MEMORANDUM
Planning and Zoning

6042 Acme Road | Williamsburg, MI | 49690
Phone: (231) 938-1350 **Fax**: (231) 938-1510 **Web:** www.acmetownship.org

To: Public at large

From: Shawn Winter, Zoning Administrator

CC:

Date: April 21, 2016

Re: Zoning Ordinance Amendment 039

TOWNSHIP OF ACME - NOTICE OF HEARING

PLEASE TAKE NOTICE that the ACME TOWNSHIP PLANNING COMMISSION will hold a public hearing at its regular meeting on Monday, May 9, 2016 at 7:00 p.m. at the Acme Township Hall, 6042 Acme Road, Williamsburg MI 49690, to consider the following amendments to the Acme Township Zoning Ordinance.

Amendment # 039 would amend Article VIII – Site Plan Review of the Acme Township Zoning Ordinance. The proposed amendment allows for an administrative review process for projects allowable by right that meet certain thresholds, incorporates additional requirements in the application submission process to reflect previous updates that have been adopted in the Zoning Ordinance, organizes and clarifies the format of required documentation, and addresses inefficiencies in the review process.

Copies of the entire proposed Amendment #039 are available for inspection at the Acme Township hall. All interested persons are invited to attend and be heard at public hearings before the Planning Commission. After each public hearing, the Planning Commission may or may not deliberate and take action. The entire Zoning Ordinance is available for inspection at the Acme Township Hall from 7:30 a.m. to 6:00 p.m. Monday through Thursday. Proposed Zoning Ordinance Amendments and the entire Zoning Ordinance are also available for inspection via the Township's website, www.acmetownship.org.

If you are planning to attend and require any special assistance, please notify Cathy Dye, Township Clerk, within 24 hours of the meeting at 938-1350.

Written comments may be directed to:
Shawn Winter, Zoning Administrator
6042 Acme Road
Williamsburg, MI 49690
(231) 938-1350
swinter@acmetownship.org

ARTICLE VIII: SITE PLANS

8.1. SITE PLAN REVIEW REQUIREMENT:

This Article governs the processes and standards for all uses and structures for which site plan approval is required under other provisions of this ordinance. Site plans for special uses shall receive a recommendation from the Township Planning Commission and a final decision by the Township Board. The Planning Commission shall make the final decision on site plans that are not related to special uses.

8.2. PROCEDURES:

8.2.1 SITE PLANS FOR SPECIAL USES:

Site plans for special uses will be processed according to this Article and any applicable procedures for special uses in Article IX.

8.2.2 SITE PLANS FOR USES OTHER THAN SPECIAL USES:

Site plans for uses other than special uses will be processed using the following procedures. The Zoning Administrator shall review the application and determine whether it contains all of the required information. If the Zoning Administrator determines the application is not complete, he or she shall notify the applicant of what additional information is required. Once the Zoning Administrator determines the application is complete, he or she shall inform the Chairperson of the Planning Commission, who shall set the date for review of the application. The Planning Commission or its Chairperson may elect to hold a public hearing on the application, but a public hearing is not required. If a public hearing is held, the Township shall give notice of the public hearing pursuant to the Michigan Zoning Enabling Act. The Chairperson may, at his or her discretion, place the application on the Planning Commission's agenda for discussion prior to the public hearing. The Planning Commission may also keep the public hearing open for any and all additional Planning Commission meetings where the application is discussed. After the public hearing, and adequate review and study of the application, the Township Planning Commission shall make a decision on the application, including its findings and any conditions. If a separate document is not prepared, the Planning Commission's meeting minutes will serve as its findings.

8.2.3 APPLICATION REQUIREMENTS:

The required contents of an application for site plan approval are:

a. A site plan drawn to scale of 1" - 50' (unless the Zoning Administrator specifies otherwise), of all property involved in the special land use, showing the location of all abutting streets, the location of all existing and proposed structures and their uses, and the location and extent of all above ground development, both existing and proposed.

b. If requested by the Planning Commission, elevations for the proposed development.

c. All information required by any other provision of this ordinance governing the land use or structure for which site plan approval is sought.

