

ARTICLE 18
SITE REVIEW

5 **Sec. 18-01 Intent**

10 The review procedures and standards set forth herein provide a consistent and uniform method for review of proposed projects, development plans, activities, and use changes, and to ensure full compliance with the requirements and standards contained in this Ordinance, other applicable local Ordinances, standard engineering practices, and state and Federal laws. The procedures set forth herein are further intended to:

15 (a) Achieve efficient use of the land.

 (b) Protect natural resources.

 (c) Minimize adverse impacts on adjoining or nearby properties.

20 (d) Provide a mechanism for review of activities.

 (e) Encourage cooperation and consultation between the Township and the applicant to facilitate activities in accordance with the Township's land use objectives.

25 (f) Protect the private property rights of Township residents through timely, consistent and fair administration of the Township's site review processes.

30 (Ord. #234, 12/28/06)

30 **Sec. 18-02 Uses Subject to Review**

35 Table 18-02 sets forth the four (4) distinct review processes appropriate for a range of situations, activities and uses. Table 18-02 graphically illustrates the relevant review process for each particular activity for which the Township requires review. For situations and uses requiring a site plan or sketch plan, associated permits shall not be issued until the requisite plan is approved in accordance with the procedures and standards set forth herein and all necessary review, inspection, and permit fees have been fully paid. The following

descriptions (a-d) of the review processes are informational and illustrative; they do not supplement or supersede the review procedures and requirements set forth in this Ordinance.

- 5 (a) **Full Site Plan.** The most involved process for large and complex projects, including most new developments and major expansions.
- 10 (b) **Sketch Plan.** Small scale projects and expansions or changes in use are permitted to provide less detailed information than a full site plan review. The level of information is intended to be proportionate to the extent of the change and yet insure adequate review for compliance with applicable standards. Sketch plans shall still undergo a formal review by the Planning Commission.
- 15 (c) **Administrative Review.** Select small scale projects and expansions or changes in use to sites are required to provide a plan that describes the proposed activity, and do not require review by the Planning Commission; but instead, shall undergo a formal review for approval by the Township Planner.
- 20 (d) **Exempt.** Select projects and activities are exempt from site review given their relatively low level of impact on adjacent land uses, and given that compliance with applicable zoning regulations can be addressed during the building permit review process.

| Table 18-02 Required Review Processes | | | | |
|--|------------------------|--------------------------------|----------------------------------|---------------------------|
| Activity/Situation/Use | Required Review | | | |
| | Full Site Plan | Sketch Plan¹ | Admin. Review² | Exempt³ |
| New Development | | | | |
| Construction of 1 Single Family Dwelling Unit on 1 Lot in a Residential Zoning District | | | | X |
| Multiple Family Dwellings | X | | | |
| Construction of any Nonresidential Use or Building | X | | | |
| Establishment of Special Land Uses in all Zoning Districts, Except Where Specifically Noted Elsewhere in this Table | X | | | |
| Erection of Cellular Phone Towers & other Communication Towers | X | | | |
| Construction of Essential Public Service Buildings & Storage Areas | X | | | |
| Golf Courses & Public/Private Parks | | X⁴ | | |
| Minor Changes During Construction such as Changes in Landscape Species to a Similar Variety, Realignment of a Driveway or Road Due to an Unanticipated & Documented Constraint During Construction, or to Improve Safety or Protect Natural Features | | | X | |
| Minor Changes During Construction Required by Outside Agencies | | | X | |
| Expansions | | | | |
| Expansion of 1 Single Family Dwelling Unit on 1 Lot in a Residential Zoning District | | | | X |

