including type of building materials to be used for all proposed buildings, shall accompany the final site plan. Scaled front elevation renderings of all buildings on the site, including site location, elevations, and landscaping shall also accompany the final site plan.
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 base and sub-base materials, dimensions and slopes; location and typical details of curbing; turning lanes (where applicable) with details; location, width, surface elevations and grades of all entries and exits; curve-radii.
16. Location and dimensions of proposed parking lots; number 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, size and surface of proposed improvements of open spaces and recreation areas; maintenance provisions for such areas.
18. Location, width, and surface of proposed sidewalks and pedestrian ways.
19. Location, use, size, and proposed improvements of open spaces and recreation areas; maintenance provisions for such areas.
20. Location and type of proposed screens and fences; height; typical elevation and vertical section of screens, showing materials and dimensions.
21. Location of proposed outdoor trash container enclosures; size, typical elevation, and vertical section of enclosure, showing materials and dimensions.
22. Location, type, size, area, and height of proposed signs.
23. Layout, size of lines, culverts, hydrants, drainage flow patterns, location of manholes and catch basins for proposed utilities; location and size of retention ponds and degreed slope of sides of pond; calculations for sizing of storm drainage facilities; location of electricity and telephone poles and wires; location and size of surface mounted equipment for electricity and telephone services; location and size of underground tanks where applicable; location and size of outdoor incinerators; location and size of wells, septic tanks, and drain fields, if on-site facilities are to be used. 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; are to be submitted to and approved by the Township Engineer prior to Planning Commission approval of the final site plan.

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If on-site water and sewer facilities are to be used, a letter of approval of same by the Washtenaw County Health Department shall be submitted prior to Planning Commission approval.

24. Landscape plan showing location and size of plant materials.;
25. Description of measures to control soil erosion and sedimentation during grading and construction operations and until a permanent ground cover is established. Recommendations for such measures may be obtained from the County Soil Conservation Service.
26. Location of proposed retaining walls, and dimensions and materials of same; fill materials; typical vertical sections; restoration of adjacent properties, where applicable.
27. Location, type, direction, and intensity of outside lighting.
28. 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.
29. As built plans of all site improvements shall be submitted to the Township Engineer prior to issuance of occupancy permits or release of performance guarantees, whichever is applicable.

D. **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, meet specifications of the Township for fire and police protection, water supply, sewage disposal or treatment, storm drainage, and other public facilities and services;
5. That the plan meets all specifications of this Article;
6. That any grading or filling will not destroy the character of the property or the surrounding area and will not adversely affect the adjacent or neighboring property; and
7. That erosion will be controlled during and after construction and will not adversely affect adjacent or neighboring property or public facilities or services.
8. That outside lighting will not adversely affect adjacent or neighboring properties, or traffic on adjacent streets.
9. 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.
10. That the plan provides for the proper expansion of existing public streets serving the site, where applicable.

E. **Planning Commission Action** - The Planning Commission shall study the final site plan and shall approve or reject the final site plan.. The Commission may suggest and/or require changes or modifications in the proposed site plan as are needed to gain approval. The Planning Commission shall include in its study of the site plan consultation with other government officials and departments and public utility companies that might have an

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interest in or be affected by the proposed development. All engineering drawings and plans may be approved upon request by the Planning Commission by the Township Engineer before a final site plan shall be approved.

Upon Planning Commission approval of a final site plan, the applicant and owner(s) of record, and the Planning Commission Secretary shall sign four (4) copies of the approved site plan. The Planning Commission Secretary shall transmit two such signed copies of the approved final site plan and any conditions attached to such approval to the Zoning Administrator, one copy to the applicant, and one copy shall be retained in the Planning Commission's files. If the final site plan is rejected, the Planning Commission shall notify the applicant in writing of such action and reasons therefore within ten (10) days following such action.

- F. 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.
- G. Expiration of Approval** - Approval shall expire and be of no effect unless a building permit shall have been taken out within one year 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 in conformance with the approved final site plan. Construction shall consist of a permanent foundation.

SECTION 5.05 - COMBINING PRELIMINARY AND FINAL SITE PLANS

An Applicant may, at his discretion and risk, with approval of the Township Planning Commission, combine a preliminary and final site plan in application for approval. The Township 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.

SECTION 5.06 - AMENDMENT OF APPROVED SITE PLAN

A site plan may be amended upon application and in accordance with procedure and requirements provided in Section 5.03, herein, for preliminary site plan and in Section 5.04, 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 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 a minor or major change 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 5.07 - MODIFICATION OF PLAN DURING CONSTRUCTION

All site improvements shall conform to the approved final site plan. If the applicant makes any changes during construction in the development in relation to the approved final site plan, he shall do so at his own risk, without any assurance that the Planning Commission will approve the changes.

It shall be the responsibility of the applicant to notify the Zoning Administrator, Building Inspector and the Planning Commission of any such changes. The Zoning Administrator or the Planning Commission, whichever is applicable, may require the applicant to correct the changes so as to conform to the approved final site plan.

SECTION 5.08 - 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.

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SECTION 5.09 - INSPECTION

The Zoning Administrator 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 inspection.

The Zoning Administrator shall notify the Planning Commission, in writing, when a development for which a final site plan is approved has passed inspection with respect to the approved final plan. The Zoning Administrator shall notify the Planning Commission, 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 Commission of steps taken to achieve compliance. In such cases, the Zoning Administrator shall periodically notify the Township Planning Commission of progress towards compliance with the approved final site plan and when compliance is achieved.

SECTION 5.10 - PERFORMANCE GUARANTEES

Bonds or other acceptable forms of security shall be provided by the applicant after a final site plan is approved and prior to issuance of a building permit, for site improvements such as, but not limited to, streets or drives, parking lots, grading, landscaping and screens. The schedule for determining such security shall be established by resolution of the Township Board and shall be administered by the Township Treasurer. Such security may be released in proportion to work completed after passing inspection as complying with the approved final site plan. In the event that the applicant shall fail to provide improvements according to the approved final site plan, the Township Board shall have the authority to have such work completed. The Township Board may reimburse itself for costs of such work by appropriating funds from the deposit or security, or may require performance by the bonding company.

In addition to the above security, or in place thereof, the Zoning Administrator may refuse to issue a certificate of occupancy in order to achieve compliance with the approved final site plan. In such cases, the certificate may be issued upon compliance with the approved final site plan or when adequate security is provided to guarantee compliance following occupancy.

SECTION 5.11 - 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 5.12 As-Built Drawings

- A. The applicant shall provide as-built drawings of all work installed on a site for which a final site plan was approved. The drawings shall be submitted to the Township Zoning Administrator, and prior to the release of any performance guarantee or part thereof covering such installation.
- B. The as-built drawings shall show, at a minimum, 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 as-built 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 "As-Built 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 5.13 - VIOLATIONS

The approved final site plan shall regulate development of the property and any violation of this Article, including any improvement not in conformance of the approved final site plan, shall be deemed a violation of this Ordinance as provided in Section 13.10, herein, and shall be subject to all penalties therein.

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