ORIGINAL

d. The Planning Commission may require a written Impact Assessment. In the case of a site plan application related to a special use, the Township Board may also require an Impact Assessment if the Planning Commission does not. An Impact Assessment shall include the following information:

1. A written description of the environmental characteristics of the site prior to development, i.e.: topography, soils, vegetative cover, drainage, streams, creeks or ponds

2. Types of uses and other man-made facilities

3. The number of: people to be housed, employed, visitors or patrons and vehicular and pedestrian traffic

4. Phasing of the project, including ultimate development proposals

5. Natural features which will be retained, removed and/or modified including vegetation, drainage, hillsides, streams, wetlands, woodlands, wildlife and water. The description of the areas to be changed shall include their effect on the site and adjacent properties. An aerial photo may be used to delineate the areas of change.

6. The method to be used to serve the development with water and sanitary sewer facilities

7. Plans for storm water control and drainage, including measures to be used during construction

8. If public sewers are not available to the site the applicant shall submit a current approval from the health department or other responsible public agency indicating approval of plans for sewage treatment.

9. The method to be used to control any increase in effluent discharge to the air or any increase in noise level emanating from the site. Consideration of any nuisance that would be created within the site or external to the site whether by reason of dust, noise, fumes, vibration, smoke or lights.

10. An indication of how the proposed use conforms to existing and potential development patterns and any adverse effects.

11. Name(s) and address(es) of person(s) responsible for preparation of statement

12. Plans to control soil erosion and sedimentation, including any input from the Grand Traverse County Drain Commissioner

13. Type, direction, and intensity of outside lighting

14. General description of deed restrictions, if any

ORIGINAL

8.2.4 STANDARDS FOR SITE PLAN REVIEW:

The Township shall not approve a site plan unless it meets each and every one of the following standards that are applicable to the use under consideration:

a. That the applicant may legally apply for site plan review.

b. That all required information has been provided.

c. That the proposed development conforms to all regulations of the zoning district in which it is located and all other applicable standards and requirements of this ordinance, including but not limited to all supplementary regulations.

d. That the plan meets the requirements of Acme Township for fire and police protection, water supply, sewage disposal or treatment, storm, drainage, and other public facilities and services.

e. That the plan meets the standards of other governmental agencies where applicable, and that the approval of these agencies has been obtained or is assured.

f. That natural resources will be preserved to a maximum feasible extent, and that areas to be left undisturbed during construction shall be so indicated on the site plan and at the site per se.

g. That the proposed development property respects floodways and flood plains on or in the vicinity of the subject property.

h. That the soil conditions are suitable for excavation and site preparation, and that organic, wet, or other soils which are not suitable for development will either be undisturbed, or modified in an acceptable manner.

i. That the proposed development will not cause soil erosion or sedimentation problems.

j. That the drainage plan for the proposed development is adequate to handle anticipated storm water runoff, and will not cause undue runoff onto neighboring property or overloading of water courses in the area.

k. That grading or filling will not destroy the character of the property or the surrounding area, and will not adversely affect the adjacent or neighboring properties.

l. That structures, landscaping, landfills or other land uses will not disrupt air drainage systems necessary for agricultural uses.

m. That phases of development are in a logical sequence, so that any one phase will not depend upon a subsequent phase for adequate access, public utility services, drainage, or erosion control.

