

Article XXI SITE PLAN REVIEW

Section 21.01 INTENT

The intent of this Article is to provide consistent standards and methods for review and approval of site plans to ensure full compliance with the regulations in this Ordinance, other applicable ordinances, state, and federal regulations. Further, the intent is to encourage a harmonious relationship of buildings and uses both within a site and in relation to adjacent uses, achieve efficient use of the land; encourage innovative design solutions; protect natural resources; ensure safety for both internal and external vehicular and pedestrian users; achieve innovative storm water management solutions; and prevent adverse impact on adjoining or nearby properties. It is the intent of these provisions to encourage cooperation and consultation between the City and the applicant to facilitate development in accordance with the City's land use objectives.

This Article also allows administrative approval in certain cases where there is a change in use, a minor change to an existing site, or a minor change determined necessary in the field during construction.

Section 21.02 BUILDINGS, STRUCTURES, AND USES REQUIRING SITE PLAN REVIEW

- A. **Site Plan Review Requirement.** The following buildings, structures, and uses require site plan review:
1. All proposed or permitted uses and related buildings, except single- and two-family dwellings located on individual lots and their associated accessory structures.
 2. All proposed special land uses and related buildings.
 3. Any alteration, addition, or expansion of an existing permitted or special use and/or related building.
 4. Any parking lot or addition thereto.

SECTION 21.03 ADMINISTRATIVE REVIEW

- A. **Authority.** The City Zoning Administrator shall have the authority to conduct an administrative review of a site plan, provided all other standards of this Ordinance are met. The Zoning Administrator may seek the review and comments of applicable staff and/or consultants and reserves the right to refer

the matter to the Planning Commission if desired.

B. Projects to be Reviewed Administratively. Administrative review of a site plan may be conducted for the following projects or under the following circumstances:

1. Minor changes required by outside governmental agencies during construction as determined by the Zoning Administrator.
2. Expansion or reduction of an existing conforming structure or use of 1,000 square feet or less or five percent of the floor area of the structure, whichever is less, provided the site will not require any significant change to existing site improvements such as parking, landscaping, lighting, signs, or sidewalks.
3. A change in use to a similar or less intense use provided the site will not require any significant changes to the existing site improvements such as parking, landscaping, lighting, signs, or sidewalks.
4. Increase in parking or loading area of up to 25% or 6,000 square feet of pavement area without any building changes.
5. Changes to the building height that do not add additional floor area nor exceed the maximum height requirements of the district.
6. Site improvements such as installation of walls fences, lighting, or landscaping consistent with the Ordinance standards.
7. Temporary uses, sales, and seasonal events.

C. Information Required. At the direction of the Zoning Administrator, any information required in Section 21.05 and 21.06 of the Zoning Ordinance may be required for administrative site plan approval. However, at a minimum, submissions of a site plan including the following information:

1. Proprietors', applicants, and owner's names, addresses and telephone numbers.
2. Date (month, day, year), including revisions.
3. Title Block and Scale.
4. North arrow.
5. Proposed and existing structures, parking areas, etc. on the parcel, and within 100 feet of the parcel.

6. Floor plans and Elevations. Two or three dimensional color renderings may be requested by the Zoning Administrator.
- D. The Zoning Administrator shall consider the criteria set forth in Section 21.09 in the review of the site plans submitted under this Section.

Section 21.04 PRE-APPLICATION MEETING (OPTIONAL)

An optional pre-application meeting with the City Zoning Administrator and/or the Site Plan Review Committee, may be requested by the applicant, and may include the Fire Inspector, other City department heads, and the City's engineer and planning consultants, as determined by the Zoning Administrator. The intent of the pre-application meeting is to discuss the appropriateness of the development concept, solicit feedback, and receive requests for additional materials supporting the proposal. A generalized site plan may be presented by the prospective applicant for consideration of the overall idea of the development. Statements made during the pre-application meeting shall not be legally binding commitments.