CHARTER TOWNSHIP OF BRIGHTON ZONING ORDINANCE

**Table 18-02
Required Review Processes**

| Activity/Situation/Use | Required Review | | | |
|---|-----------------|--------------------------|----------------------------|----------------------|
| | Full Site Plan | Sketch Plan ¹ | Admin. Review ² | Exempt ³ |
| An Increase in the Floor Area up to 25% of the Existing Floor Area for a Use Requiring Site Plan Approval | | X | | |
| An Increase in the Floor Area Greater than that Specified Above | X | | | |
| An Increase in Parking or Loading Area of up to 25% or 6,000 sq. ft. of Pavement Area without any Building Changes | | | X⁵ | |
| An Increase in Parking or Loading Area over 25% or 6,000 sq. ft. of Pavement Area without any Building Changes | | X⁵ | | |
| Changes to Building Height that do not Add Additional Floor Area | | | X | |
| Changes in Use⁶ | | | | |
| Any Change in the Use of Land or a Building to a More Intensive Use, in Terms of Parking Needs, Noise, Traffic Volumes, & Similar Impacts | | X | | |
| A Change in Use to a Similar or Less Intense Use Provided the Site shall Not Require any Significant Changes in the Existing Site Facilities such as Parking, Landscaping, Lighting, or Signs | | | X | |
| Improvements to Outdoor Recreational Uses & Parks that are Permitted Uses | | | X | |
| A Change from a Nonconforming Use, Building or Site, to a More Conforming Situation | | X | | |
| Other Types of Projects | | | | |
| Accessory Open-Air Businesses | | X | | |
| Accessory Buildings & Structures Constructed or Erected Accessory to a Permitted Single Family Dwelling Unit; & those up to 100 sq. ft. in Area in other Districts | | | | X⁴ |
| Accessory Buildings & Structures Greater than 100 sq. ft associated with a Non-Single Family Residential Use in any Zoning District | | | X | |
| Architectural Changes to a Non-Single Family Residential Structure (an Elevation Plan Describing Changes & Construction Materials is Required) | | | X | |
| Bike path, Pathway or Sidewalk Construction or Relocation | | | X⁵ | |
| Construction of an Entrance Feature Associated with a Non-Single Family Residential Use (Walls, Landscaping, etc.) | | X | | |
| Fences Associated with a Non-Single Family Residential Use, Installed or Improved | | | X⁵ | |
| Grading, Excavation, Filling, Soil Removal, Creation of Basins unless such activity is normally & customarily incidental to Single Family Uses on the Site. | | | X⁵ | |
| Clearing 5 or more trees if the total number of trees cleared is more than twenty-five percent (25%) of the trees measuring six (6) inch caliper or larger on a Site within a twelve-month period. | | | X⁷ | |
| Home Occupations | | X | | |
| Internal Construction or Change in the Floor Plan that Does not Increase Gross Floor Area, Increase the Intensity of Use or Affect Parking Requirements on a Site which Meets all Site Design Standards of this Ordinance | | | | X |
| Landscape Changes to Similar Species & that are Consistent with the Standards of this Ordinance | | | X | |
| Modifications to Upgrade a Non-Single Family Residential Building to Improve Barrier-Free Design, or to Comply with the Americans with | | | X | |

**Table 18-02
Required Review Processes**

| Activity/Situation/Use | Required Review | | | |
|---|-----------------|--------------------------|----------------------------|---------------------|
| | Full Site Plan | Sketch Plan ¹ | Admin. Review ² | Exempt ³ |
| Disabilities Act or Other Federal, State or County Regulations | | | | |
| Parking Lot Improvements Provided the Total Number of Spaces shall Remain Constant | | | X ⁵ | |
| Private Roads | X | | | |
| Residential Care Facilities Licensed by the State that Require Special Land Use Approval | | X | | |
| Sign Relocation or Replacement Provided it Meets the Dimensional & Location Standards of this Ordinance | | | X | |
| Site Improvements such as Installation of Walls, Fences, Lighting or Curbing Consistent with Ordinance Standards | | | X | |
| Temporary Uses, Sales & Seasonal Events | | X | | |
| Utility System Improvements | | | | X ⁵ |
| Waste Receptacle Relocation to a More Inconspicuous Location or Installation of Screening around the Waste Receptacle | | | X | |
| Other projects not specifically listed in this Table | | | X | |
| Footnotes: | | | | |
| ¹ Requires review & approval by the Planning Commission (see <i>Section 18-04</i>) | | | | |
| ² If the modifications are not deemed minor, then normal site plan review by the Planning Commission shall be required. Planning Commission review shall be required for all site plans that involve a request for a variance, or special land use | | | | |
| ³ A building permit is still required | | | | |
| ⁴ For a golf course, a general layout of holes, ball trajectory & natural features is required; full site plan review is required for buildings, structures & parking areas that illustrate the area around such facilities | | | | |
| ⁵ Construction plans must be approved by the township engineer | | | | |
| ⁶ The new use must be fully described & all applicable utility fees paid | | | | |
| ⁷ No administrative review fee | | | | |

(Ord. #243, 8/1/08), (Ord. #234, 12/28/06)