ORIGINAL

n. That the plan provides for the proper expansion of existing facilities such as public streets, drainage systems, and water and sewage facilities.

o. That landscaping, fences or walls may be required when appropriate to meet the objectives of this Ordinance.

p. That parking layout will not adversely affect the flow of traffic within the site, or to and from the adjacent streets.

q. That vehicular and pedestrian traffic within the site, and in relation to streets and sidewalks serving the site, shall be safe and convenient.

r. That outdoor storage of garbage and refuse is contained, screened from view, and located so as not be a nuisance to the subject property or neighboring properties.

s. That the proposed site is in accord with the spirit and purpose of this Ordinance, and not inconsistent with, or contrary to, the objectives sought to be accomplished by this Ordinance and the principles of sound planning.

8.2.5 APPROVAL AND CONDITIONS:

a. A site plan shall be approved if it contains the information required by the Zoning Ordinance and is in compliance with the Zoning Ordinance and the conditions imposed under the ordinance, other township planning documents other applicable ordinances, and state and federal statutes.

b. Conditions: The Planning Commission may impose reasonable conditions on any site plan approval. The conditions may include conditions necessary to ensure that 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, to protect the natural environment and conserve natural resources and energy, to insure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner.

c. Conditions imposed shall:

1. Be designed to protect natural resources, the health, safety, and welfare, as well as the social and economic well-being, of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.

2. Be related to the valid exercise of the police power and purposes which are affected by the proposed use or activity.

3. Be necessary to meet the intent and purpose of the zoning requirements, be related to the standards established in the zoning ordinance for the land use or activity under consideration, and be necessary to ensure compliance with

ORIGINAL

those standards. The breach of any condition shall be grounds for revoking the site plan approval.

8.2.6 EXPIRATION, REAPPLICATION, REVOCATION, AMENDMENT AND PERFORMANCE GUARANTEES:

The provisions for expiration, reapplication, revocation, amendment and performance guarantees for a site plan approval shall be the same as the procedures for expiration, reapplication, revocation, amendment and performance guarantees for a special use. Those procedures are set forth in Section 9.1, below. However, the final decision on a major amendment to a site plan that is not related to a special use shall be made by the Planning Commission instead of the Township Board.

ORIGINAL

PROPOSED AMENDMENT TO THE ACME TOWNSHIP ZONING ORDINANCE
AMENDMENT 039 – SITE PLAN REVIEW
ARTICLE VIII

8.0 SITE PLAN REVIEW REQUIREMENT:

This Article governs the processes and standards for all uses and structures for which site plan approval is required under other provisions of this ordinance. Site plans for special uses shall receive a recommendation from the Township Planning Commission and a final decision by the Township Board. The Planning Commission shall make the final decision on site plans that are not related to special uses.

8.1 PROCEDURES:

8.1.1 SITE PLANS FOR SPECIAL USES:

Site plans for special uses will be processed according to this Article and any applicable procedures for special uses in Article IX.

8.1.2 SITE PLANS FOR ADMINISTRATIVE REVIEW

Site Plans for uses that are Permitted by Right in the SFN, MHN, CS, C, CF, and B-4 Zoning Districts are processed by Administrative Review and shall follow the requirements outlined in Section 8.1.4, except if the proposed site plan is within 500 feet of Acme Creek or Yuba Creek, or generates 500 or more trips ends per day as determined by proposed land use activity based on the most recent edition of the Trip Generation Manual published by the Institute of Transportation Engineers. Under this exception the site plan shall be reviewed under Section 8.1.3.

a. The Administrative Review Committee shall consist of three members: the Zoning Administrator, Chairperson of the Planning Commission or their designee, and a Planning Commissioner. The Planning Commission shall also select a member to be an Alternate to the Administrative Review Committee. The Alternate shall attend if the Chairperson or Planning Commission member cannot attend the review meeting.

b. The Planning Commission shall make these appointments to the Administrative Review Committee at the same annual meeting where the Planning Commission elects its officers.

8.1.3 SITE PLANS NOT INVOLVING A SPECIAL USE OR ADMINISTRATIVE REVIEW:

Site plans for uses other than special uses or administrative review will be processed using the following procedures.