Section 21.05 PRELIMINARY SITE PLAN REVIEW

- A. **Application and Fee for Preliminary Site Plan Review.** An application for a preliminary site plan review shall be filed with the Zoning Administrator and include the number of copies specified on the application. An application for preliminary site plan review shall be accompanied by the required fees, as well as other data, exhibits, and information hereinafter required.
- B. **Required Data for a Preliminary Site Plan.** An application for approval of a preliminary site plan shall provide the information required for a preliminary site plan as set forth in Section 21.08.
- C. **Staff/Consultant Review of Preliminary Site Plan.** The Zoning Administrator shall determine if the preliminary site plan includes the required information set forth in this Article. If complete, the Zoning Administrator shall forward the preliminary site plan to all applicable City Departments, City Consultants, outside agencies, and other applicable review entities. City Departments, City Consultants, outside agencies, and other applicable review entities shall review the plans and other information submitted for compliance with applicable ordinances, policies, laws, and standards and shall furnish written comments, opinions, and recommendations to the City Zoning Administrator at least two weeks prior to the Planning Commission meeting where action is sought.

The City may permit the applicant to resubmit revised plans in response to the review comment depending on the complexity of the project and the time necessary to review the plans. All plan revisions must be clearly demonstrated, i.e. "bubbled" on the revised plan sets, and accompanied by a written narrative

summarizing the revisions. Any plan revised in response to comments from the Planner, Engineer or agencies/departments having jurisdiction shall not be placed on the Planning Commission agenda until written review comments from those persons noted above on the revision have been received by the Zoning Administrator.

- D. **Planning Commission Review of Preliminary Site Plan.** If complete, the Zoning Administrator shall transmit complete submittals of the application and preliminary site plan drawing(s), including Planner and Engineer reviews to the Planning Commission prior to its next available regularly scheduled meeting. The Planning Commission shall undertake a study of the same and shall make a recommendation on approval, disapproval, or approval with modifications to the City Council.
- E. **City Council Approval of a Preliminary Site Plan – Effect of Approval.** After recommendation of the Planning Commission, the City Council may approve, deny, or may require changes in the preliminary site plan, and may attach conditions to its approval. Approval of a preliminary site plan by the City Council shall indicate its acceptance of the proposed layout of buildings, streets, drives, parking areas, and other facilities and areas in accordance with the standards set forth in Section 21.09.
- F. **Expiration of Approval.** Approval of a preliminary site plan shall be valid for a period of six months from the date of approval and shall expire and be of no effect 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 City Zoning Administrator.
- G. **Phased Site Plans.** 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 greater than three years from the date of approval of the previously approved final site plan. If such period is exceeded, the City Council may declare the approved preliminary site plan invalid with respect to the remaining parts of the site, unless good cause can be shown for the development schedule. In such case, the City Council may require that the site plan be revised to meet current ordinance requirements.
- H. **Extension of Time Limits.** Time limits set forth in this Article may be extended upon showing of good cause, and by written request by the applicant and review and approval by City Council.

Section 21.06 FINAL SITE PLAN REVIEW

- A. **Application and Fee for Final Site Plan Review.** Following approval of the preliminary site plan, an application for final site plan review shall be filed with the Zoning Administrator, including the number of copies specified on the application

of the proposed final site plan as well as other data, exhibits, and information hereinafter required. An application for final site plan review shall be accompanied by the required fees.

B. Required Data for a Final Site Plan. An application for approval of a final site plan shall provide the information required for a final site plan as set forth in Section 21.08.

1. **Information Related to a Condominium Development.** The following information shall be provided with the final site plan for a condominium development:

- a. Condominium documents, including the proposed master deed, restrictive covenants, and condominium bylaws.
- b. Condominium subdivision plan requirements, as specified in Section 66 of Public Act 59 of 1978, as amended, and Rule 401 of the Condominium Rules promulgated by the Michigan Department of Commerce, Corporation and Securities Bureau.

2. Legal description of the property.

3. Legal description of the required open space and/or common space along with a plan stating how the open space and/or common space is to be maintained.

4. A statement that the property will be developed in accordance with the approved Final PUD Plan and any conditions imposed by the City Council or Planning Commission unless an amendment is duly approved by the City upon the request of the applicant or applicant's transferees and/or assigns. This statement shall also include the duration of approval and action for non-compliance.