Sec. 18-03 Site Plan and Sketch Plan Review Procedures and Requirements

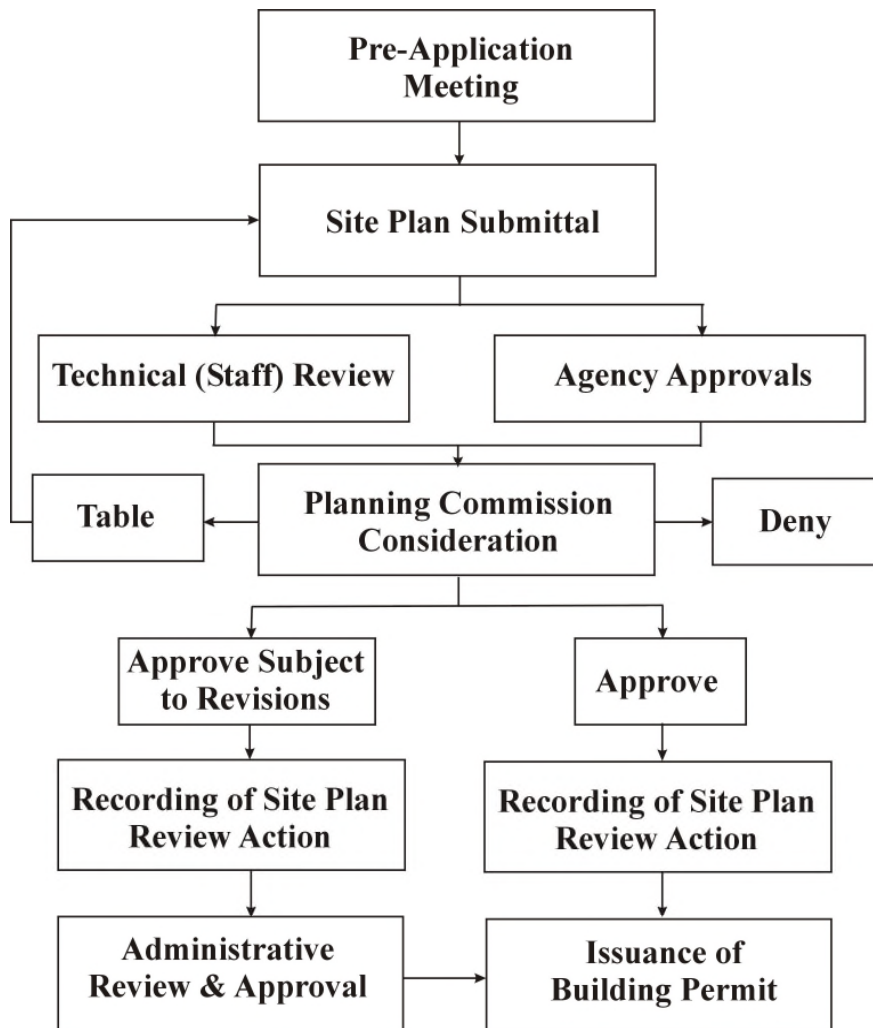
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Except as otherwise set forth in *Section 18-04*, site plans and sketch plans must be submitted in accordance with the following procedures and requirements:

10

- (a) **Applicant Attendance.** The application shall be submitted by the owner of an interest in the land for which site plan approval is sought, or the designated agent of the owner. The applicant or a designated representative must be present at all scheduled review meetings or consideration of the plan shall be tabled without consideration of the site plan due to lack of representation. The representative must be the property owner or someone designated in writing by the property owner as the authorized representative. The Township Planner may recommend to the Planning Commission that the applicant's

15



architect or engineer be required to be present at the meeting in order to address technical matters related to the application.

(b) **Pre-Application Meeting.** The applicant may be required to schedule a meeting with the Township Planner to discuss the project, submittal requirements, and review procedures. The purpose of this meeting is to discuss applicable requirements and technical issues, and to determine the appropriate type of review process based on Table 18-02. Sufficient information shall be submitted prior to the meeting that describes the proposed project. Discussion at this meeting is in no way a formal approval or decision on any aspect of a proposed project.

(c) **Site Plan Submittal.** The applicant shall submit copies as outlined in the various submittal applications to the Township Planner. Plans will not be accepted unless all materials are submitted.

(1) Complete application form supplied by the Township.

(2) Written description of the proposed project or use.

(3) Documentation that the applicant has submitted one (1) copy of the application plus two (2) copies of the site plan to the Livingston County Drain Commissioner, the Livingston County Health Department, and all applicable public utility companies.

(4) A complete site plan or sketch plan that includes the information listed in *Section 18-05*.

(5) Any additional information the Planning Commission finds necessary to make the determinations required herein.

(d) **Technical (Staff) Reviews.** The Township Planner shall forward the application and site plan(s) to the Township Engineer and Fire Department for review and comment.

(e) **Agency Approvals.** The applicant shall be required to obtain all other necessary agency permits from the Livingston County Drain Commissioner, Livingston County Road Commission, the Livingston County Health Department, and all applicable utility companies. Copies of applications and approvals from all applicable outside agencies shall accompany submission of the final site plan.

(f) **Planning Commission Consideration.** Following technical review and comment, and compliance with administrative procedures, the site plan shall be placed on the agenda of the Planning Commission. The Planning Commission shall review the application for site plan review, together with the reports and recommendations from the Township Planner, Township Engineer, Fire Department and other reviewing agencies, as appropriate. The Planning Commission shall then make a determination based on the requirements and standards of this Ordinance. The Planning Commission is authorized to table, grant approval, grant approval subject to conditions, or denial as follows:

(1) **Table.** The application may be tabled if it is determined to be incomplete, the applicant has not fully responded to deficiencies identified in the

technical review, a variance is needed from the Zoning Board of Appeals, or revisions are necessary to bring the site plan into compliance with applicable standards and requirements. The Planning Commission shall direct the applicant to prepare additional information, revise the site plan, or direct the Township staff to conduct additional analysis. The applicant shall be required to prepare revised plans accompanied by a complete list of all changes, signed by the applicant's design professional.

