



MEMO

To: Peninsula Township Planning Commission

February 15, 2012

Re: Creation of the Site Plan Review Article,
New Items, & Procedural Discussion

Before any staff report is generated, or application is filed with the Township, there are typically several meetings which take place between staff and a potential applicant. On any given day the general public schedules a series of meetings with the zoning administrator, planner, or both to obtain a better “feeling” for what they will be required to illustrate on a site plan or submit as supporting facts to best assist the governing body of review. Although many of these requirements can be found within the Ordinance, the applicant is generally looking for what information is “needed” that may not particularly be spelled out within the Ordinance’s existing text. Further confusion is added to the process when an applicant does their due diligence, reads the text, and still submits a plan lacking pertinent information.

Depending on what land use, or site plan someone is preparing, the applicant may be subject to three to five (3-5) different articles of the Ordinance. This problem is not uncommon for zoning ordinances in general, however, Peninsula Township’s text is not forthcoming to its reader disclosing what “other” sections may be applicable given their particular situation. Furthermore, in the instance where a site plan has been approved by the Planning Commission and Township Board, occasionally physical implementation of a construction project deems that certain structural locations just will not work. Today, this type of situation would reignite the public hearing process and initiate a full-blown amendment to the special use permit causing a minimum of three (3) months delay toward completion of the project.

Although the current Ordinance is very thorough in its public review process, there are procedural changes that can be made to streamline this process while maintaining public involvement. The following is an outline of adjustments that should be considered for changes within the text to better assist future applicants, staff, and Township officials in their pursuit of presenting, reviewing, and approving a complete application.

Existing Regulations

Currently, Township regulations governing the implementation of a particular land use are separated into a few different articles within the Ordinance. Although it is typical for communities to structure ordinances in this fashion, it is repetitive in many instances where the same regulations appear in various sections with no relation to one another. A reorganization of the existing text would correct this issue and place the majority of pertinent regulations within a single article. Any additional regulations specific to the requested land use would then be placed accordingly throughout the Ordinance. An example of this type of organization can be found on the following two (2) pages.

(Example)

Agricultural District - List of Permitted and Special Land Uses

ARTICLE 5

Zoning District, Map and Schedule of Regulations

Section 513 Agricultural District: A-1

Intent and Purpose

This District is intended to recognize the unique ecological character of the Peninsula and to preserve, enhance, and stabilizing existing areas within the Township which are presently being used predominately for farming purposes, yet recognize that there are lands within the district which are not suited to agriculture, therefore allowing other limited uses which are deemed to be compatible with agricultural and open space uses.

A-1 Uses Permitted by Right

- | | |
|---|---|
| 1) Agricultural Labor Camp for less than five (5) migrant worker | 9) Licensed Agricultural Labor Camp |
| 2) Barn Storage | 10) Mining or removal of top soil subject |
| 3) Cemeteries, public or private: | 11) Mobile homes: |
| 4) Customary home occupations: | 12) One-family dwellings |
| 5) Customary uses and structures incidental to the permitted principal use: | 13) Public areas and Public parks: |
| 6) Family Day Care & Group Day Care Homes: | 14) Public and private conservation areas and |
| 7) Farm Processing Facility | 15) structures: |
| 8) Field crop and fruit farming, truck gardening, horticulture, aviaries, hatcheries, apiaries, green houses, tree nurseries, and similar agricultural enterprises along with accessory uses incidental to the above: | 16) Raising keeping and boarding of livestock |
| | 17) Raising and keeping of small animals |
| | 18) Roadside stands: |
| | 19) Tenant house: |
| | 20) Two-family dwelling |

A-1 Uses Permitted by Special Use Permit

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|---|--|
| · Adult Foster Care Facilities per Section 1004 | · Food processing plants subject to all requirements of Article VIII, Section 8.5. |
| · Airports and Airfields | · Game or hunting preserves operated for profit. |
| · Bed and Breakfast Establishments per Section 1005 | |

(Example)

Special Land Use - Specific Regulations for a Bed & Breakfast

ARTICLE 10

Uses Permitted as Special Use

Section 1004 Adult Foster Care Facilities within the Agricultural District

- A. Such uses shall be duly licensed by the State Department of Social Services.
- B. A maximum of ten (10) adults may receive foster care at any one time.
- C. The minimum lot size shall be five (5) acres.
- D. Such facilities shall be allowed only in areas which are and will remain free from concentrations of objectionable airborne chemical sprays and similar materials utilized by agricultural operations within close proximity.
- E. Such facilities shall be located where adult foster residents will be safe from traffic and other hazards.