C. Staff/Consultant Review of Final Site Plan. The Zoning Administrator shall determine if the final site plan includes the required information set forth in this Article. If complete, the Zoning Administrator shall forward the final site plan to all applicable City Departments, City Consultants, outside agencies, and other applicable review entities. City Departments, City Consultants, outside agencies, and other applicable review entities shall review the plans and other information submitted for compliance with applicable ordinances, policies, laws, and standards and shall furnish written comments, opinions and recommendations to the City Zoning Administrator at least two weeks prior to the Planning Commission meeting where action is sought.

The City may permit the applicant to resubmit revised plans in response to the review comment depending on the complexity of the project and the time necessary to review the plans. Any plan revised in response to comments from

the Planner, Engineer or agencies/departments having jurisdiction shall not be placed on the Planning Commission agenda until written review comments from those persons noted above on the revision have been received by the Zoning Administrator.

- D. **Planning Commission Review of a Final Site Plan.** The Zoning Administrator shall transmit complete submittals and applicable consultant reviews to the Planning Commission prior to its next available regularly scheduled meeting. The Planning Commission shall undertake a study of the same and shall make a recommendation on approval, disapproval, or approval with modifications to the City Council.

The Planning Commission shall include in its study of the site plan consultation with the Zoning Administrator, the Fire Chief, planning and engineering consultants, other governmental officials and departments, and public utility companies that might have an interest in or be affected by the proposed development.

- E. **City Council Review of a Final Site Plan.** After recommendation of the Planning Commission, the City Council may approve, deny or may require changes in the final site plan, and may attach conditions to its approval. The Zoning Administrator shall advise the applicant in writing of City Council's action and any required modifications to a final site plan necessary to achieve conformance to the standards specified in this Ordinance after approval of the Official Meeting Minutes.

- F. **Approval of a Final Site Plan.** Upon approval of a final site plan by the City Council, and resolution of any approval contingencies, the applicant, the owner(s) of record, or the legal representative thereof, and the Zoning Administrator shall each sign and stamp five copies of the approved final site plan. One electronic copy of the approved site plan in PDF format shall also be provided for the City's records. The Zoning Administrator shall transmit two signed copies of the plan and any conditions attached to the approval to the applicant and City project file.

The approved site plan shall become part of the record of approval, and subsequent actions relating to the activity authorized shall be consistent with the approved site plan unless a change conforming to the Zoning Ordinance is agreed by the landowner and the City Council.

- G. **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 certificate have been met.

- H. **Expiration of Approval.** Approval of a final site plan shall expire and be of no effect two years following the date of approval unless a Zoning Compliance Permit has been issued and construction has begun on the property and is diligently pursued to completion in conformance with the approved final site plan.

- I. **Extensions of Time Limits.** Time limits set forth in this Article may be extended upon showing of good cause, and by written agreement between the petitioner and the recommendation of the Planning Commission and approval by City Council.

Section 21.07 COMBINING PRELIMINARY AND FINAL SITE PLANS

An applicant may, at the applicant's discretion and risk, with approval of the Zoning Administrator, combine a preliminary and final site plan in an application for approval. The Zoning Administrator shall have the authority to require submittal of a preliminary site plan separate from a final site plan, where, in his/her 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 or more phases.

SECTION 21.08 DATA REQUIRED FOR PRELIMINARY AND FINAL SITE PLANS.

All plans shall be prepared by a professional engineer registered in the State of Michigan whose seal shall be affixed to the first sheet. All landscape plans shall be prepared by a Landscape Architect licensed in the State of Michigan whose seal has been affixed to the Landscape Plan. Preliminary and final site plans shall include the information set forth in Table 21.08 A-1.