(2) **Approval.** Upon determination that a site plan is in compliance with the standards and requirements of this Ordinance and other applicable Ordinances and laws, approval shall be granted subject to the applicant providing copies of all required outside agency approvals.

(3) **Approval Subject to Revisions.** Upon determination that a site plan is in compliance except for minor revisions, said revisions shall be identified and the applicant shall correct the site plan prior to applying for a building permit. The applicant shall resubmit the site plan, accompanied by a complete list of all changes, signed by the applicant's design professional, to the Township Planner for final approval after the revisions have been completed. The Township Planner shall review and approve the resubmitted plan if all required revisions have been addressed and copies of any permits required by outside agencies have been provided. The Planning Commission may approve subject to the submission of all applicable County permits.

(4) **Denial.** Upon determination that a site plan does not comply with standards and requirements set forth in this Ordinance site plan approval shall be denied. Any resubmittal shall be considered a new site plan and be required to reinitiate the full site plan review process. Any person aggrieved by the decision of the Planning Commission in denial of a site plan shall have the right to appeal the decision to the Zoning Board of Appeals.

(g) **Recording of Site Plan Review Action.** Each action taken with reference to a site plan review shall be duly recorded in the minutes of the Planning Commission's meeting. The grounds for action taken upon each site plan shall also be recorded in the minutes. After action has been taken, one (1) copy of the application and site plan(s) shall be transmitted to each of the applicant,

along with a written transmittal of the grounds of action and any conditions of approval.

5 (h) **Completion of Site Design**

10 (1) Following final approval of the site plan or sketch plan and final approval of the engineering plans by the Township Engineer, a building permit may be obtained. It shall be the responsibility of the applicant to obtain all other applicable Township, County, or State permits prior to issuance of a building permit.

15 (2) If construction has not commenced within two (2) years of site plan approval, then staff can approve a one (1) year administrative extension if the site plan complies with current requirements. After that time period, the approval becomes null and void and a new application for site plan review shall be required unless the applicant receives an extension from the Planning Commission. The applicant may request a one (1) year extension by the Planning Commission, provided a written request is received before the expiration date and the site plan complies with current requirements (i.e., any amendments to the Zoning Ordinance since the site plan was approved).

20 (Ord. #281, 12/9/22), (Ord. #234, 12/28/06), (Ord. #231, 12/27/05)

25 **Sec. 18-04 Administrative Review Procedures and Requirements**

For activities, uses and projects requiring administrative review, as identified in Table 18-02, the following procedures and requirements apply:

30 (a) **Submittal Requirements.** Copies of the plan as outlined in the application package that contains the information listed in *Section 18-05* shall be submitted to the Township Planner. The Township Planner may waive some of the submittal requirements if the information is not relevant or necessary to ensure review of and compliance with the applicable zoning requirements.

35 (b) **Review by Township Planner.** The Township Planner shall confine his/her review to the proposed alterations only, rather than review of the entire use, building or layout. If the Township Planner determines that the proposed

alterations do not comply with one or more provisions of this Ordinance, the Township Planner shall disapprove them in writing, and shall cite the section(s) of the Ordinance that would be violated by the alteration. The Township Planner shall otherwise either approve the plan or approve the plan with a condition that certain revisions be made, if such revisions are necessary to achieve compliance with a provision or provisions of this Ordinance that have been identified, in writing, by the Township Planner.

(c) **Planning Commission Review.** The Township Planner and the applicant have the option to request sketch plan review by the Planning Commission. Each such request must be accompanied by a short narrative statement describing the circumstances that prevent the Township Planner from approving or disapproving the sketch plan, or that justify the referral of the sketch plan to the Planning Commission.

(d) **Issuance of Building Permit.** A building permit shall be issued following review and approval of any construction plans by the Township Engineer, as appropriate.

(Ord. #234, 12/28/06), (Ord. #231, 12/27/05)

Sec. 18-05 Submittal Requirements

The following data shall be included with and as part of the site plan(s) or sketch plan(s) submitted for review:

| Table 18-05 Site Plan and Sketch Plan Submittal Requirements ¹ | | |
|---|---------------|-------------|
| Plan Data | Required for: | |
| | Site Plan | Sketch Plan |
| Application Form | | |
| Name & Address of the Applicant & Property Owner | X | X |
| Address & Common Description of Property & Complete Legal Description | X | X |
| Dimensions of Land & Total Acreage | X | X |
| Zoning on the Site & All Adjacent Properties | X | X |
| Description of Proposed Project or Use, Type of Building or Structures, & Name of Proposed Development, if Applicable | X | X |
| Name & Address of Firm or Individual Who Prepared Site Plan | X | X |
| Proof of Property Ownership | X | X |
| Site Plan Descriptive & Identification Data | | |
| Site Plans Shall Consist of an Overall Plan for the Entire Development, Drawn to an Engineer's Scale of not Less than 1 in. = 50 ft. for Property Less than 3 Acres, or 1 in. = 100 | X | X |