STEP 1: The Zoning Administrator shall review the application and determine whether it contains all of the required information. If the Zoning Administrator determines the application is not complete, he or she shall notify the applicant of what additional information is required.

DRAFT

STEP 2: Once the Zoning Administrator determines the application is complete, they shall schedule it for review by the Planning Commission.

STEP 3: After adequate review and study of the application, the Township Planning Commission shall make a decision on the application, including its findings and any conditions. If a separate document is not prepared, the Planning Commission's meeting minutes will serve as its findings.

8.1.4 APPLICATION REQUIREMENTS:

The required contents of an application for site plan approval are:

a. A site plan drawn to scale of 1" - 50' of all property showing the location of all abutting streets, the location of all existing and proposed structures and their uses, and the location and extent of all above and below ground development, both existing and proposed.

b. Elevations (front, side and rear) for all proposed structures.

c. All information required by any other provision of this ordinance governing the land use or structure for which site plan approval is sought.

d. The Site Plan and supporting Written Documentation shall include the following:

Site Plan Item	Description	Shown on Site Plan	Written Documentation
1	A description of the environmental characteristics of the site prior to development, i.e.: topography, soils, vegetative cover, drainage, streams, creeks or ponds, as well as, the delineation of these features on the site plan drawing.	☒	☒
2	Types of uses and other man-made facilities		☒
3	The number of: people to be housed, employed, visitors or patrons and vehicular and pedestrian traffic		☒
4	Phasing of the project, including ultimate development proposals	☒	☒
5	Natural features which will be retained, removed and/or modified including vegetation, drainage, hillsides, streams, wetlands, woodlands, wildlife and water.	☒	
6	The description of the areas to be changed shall include their effect on the site and adjacent properties. An aerial photo may be used to delineate the areas of change.		☒

DRAFT

7	The method to be used to serve the development with water and sanitary sewer facilities		☒
8	The location, size, and routing of water and sanitary sewer facilities	☒	
9	Plans for storm water control and drainage, including measures to be used during construction	☒	
10	Storm water calculations; and if requested storm water modeling data.	☒	☒
11	If public sewers are not available to the site the applicant shall submit a current approval from the health department or other responsible public agency indicating approval of plans for sewage treatment.		☒
12	The method to be used to control any increase in effluent discharge to the air or any increase in noise level emanating from the site. Consideration of any nuisance that would be created within the site or external to the site whether by reason of dust, noise, fumes, vibration, smoke or lights.		☒
13	An indication of how the proposed use conforms to existing and potential development patterns and any adverse effects		☒
14	Location of known Air Sheds and how the proposed use impacts this natural feature.	☒	☒
15	Plans to control soil erosion and sedimentation.	☒	☒
16	Incorporation of low impact development storm water technologies and other best management practices such as, but not limited to, rain gardens, rooftop gardens, vegetated swales, cisterns, permeable pavers, porous pavement, and filtered storm water structures.	☒	☒
17	Type, direction, and intensity of outside lighting shown on a photometric plan in compliance with exterior lighting standards.	☒	
18	Location of any or required cross access management easements.	☒	
19	Location of pedestrian and non-motorized facilities; if required.	☒	
20	Landscaping plan	☒	
21	General description of deed restrictions and/or cross access management easements, if any or required.		☒
22	Name(s) and address(es) of person(s) responsible for preparation of site plan drawings and supporting documentation.	☒	☒
23	Sealed drawings from a licensed architect, engineer, or landscape architect.	☒	

1

DRAFT

e. Properties located in the SFN, MHN, CS, C and CF zoning districts may require site and building information, in addition to that specified in Section 8.1.4.

f. All site plan drawings shall be submitted on sheets 24 inches by 36 inches and in digital form in AutoCad™ format.