Table 21.08 A-1. Preliminary Site Plan and Final Site Plan Submittal Requirements

Plan Data	Required For:	
	Preliminary Site Plan	Final Site Plan
A. Application Form		
Name and address of the applicant and property owner	X	X
Address and common description of property and complete legal description	X	X
Dimensions of land and total acreage	X	X
Zoning on the site and all adjacent properties	X	X
Description of proposed project or use, type of building or structures, and name of proposed development, if applicable	X	X
Name and address of firm or individual who prepared the site plan	X	X

Plan Data	Required For:	
	Preliminary Site Plan	Final Site Plan
Proof of property ownership	X	X
B. Site and Zoning Data		
Existing lot lines, building lines, structures, parking areas, and other improvements on the site and within 100 feet of the site	X	X
Proposed lot lines, lot dimensions, property lines setback dimensions, structures, and other improvements to the site and within 100 feet of the site.	X	X
All existing and proposed easements, including type	X	X
Zoning district of site and all adjacent properties	X	X
Land use of site and all adjacent property	X	X
Proposed use of site	X	X
Gross and net lot area in acres and square feet, net lot area excluding all existing road rights-of-way as well as that in proposed rights-of-way, required access easements and portions covered by wetlands, bodies of water (including streams, ponds, lakes), and 90% of the area of all existing drainage easements	X	X
Ground floor and total floor area to be constructed	X	X
Lot coverage (ground floor area divided by net lot area)	X	X
Impervious surface (total impervious area and percentage of impervious area to total net lot area)	X	X
Floor area ratio (total floor area divided by net lot area)	X	X
Number and type of dwelling units and density, for residential projects	X	X
Building height, in feet and number of floors	X	X
Required yards	X	X
C. Natural Features		
General location of existing plant materials, with identification of materials to be removed and materials to be preserved	X	X
Location, sizes, types, and condition of existing trees	X	X
Topography on the site and within 100 feet of the site at two-foot contour intervals, referenced to a USGS benchmark	X	X
Location of existing drainage courses, floodplains, lakes and streams, and wetlands with elevations	X	X
Wetlands delineated both in the field and on the plan. The existing area must be shown for each wetland. All impacted areas and mitigation areas shall be shown with calculations provided.	X	X
Soils information, location, and extent of soils that are unbuildable in their natural state because of organic content or water table	X	X

Plan Data	Required For:	
	Preliminary Site Plan	Final Site Plan
level, based on the Washtenaw County Soil Survey or equivalent information.		
Groundwater information on the site, with supporting evidence including, but not limited to site-specific soils information.	X	X
D. Access and Circulation		
Dimensions, curve radii, and centerlines of existing and proposed access points, roads, and road rights-of-way or access easements		X
Driveways and intersections within 250 feet of the site		X
Location of proposed roads, driveways, parking lots, sidewalks, and non-motorized pathways	X	X
Cross-section details of proposed roads, driveways, parking lots, sidewalks, and non-motorized paths illustrating materials and thickness		X
Dimensions of acceleration, deceleration, and passing lanes		X
Calculations for required number of parking and loading spaces, location, and layout	X	X
Dimensions of parking spaces, islands, circulation aisles, and loading zones		X
Fire protection plan	X	X
Traffic regulatory signs and pavement markings		X
E. Landscape Plans		
General landscape plan, including location and type of all proposed shrubs, trees, and other live plant material.	X	X
Existing live plant material to remain, and if material will be applied to landscaping requirements	X	X
Existing and proposed topography, by contours, correlated with the grading plan	X	X
Location of all proposed improvements, as shown on the site plan	X	X
Planting list for proposed landscape materials, with caliper size or height of material, root ball type, method of installation (planting/staking details), botanical and common names, spacing, and quantity		X
Irrigation system plan for watering and draining landscape areas		X
Sections, elevations, plans, and details of landscape elements, such as berms, walls, ponds, retaining walls, and tree wells.		X
Proposed means of protecting existing plant material during construction		X
Proposed dates of installation		X