CHARTER TOWNSHIP OF BRIGHTON ZONING ORDINANCE

| Table 18-05 Site Plan and Sketch Plan Submittal Requirements¹ | | |
|--|----------------------|--------------------|
| Plan Data | Required for: | |
| | Site Plan | Sketch Plan |
| ft. for Property 3 Acres or More in Size. Sheet Size shall be at Least 24 x 36 in. If a Large Development is Shown in Sections on Multiple Sheets, then One Overall Composite Sheet shall be Included | | |
| Title Block with Sheet Number/Title; Name, Address & Telephone Number of the Applicant & Firm or Individual Who Prepared the Plans; & Date(s) of Submission & any Revisions (Month, Day, Year) | X | X |
| Scale & North-Point | X | X |
| Location Map Drawn to a Separate Scale with North-Point, Showing Surrounding Land, Water Features, Zoning & Roads within 1/2 Mile | X | |
| Legal & Common Description of Property | X | X |
| Identification & Seal of Architect, Engineer, Land Surveyor, or Landscape Architect Who Prepared Drawings | X | |
| Zoning Classification of Petitioner's Parcel & all Abutting Parcels | X | X |
| Proximity to Section Corner & Major Thoroughfares | X | |
| Net Acreage (Minus Right-of-Ways & Submerged Land) & Total Acreage | X | X |
| Site Data | | |
| Existing Lot Lines, Building Lines, Structures, Parking Areas & Other Improvements on the Site & within 100 ft. of the Site | X | X |
| Topography on the Site & within 100 ft. of the Site at Two-Foot Contour Intervals, Referenced to a U.S.G.S. Benchmark | X | |
| Proposed Lot Lines, Lot Dimensions, Property Lines, Setback Dimensions, Structures, & other Improvements on the Site & within 100 ft. of the Site | X | X |
| Location of Existing Drainage Courses, Floodplains, Lakes & Streams, & Wetlands with Elevations | X | X |
| Location of any Natural Features Protection Areas, as Identified on the Natural Features Protection Area Map, if Applicable | X | X |
| Location of any Wellhead Protection Areas, as Identified on the Natural Features Protection Area Map, if Applicable | X | X |
| All Existing & Proposed Easements Including Type | X | X |
| Location of Exterior Lighting (Site & Building Lighting) | X | |
| Location of Trash Receptacle(s) & Transformer Pad(s) & Method of Screening | X | X |
| Extent of any Outdoor Sales or Display Area | X | X |
| Access & Circulation | | |
| Dimensions, Curve Radii & Centerlines of Existing & Proposed Access Points, Roads & Road Rights-of-Way or Access Easements | X | X |
| Driveways & Intersections within 250 ft. of Site | X | |
| Cross Section Details of Proposed Roads, Driveways, Parking Lots, Sidewalks & Non-Motorized Paths Illustrating Materials & Thickness | X | |
| Dimensions of Acceleration, Deceleration, & Passing Lanes | X | |
| Dimensions of Parking Spaces, Islands, Circulation Aisles & Loading Zones | X | X |
| Calculations For Required Number of Parking & Loading Spaces | X | X |
| Designation of Fire Lanes | X | X |
| Traffic Regulatory Signs & Pavement Markings | X | |
| Location of Existing & Proposed Sidewalks/Pathways within the Site or Right-of-Way | X | X |
| Location, Height, & Outside Dimensions of all Storage Areas & Facilities | X | X |
| Traffic Impact Study may be Required at the Planning Commission's Request when the Use Generates Traffic that Exceeds Trip Generation Rates Recognized by the Institute of Traffic Engineers (ITE) in accordance with Section 18-09 | X | X |