Section 1005 Bed and Breakfast Establishments

Statement of Intent: It is the intent of this subsection to establish reasonable standards for Bed and Breakfast Establishments to assure that the property is suitable for transient lodging facilities the use is compatible with other uses in the residential and agricultural districts residential and agricultural lands shall not be subject to increased trespass the impact of the establishment is no greater than that of a private home with house guests.

Requirements for Bed and Breakfast establishments together with any other applicable requirements of this Ordinance shall be complied with:

- A. The minimum lot size shall be one (1) acre.
- B. Off-street parking shall be provided in accordance with Sections 7.6.3 and 7.6.4 of this ordinance.
- C. The residence shall be the principal dwelling unit on the property and shall be owner-occupied at all times.
- D. The residence shall have at least two (2) exits to the outdoors.
- E. No more than three (3) sleeping rooms in the residence may be used for rental purposes.
- F. Not more than eight (8) overnight guests may be accommodated at any time.
- G. The rooms utilized for sleeping shall be a part of a dwelling that has received an occupancy permit prior to the application for a Bed and Breakfast Special Use Permit. **(REVISED BY AMENDMENT 143)**
- H. The rental sleeping rooms shall have a minimum size of one hundred (100) square feet for each two occupants with an additional thirty (30) square feet for each occupant to a maximum of four (4) occupants per room.

Proposed NEW Final Site Plan Information

Certain items within any site plan are pertinent to assess potential physical or social impacts to subject properties and its surrounding parcels. Site topography, land uses designations, zoning districts, setbacks, significant vegetation, etc. are all examples of items that should be noted before a petitioned SUP is deemed “compatible” with its surroundings. To make the site plan review portion of any new land use comprehensive and straightforward, for both the applicant and the commission, staff has assembled the following information into one section of the Ordinance.

(Example)

Section ‘XYZ’ Information Required for a Final Site Plan.

- A. 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 detail that the Planning Commission can readily interpret the plan.
 2. Scale, north arrow, name and date of plan; date of any revisions thereto.
 3. Name, address, and phone number of the property owner and applicant; interest of applicant in property, name, address, and phone number of the developer.
 4. Name, address, and phone number of the designer. A detailed site plan shall be prepared and sealed by an architect, landscape architect, engineer, or land surveyor, unless waived by the Planning Commission.
 5. A vicinity map; legal description of site; dimensions and lot area. Where a metes and bounds 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, and shall correlate with the legal description.
 6. Existing topography (contour interval of two (2) feet); all existing natural features, including but not limited to trees, wooded areas, streams, marshes, ordinary high water mark, floodplain line, 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 twelve (12) inches in diameter or larger and individual evergreen trees ten (10) feet in height or higher are to be accurately located on the plan.
 7. Existing buildings, structures, and other improvements, including drives, utility poles and towers, light fixtures/lighting plan, 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. Owner, use, and zoning classification of adjacent properties; location and outline of buildings, drives, parking lots, other improvements on adjacent properties within fifty (50) feet of development site boundary.
 9. Name of existing streets, on or adjacent to the property, and associated rights-of-way.

10. Table showing 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.
11. Grading plan, showing finished contours at two (2) foot intervals and correlated with existing contours so as to clearly indicate cut and fill required. All finished contour lines are to be connected to existing contour lines at or before the property lines.
12. Location and exterior dimensions of all proposed buildings and structures, location to be referenced to property lines or to a common base point; distances between buildings; height in feet, and number of stories; finished floor elevations and contact grade elevations.
13. Location and alignment of all proposed streets and drives; rights-of-way where applicable; surface type and width, and typical cross section of same showing surface, base, and sub-base materials, dimensions, and slopes; location and typical details of curbing; turning lanes (where applicable) with details; location, width, surface elevations and grades of all entries and exits; curve-radii.
14. Location and dimensions of proposed parking lots; number of spaces in each lot; barrier free spaces; dimensions of spaces and aisles; drainage pattern of lots; typical cross-section showing surface, base, and sub-base materials; angle of spaces.
15. Location, width, and surface of proposed sidewalks and pedestrian ways.
16. Location, use, size and proposed improvements of open spaces, conservation areas and recreation areas; maintenance provisions for such areas.
17. Location and type of proposed screens and fences; height, typical elevation and vertical section of screens, showing materials and dimensions.
18. Location of proposed outdoor trash container enclosures; size, typical elevation, and vertical section of enclosure, showing materials and dimensions. Screening and layout standards shall meet those provisions put forth in Section “XYZ Landscaping and Screening” herein.
19. Location, type, size, area, height, and sketch of proposed signs.
20. At the discretion of the Planning Commission, a letter of approval for on-site water and sewer facilities by the District Health Department and/or Michigan Department of Environmental Quality shall be submitted prior to Planning Commission approval of the final site plan.
21. Landscape plan in compliance with Section “XYZ”.
22. General description of measures to control soil erosion and sedimentation during grading and construction operations, until a permanent ground cover is established. Prior to commencement, a soil erosion and sedimentation control permit must be obtained.
23. Location of proposed retaining walls, and dimensions and materials of same; fill materials; typical vertical sections; restoration of adjacent properties, where applicable.
24. Location, type, direction, and intensity of outside lighting in compliance with Section “XYZ” herein.
25. Right-of-way expansion(s) 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.