Plan Data	Required For:	
	Preliminary Site Plan	Final Site Plan
Landscape maintenance schedule		X
F. Building, Structure, and Miscellaneous Site Information		
Location, height, and outside dimensions of all proposed buildings and structures	X	X
Building floor plans and total floor area		X
Details on accessory structures and any screening		X
Location, size, height, and lighting of all proposed site and wall signs		X
Building façade elevations for all sites, drawn at an appropriate scale		X
Description of exterior building materials and colors (samples may be required)		X
Location of exterior lighting (site and building lighting)		X
Lighting details, including size, height, initial lumen rating, type of lamp, method of shielding, type of lens, and depiction of lighting pattern for all site and building lighting		X
Lighting photometric grid overlaid on proposed site plan showing light intensity (in foot-candles) on site and 10 feet beyond parcel lines		X
Location of trash receptacle(s) and transformer pad(s) and method of screening		X
Location of any outdoor sales or display area	X	X
G. Information Concerning Utilities, Drainage, and Related Issues		
Location of existing and proposed sanitary sewer systems	X	X
Size of existing and proposed sanitary sewer systems		X
Location of existing and proposed water mains, water service, and fire hydrants	X	X
Size of existing and proposed water mains, water service, and fire hydrants		X
Site grading, drainage patterns, and other stormwater management measures	X	X
Stormwater drainage and retention/detention calculations	X	X
Stormwater retention and detention ponds, including grading, side slopes, depth, high water elevation, volume, and outfalls		X
Location of storm sewers and drains	X	X
Size of storm sewers and drains		X
Location of above and below ground gas, electric, and telephone	X	X

Plan Data	Required For:	
	Preliminary Site Plan	Final Site Plan
lines, existing and proposed		
Location of transformers and utility boxes		X
Assessments of potential impacts from the use, processing, or movement of hazardous materials or chemicals, if applicable		X
H. Additional Information Required for Multiple-Family Residential Development		
The number and location of each type of residential unit (one-bedroom units, two-bedroom units, etc.)	X	X
Density calculations by type of residential unit (dwelling units per acre)	X	X
Garage and/or carport locations and details, if proposed		X
Mailbox clusters		X
Location, dimensions, floor plans, and elevations of common building(s) (e.g. recreation, laundry, etc.), if applicable		X
Swimming pool fencing detail, including height and type of fence, if applicable		X
Location and size of recreation and open space areas		X
Indication of type of recreation facilities proposed for recreation area		X
I. Additional Study (as required by the Zoning Administrator)		
Traffic Study	As required by Zoning Administrator	
Environmental Assessment	As required by Zoning Administrator	
Noise	As required by Zoning Administrator	
Additional Study as required by the Zoning Administrator	As required by Zoning Administrator	

NOTE: If any of the items listed above are not applicable, a list of each item considered not applicable and the reason(s) why each listed item is not considered applicable should be provided on the site plan.

Section 21.09 CRITERIA FOR SITE PLAN REVIEW

A. **Standards.** The Planning Commission (and City Council) shall review the site plan to ensure that it complies with all of the criteria below:

1. **General.**

- a. The proposed development shall be consistent with the general principles and objectives of the adopted City Master Plan, the subdivision ordinance, and all applicable building codes.

- b. All elements of the site plan shall be designed to take into account the site's topography, existing historical and architectural features, the size and type of lot, the character of adjoining property, and the traffic operations of adjacent streets. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.
2. **Building Design.** The building design shall relate to the surrounding environment in regard to texture, scale, mass, proportion, and color. High standards of construction and quality materials will be incorporated into the new development.
3. **Preservation of Significant Natural Features.** Judicious effort shall be used to preserve the integrity of the land, existing topography, and natural features, in particular woodlands, MDEQ designed/regulated wetlands, and, to a lesser extent, wetlands which are not regulated by the MEDQ.
4. **Landscaping.** The landscape shall be preserved in its natural state, insofar as practical, by removing only those areas of vegetation or making those alterations to the topography which are reasonably necessary to develop the site in accordance with the requirements of this Ordinance. Landscaping shall be preserved and/or provided to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property. Landscaping shall be provided and designed in accordance with the provisions of Article VI, Landscaping Standards.
5. **Streets.** All streets shall be developed in accordance with the City of Dexter Subdivision control Ordinance and Engineering Standards.
6. **Access, Driveways, and Circulation.** Safe, convenient, uncongested, and well-defined vehicular and pedestrian circulation within and to the site shall be provided and shall meet the following criteria:
 - a. Drives, streets, parking, and other elements shall be designed to discourage through traffic, while promoting safe and efficient traffic operations within the site and at its access points.
 - b. All driveways shall meet the design and construction standards of the City.
 - c. Access to the site shall be designed to minimize conflicts with traffic on adjacent streets, particularly left turns into and from the site.
 - d. For uses having frontage and/or access on a major traffic route, as defined in the City of Dexter Master Plan, the number design, and location of access driveways, and other provisions for vehicular

circulation shall comply with the provisions of Section 5.10 Access Management.