| Table 18-05 Site Plan and Sketch Plan Submittal Requirements¹ | | |
|---|----------------------|--------------------|
| Plan Data | Required for: | |
| | Site Plan | Sketch Plan |
| Landscape Plans | | |
| Location, Sizes, & Types of Existing Trees 6 in. or Greater in Diameter, measured at 3.5 ft. off the Ground, Evergreen Trees 10 ft. or Taller & the General Location of all other Existing Plant Materials, with an Identification of Materials to be Removed & Materials to be Preserved | X | X |
| Description of Methods to Preserve Existing Landscaping | X | |
| The Location of Existing & Proposed Lawns & Landscaped Areas | X | X |
| Landscape Plan, Including Location & Type of all Proposed Shrubs, Trees, & other Live Plant Material | X | |
| Planting List for Proposed Landscape Materials with Caliper Size or Height of Material, Method of Installation, Botanical & Common Names, & Quantity | X | |
| Proposed Dates of Plant Installation | X | |
| Landscape Maintenance Schedule | X | |
| Building & Structure Details | | |
| Location, Height, & Outside Dimensions of all Proposed Buildings or Structures | X | X |
| Building Floor Plans & Total Floor Area | X | |
| Details on Accessory Structures & any Screening | X | |
| Size, Height & Method of Shielding for all Site & Building Lighting | X | |
| Location, Size, Height, & Lighting of all Proposed Site & Wall Signs | X | X |
| Location, Size, Height & Material of Construction for all Obscuring Wall(s) or Berm(s) with Cross-Sections, where Required | X | X |
| Building Facade Elevations for all Sides, Drawn at an Appropriate Scale | X | |
| Description of Exterior Building Materials & Colors (Samples may be Required) | X | |
| Information Concerning Utilities, Drainage & Related Issues | | |
| Location of Sanitary Sewers & Septic Systems, Existing & Proposed | X | |
| Location & Size of Existing & Proposed Water Mains, Well Sites, Water Service, Storm Sewers Loads, & Fire Hydrants | X | |
| Stormwater Drainage & Retention/Detention Calculations | X | X |
| Indication of Site Grading, Drainage Patterns & other Stormwater Management Measures | X | X |
| Stormwater Retention & Detention Basins, including Grading, Side Slopes, Depth, High Water Elevation, Volume & Outfalls | X | X |
| Location & Size of Underground Storm Sewers & Drains | X | X |
| Location of Above & Below Ground Gas, Electric & Telephone Lines, Existing & Proposed | X | |
| Location of Transformers & Utility Boxes | X | |
| Assessment of Potential Impacts from the Use, Processing, or Movement of Hazardous Materials or Chemicals, if Applicable | X | |
| Additional Information Required for Multiple Family Residential Development | | |
| The Number & Location of Each Type of Residential Unit (One Bedroom Units, Two Bedroom Units, etc.) | X | |
| Density Calculations by Type of Residential Unit (Dwelling Units Per Acre) | X | |
| Garage &/or Carport Locations & Details, if Proposed | X | |
| Mailbox Clusters | X | |
| Location, Dimensions, Floor Plans & Elevations of Common Building(s) (E.G., Recreation, Laundry, etc.), if Applicable | X | |
| Swimming Pool Fencing Detail, including Height & Type of Fence, if Applicable | X | |
| Location & Size of Recreation & Open Space Areas | X | |
| Indication of Type of Recreation Facilities Proposed for Recreation Area | X | |
| ¹ If any of the items listed above are not applicable, a list of each item considered not applicable & the reason(s) why each listed item is not considered applicable should be provided on the site plan | | |

Digital files must be submitted to the Township after site plan approval. The files shall be compatible with the Township's geographic information system software (AutoCAD). Acceptable data formats are DXF or DWG. Digital files shall contain information which references either government corners or existing public right-of-way intersections in distance and direction from the project area. Any digital files which are not created 1:1 shall include appropriate scale information. Feature or element information within the digital files shall be isolated by both feature groups (files) and layers/levels. Any other information provided within the digital files shall be layer isolated and shall include a written description of both the layer name and the information contained on the layer(s). Digital information provided to the Township shall be delivered in a format compatible with the Windows NT operating system. The media shall be contained on a CD for Township use.

(Ord. #243, 8/1/08)

Sec. 18-06 Standards for Site Plan Approval

Site plan approval shall be granted only if the site plan meets all applicable standards set forth in this Section as outlined below:

(a) **Adequacy of Information.** The site plan shall include all required information in sufficiently complete and understandable form to provide an accurate description of the proposed use(s) and structure(s).

(b) **Site Design Characteristics.** All elements of the site design shall be harmoniously and efficiently organized in relation to topography, the size and type of lot, the character of adjoining property, and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted by this Ordinance. The site shall be designed to conform to all provisions of this Ordinance. Redevelopment of existing sites shall be brought into conformance with all site improvement provisions of this Ordinance which are relative to and proportionate to the extent of redevelopment, as determined by the Planning Commission.

(c) **Buildings.** Buildings and structures will meet or exceed setback requirements, height and other dimensional requirements, and be placed to preserve environmentally sensitive areas. Redevelopment of existing

structures shall meet or exceed all requirements for which a variance has not been obtained. Buildings shall comply with the design standards of ***Section 14-01.***

5 (d) **Preservation of Natural Areas.** The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, alteration to the natural drainage courses, and the amount of cutting, filling and grading. Natural features and the site topography shall be incorporated into the proposed site design to the maximum extent practical.

10 (e) **Emergency Vehicle Access.** All buildings or groups of buildings shall be arranged so as to permit emergency vehicle access by some practicable means to all vehicles.

15 (f) **Vehicular and Pedestrian Circulation Layout.** The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned roads and pedestrian or bicycle pathways in the area.

20 (g) **Drainage.** Stormwater management system and facilities shall preserve the natural drainage characteristics and enhance the aesthetics of the site to the maximum extent possible, and shall not substantially reduce or increase the natural retention or storage capacity of any wetland, water body, or water course, or cause alterations which could increase flooding or water pollution on or off the site.