8.2 STANDARDS FOR SITE PLAN REVIEW:

The Township shall not approve a site plan unless it meets each and every one of the following standards that are applicable to the use under consideration:

a. That the applicant may legally apply for site plan review.

b. That all required information has been provided.

c. That the proposed development conforms to all regulations of the zoning district in which it is located and all other applicable standards and requirements of this ordinance, including but not limited to all supplementary regulations.

d. That the plan meets the requirements of Acme Township for fire and police protection, water supply, sewage disposal or treatment, storm, drainage, and other public facilities and services.

e. That the plan meets the standards of other governmental agencies where applicable, and that the approval of these agencies has been obtained or is assured.

f. That natural resources will be preserved to a maximum feasible extent, and that areas to be left undisturbed during construction shall be so indicated on the site plan and at the site per se.

g. That the proposed development property respects floodways and flood plains on or in the vicinity of the subject property.

h. That the soil conditions are suitable for excavation and site preparation, and that organic, wet, or other soils which are not suitable for development will either be undisturbed, or modified in an acceptable manner.

i. That the proposed development will not cause soil erosion or sedimentation problems.

j. That the drainage plan for the proposed development is adequate to handle anticipated storm water runoff, and will not cause undue runoff onto neighboring property or overloading of water courses in the area.

k. That grading or filling will not destroy the character of the property or the surrounding area, and will not adversely affect the adjacent or neighboring properties.

DRAFT

l. That structures, landscaping, landfills or other land uses will not disrupt air drainage systems necessary for agricultural uses.

m. That phases of development are in a logical sequence, so that any one phase will not depend upon a subsequent phase for adequate access, public utility services, drainage, or erosion control.

n. That the plan provides for the proper expansion of existing facilities such as public streets, drainage systems, and water and sewage facilities.

o. That landscaping, fences or walls may be required when appropriate to meet the objectives of this Ordinance.

p. That parking layout will not adversely affect the flow of traffic within the site, or to and from the adjacent streets.

q. That vehicular and pedestrian traffic within the site, and in relation to streets and sidewalks serving the site, shall be safe and convenient.

r. That outdoor storage of garbage and refuse is contained, screened from view, and located so as not be a nuisance to the subject property or neighboring properties.

s. That the proposed site is in accord with the spirit and purpose of this Ordinance, and not inconsistent with, or contrary to, the objectives sought to be accomplished by this Ordinance and the principles of sound planning.

8.3 APPROVAL AND CONDITIONS:

a. A site plan shall be approved if it contains the information required by the Zoning Ordinance and is in compliance with the Zoning Ordinance and the conditions imposed under the ordinance, other township planning documents other applicable ordinances, and state and federal statutes.

b. Conditions: The Site Plan Administrative Review Committee and/or the Planning Commission may impose reasonable conditions on any site plan approval. The conditions may include conditions necessary to ensure that 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, to protect the natural environment and conserve natural resources and energy, to insure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner.

c. Conditions imposed shall:

1. Be designed to protect natural resources, the health, safety, and welfare, as well as the social and economic well-being, of those who will use the land use or activity under consideration, residents and landowners

DRAFT

immediately adjacent to the proposed land use or activity, and the community as a whole.

2. Be related to the valid exercise of the police power and purposes which are affected by the proposed use or activity.

3. Be necessary to meet the intent and purpose of the zoning requirements, be related to the standards established in the zoning ordinance for the land use or activity under consideration, and be necessary to ensure compliance with those standards. The breach of any condition shall be grounds for revoking the site plan approval.

8.4 EXPIRATION, REAPPLICATION, REVOCATION, AMENDMENT AND PERFORMANCE GUARANTEES:

The provisions for expiration, reapplication, revocation, amendment and performance guarantees for a site plan approval shall be the same as the procedures for expiration, reapplication, revocation, amendment and performance guarantees for a special use. Those procedures are set forth in Section 9.1, below. However, the final decision on a major amendment to a site plan that is not related to a special use shall be made by the Planning Commission instead of the Township Board.

DRAFT