26. Construction Schedule.
27. Additional Requirements for Residential Developments.
 - a. Density calculations by type of unit by bedroom counts.
 - b. A complete schedule of the number of lots/sites, lot area per dwelling unit and type of dwelling units.
 - c. Carport and/or garage locations and details where proposed.
 - d. Amount and location of recreation spaces.
 - e. Type of recreation facilities to be provided in recreation space.
 - f. Community building details and other accessory uses, such as swimming pools, clubhouses, etc.
 - g. Building facades and elevations.
28. Additional Requirements for Commercial and Industrial Developments.
 - a. Loading/unloading areas.
 - b. Total and usable floor area.
 - c. Number of employees at peak usage.
 - d. Building facades and elevations.

Procedural Adjustments

In a policy decision taking place in 2011, the Township Board choose to retain its power to approve special land uses. Again, this causes both the Planning Commission and Township Board to review and approve a site plan before any land use permit can be issued by the Township's ZA. History has shown that minor site plan "adjustments" are sometimes necessary in all types of land development. Today, if such an occurrence was to take place, an applicant would potentially lose three (3) months time waiting for a decision from the Township Board in a best case scenario. To reduce this down time, while maintaining the public input process, a procedural Ordinance amendment could take place to reflect the following.

(Example) Section "ABC" Administrative Site Plan Review

- A. Minor amendments to an approved final site plan may occur only under the following circumstances:
 1. For residential buildings, the size of structures may be reduced, provided that the overall density of units does not increase, nor does the proposed change effect the cohesiveness and unity of the design of the development.
 2. Square footage of non-residential buildings may be decreased.
 3. Change of building height may be altered by up to five percent (5), but in no case exceed height limitations.
 4. Movement of a building or buildings by no more than five (5) feet provided required setbacks are met.
 5. Designated areas not to be disturbed, or those areas identified as being conserved or preserved may be increased.
 6. Plantings approved in the final site plan landscape plan may be replaced by similar types and sizes of landscaping which provides a similar screening effect on a one (1) to one (1) or greater basis. Such determination to be in compliance with Section "XYZ" herein.

7. Improvements to site access or circulation, such as inclusion of deceleration lanes, boulevards, curbing, pedestrian/bicycle paths, etc.
 8. Changes in floor plans, which do not alter the character of the use.
 9. Slight modification of sign placement or reduction of size.
 10. Relocation of sidewalks and/or refuse storage stations insofar as to not change the intent of the Planning Commission's approval in planning pedestrian walkways and screening incompatible on-site uses.
 11. Internal rearrangement of a parking lot, which does not affect the number of parking spaces or alter access locations or design, provided that all parking regulations are met.
 12. Changes required or requested by the County Sheriff or Fire Department for safety reasons, which do not affect site layout, shall be considered a minor change.
- B. Major Amendment. Should the Zoning Official determine that the requested modification to an approved plan is not minor, the Planning Commission shall be notified in writing. Major changes to an approved final site plan shall require resubmittal for final site plan review under this Article.
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The above issues have been documented by both staff and the general public throughout the years as topics which should be adjusted to make the administration of the Ordinance clear and concise. Additional amendments of this nature will be documented and explained in detail in the coming months as the Ordinance language is assembled and officially presented to the Planning Commission.

Thank you again for the time to address the February Site Plan Information matter above. If there should be any questions, concerns or comments regarding the issues at hand, please do not hesitate to contact staff at (231) 223-7314.

Sincerely,

Daniel Leonard; Peninsula Township Planner