25 (h) **Soil Erosion.** The proposed development shall include measures to prevent soil erosion and sedimentation during and after construction.

30 (i) **Exterior Lighting.** Exterior lighting shall be designed so that it is deflected away from adjacent properties and so that it does not impede the vision of drivers on public roads, adversely impact abutting properties or adversely impact the natural evening sky.

35 (j) **Public Services.** The scale and design of the proposed development shall facilitate the adequate provision of services currently furnished by or that may be required of the Township or other public agency including, but not limited to, fire and police protection, stormwater management, sanitary sewage removal and treatment, traffic control, and administrative services.

(k) **Traffic Impact.** The expected volume of traffic to be generated by the proposed use shall not adversely impact existing roads and the circulation thereon. Driveways shall be located to minimize conflict with traffic operations on the adjoining road. The number of driveways shall be the minimum needed to provide reasonable access to the site. Access shall comply with the requirements of *Section 16-05*. The width of roads and drives shall be appropriate for the volume of traffic they will carry.

(l) **Hazardous Materials.** Sites which include storage of hazardous materials or waste, fuels, salt, or chemicals shall be designed to prevent spills and discharges of polluting materials to the surface of the ground, groundwater or nearby surface water bodies. Such sites shall be designed to meet all applicable state and federal regulations.

Sec 18-07 Amendments to Approved Site Plans

The holder of an approved site plan shall notify the Township Planner of any proposed change to an approved site plan. Documentation outlining conditions necessitating the changes shall be provided. Changes to the approved site plan shall be permitted only under the following circumstances:

(a) **Minor Amendments.** Minor amendments may be approved by the Township Planner upon determining that the proposed revisions(s) comply with this Ordinance and will not alter the basic design nor any specific conditions imposed as part of the original approval. Minor amendments shall include the following:

(1) Change in the building size, up to five percent (5%) in total floor area.

(2) Movement of buildings or other structures by not more than ten (10) feet.

(3) Replacement of plant material specified in the landscape plan with comparable materials of an equal or greater size.

(4) Changes in building materials to a comparable or higher quality.

(5) Changes in floor plans which do not alter the character of the use.

(6) Changes required by outside agencies such as the County, State, or Federal departments.

(b) **Major Amendments.** A proposed amendment not determined by the Township Planner to be minor shall be submitted to the Planning Commission as a major site plan amendment and shall be reviewed in the same manner as the original application.

(Ord. #243, 8/1/08), (Ord. #234, 12/28/06)

Sec. 18-08 Property Maintenance after Approval

(a) It shall be the responsibility of the owner of a property for which site plan approval has been granted to maintain the property in accordance with the approved site design on a continuing basis until the property is razed, or until new zoning regulations supersede the regulations upon which site approval was based, or until a new site design approval is sought. This maintenance requirement includes maintaining healthy landscaping, walls, fences, pavement, pavement markings, signs, building exterior, drainage facilities and all other elements of a site.

(b) Any property owner who fails to maintain an approved site design shall be deemed in violation of this Ordinance.

Sec. 18-09 Traffic Impact Study

(a) A Traffic Impact Study, which evaluates current and future traffic operations at site access points shall be required for projects which could generate fifty to ninety-nine (50-99) directional trips during a peak hour.

(b) A Traffic Impact Study which evaluates current and future traffic operations at site access points and major signalized or non-signalized intersections in proximity to the site shall be required for any proposed development which would be expected to generate over one hundred (100) directional trips during the peak hour of the traffic generator or the peak hour on the adjacent roads, or over seven hundred fifty (750) trips in an average day. The exact study area of a Traffic Impact Study shall be established by the Planning Commission.

(c) A Traffic Impact Study shall also be required for new phases or changes to a development where a traffic study is more than two (2) years old and roadway conditions have changed significantly (volumes increasing more than two percent (2%) annually; or for a change or expansion at an existing site where the increased land use intensity is expected to increase traffic by at least fifty (50) directional trips in a peak hour or result in at least seven hundred fifty (750) vehicle trips per day for the entire project.

(d) The contents of the Traffic Impact Study shall include:

(1) Illustrations and a narrative that describes the characteristics of the site and adjacent roadway system (right-of-way, functional classification, lane configuration, speed limits, any sight distances limitations, current traffic conflicts, etc.) This description should include surrounding land uses, expected development in the vicinity which could influence future traffic conditions, special site features, and a description of any committed roadway improvements. The study should define and justify the study area selected for analysis.

(2) For a site plan review, manufactured home park, condominium project, a subdivision tentative preliminary plat, or specified Special Land Uses; a description of factors such as the number and types of dwelling units, the gross and usable floor area, the number of employees and shift change factors.

(3) Existing traffic conditions including existing peak-hour traffic volumes (and daily volumes if applicable) on road(s) adjacent to the site. Existing counts and levels of service for intersections in the vicinity which are expected to be impacted, as identified by the Planning Commission or its staff/consultants shall be provided for projects requiring a Traffic Impact Study. Traffic count data shall be collected using accepted practices and shall not be over two (2) years old.

(4) The existing right-of-way shall be identified along with any planned or desired expansion of the right-of-way requested by the applicable road agency.

(5) Traffic generated by other projects in the vicinity which have been approved or are under construction.

5 (6) For any project with a completion date beyond one (1) year at the time of the Traffic Impact Study, the analysis shall also include a scenario analyzing forecast traffic at date of completion along the adjacent road network using a forecast based on a network traffic assignment model (if available), historic annual percentage increases and/or future development in the area which has been approved.

10 (7) Forecasted trip generation of the proposed use for the a.m. (if applicable) and p.m. peak hour and average day. The forecasts shall be based on the data and procedures outlined in the most recent edition of Trip Generation published by the Institute of Transportation Engineers (ITE). The applicant may use other commonly accepted sources of data or supplement the standard data with data from at least three (3) similar projects in
15 Michigan.

20 (8) A rezoning Traffic Generation Comparison which details the current and proposed traffic impact is required for all rezonings. After review of the traffic generation comparison, it will be determined if a more detailed Traffic Impact Study (TIS) is required. The Traffic Generation Comparison should contrast the traffic impacts of typical uses permitted in the requested zoning district with uses permitted in the current zoning district. The determination of typical uses shall be made by the Planning Commission with input from Township staff and consultants. The
25 maximum density or intensity of uses in both districts shall also be considered.

30 (9) Any trip reduction for pass-by trips, transit, ridesharing, other modes, internal capture rates, etc. shall be based both on ITE findings and documented survey results acceptable to the Township and applicable road agency. The community may elect to reduce the trip reduction rates used.

35 (10) For projects intended to be developed in phases, the trip generation by phase shall be described.

(11) The projected traffic generated shall be distributed (inbound v. outbound, left turn v. right turn) onto the existing road network to project turning movements at site access points, and nearby intersections where required. Projected turning movements shall be illustrated in the report. A

description of the application of standards engineering procedures for determining the distribution should be provided (trip distribution model, market studies, counts at existing driveways, etc.).

5 (12) Level of service or "capacity" analysis at the proposed access points using
the procedures outlined in the most recent edition of the Highway
Capacity Manual published by the Transportation Research Board. For
projects requiring a Traffic Impact Study or Regional Traffic Analysis,
before and after capacity analyses shall also be performed for all road
10 intersections where the expected traffic generated at the site will comprise
at least five percent (5%) of the existing intersection capacity, unless other
intersections are identified by the Township. Gap studies for unsignalized
intersections shall be provided where applicable.

15 (13) The report shall include a map and description of the location and design
of proposed access (driveways or new road intersections) including: any
sight distance limitations, dimensions from adjacent driveways and
intersections within 250 feet on either side of the main roadway, potential
for shared access facilities, data to demonstrate that the number of
20 driveways proposed is the fewest necessary, support that the access points
will provide safe and efficient traffic operation and be in accordance with
the standards of **Article 16** and the applicable road agency. Comments
shall also be provided on internal circulation design such as the adequacy
of queuing (stacking) at site access points and other features that may
25 affect traffic operations and safety.

(14) The study shall outline mitigation measures and demonstrate any changes
to the level of service achieved by these measures. Any alternatives or
suggested phasing of improvements should be described. The mitigation
30 measures may include items such as roadway widening, need for bypass
lanes or deceleration tapers/lanes, changes to signalization, use of access
management techniques or a reduction in the proposed intensity of use.
Proposed mitigation measures should be discussed with the Livingston
County Road Commission and Michigan Department of Transportation, as
35 applicable. The responsibility and timing of roadway improvements shall
be described.

(e) The person responsible for the preparation of the study shall have a degree or
specific professional training in the preparation of Traffic Impact Studies.

5 The preparer shall have at least three (3) years of recent experience in the preparation of Traffic Impact Studies, provide evidence of ongoing experience and familiarity with the Highway Capacity Manual and other traffic operation evaluation techniques, be an associate (or higher) member of one or more professional transportation-related organizations, and be either a registered engineer (PE) or a planner with AICP or PCP certification. Any study involving roadway or traffic signal design work shall be prepared by or under the supervision of a registered engineer (PE) with specific training in traffic engineering.

10 (f) The requirement for a Traffic Impact Study, or the specific study elements of
a required Study may be waived or modified by the Planning Commission based on input from township staff and consultants or a representative of the applicable road agency. Reasons for the waiver or modification shall be
15 documented. Factors to be considered include:

 (1) Roadway improvements are scheduled which are expected to mitigate any impacts associated with the proposed project.

20 (2) The existing level of service along the roadway is not expected to drop below C due to the proposed project.

 (3) The existing level of service is not expected to be significantly impacted by the proposed project due to specific conditions at this location.

25 (4) A similar Traffic Impact Study was previously prepared for the site and is still considered applicable.

30 (Ord. #243, 8/1/08)