7. **Emergency Vehicle Access.** All buildings or groups of buildings shall be arranged so as to permit necessary emergency vehicle access as required by the City fire and police departments.
8. **Sidewalks, Pedestrian, and Bicycle Circulation.**
 - a. The arrangement of public or common ways for vehicular and pedestrian circulation shall be connected to existing or planned streets and sidewalks/pedestrian or bicycle pathways in the area in accordance with City of Dexter Non-Motorized Pathways Plan.
 - b. A pedestrian circulation system shall be separated from vehicular circulation systems.
 - c. In order to ensure public safety, special pedestrian measures, such as crosswalks and crossing signals, other such facilities may be required in the vicinity of primary and secondary schools, playgrounds, local shopping areas, fast food/service restaurants, and other high-traffic areas of pedestrians or bicycles.
9. **Barrier-Free Access.** The site has been designed to provide barrier-free parking and pedestrian circulation.
10. **Parking.** The number and dimensions of off-street parking spaces shall be sufficient to meet the maximum standards outlined in Article V, Parking and Loading. However, where warranted by overlapping or shared parking arrangements, the Planning Commission may reduce the required number of parking spaces as permitted in Section 5.01.G, Flexibility in Application and Section 5.09 Village Commercial (VC) District Parking.
11. **Loading and Storage.** All loading and unloading areas and outside storage areas shall be screened, as determined by the Planning Commission, in accordance with Article VI, Landscaping Standards.
12. **Soil Erosion Control.** The site shall have adequate lateral support so as to ensure that there will be no erosion of soil or other material. The final determination as to adequacy of, or need for, lateral support shall be made by the City Engineer.
13. **Utilities.** Public water and sewer facilities shall be available or shall be provided for by the developer as part of the site development, where such systems are available.
14. **Stormwater Management.**

- a. Appropriate measures shall be taken to ensure that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Provisions shall be made to accommodate stormwater which complements the natural drainage patterns and wetlands, prevent erosion and the formation of dust. Sharing of stormwater facilities with adjacent properties shall be encouraged. The use of detention/retention ponds may be required. Surface water on all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic or create standing water.
 - b. Storm water detention, retention, transport, and drainage facilities shall be designed to conserve and enhance the natural storm water system on site, including the storage and filtering capacity of wetlands, watercourses, and water bodies, and/or the infiltration capability of the natural landscape. Storm water facilities shall not cause flooding or the potential for pollution of surface or groundwater, on-site or off-site. Storm water facilities shall conform to the requirements of the Washtenaw County Water Resource Commissioner. Deviations from the Washtenaw County Water Resource Commissioner standards may be permitted upon review and approval by the City Engineer.
15. **Lighting.** Exterior lighting, in accordance with Section 3.19, shall be arranged so that it is deflected away from adjacent properties and so that it does not impede the vision of traffic along adjacent streets. Flashing or intermittent lights shall not be permitted.
16. **Noise.** The site has been designed, buildings so arranged, and activities/equipment programmed to minimize the emission of noise, particularly for sites adjacent to residential districts.
17. **Mechanical Equipment and Utilities.** Mechanical equipment and utilities, roof, building- and ground-mounted, shall be screened in accordance with the requirements of Article VI, Landscaping Standards.
18. **Waste Receptacles.** Waste receptacles shall be provided as required in Section 3.16, Dumpster and Waste Receptacles.
19. **Signs.** The standards of Article 7 must be met.
20. **Hazardous Materials or Waste.** For businesses utilizing, storing or handling hazardous material such as automobile service and automobile repair stations, automobile body repair stations, dry cleaning plants, metal plating industries, and other industrial uses, documentation of compliance with state and federal requirements shall be provided.
21. **Industrial site plan requirements.**

- a. Site plan proposals for new or expanded industrial development shall comply with the site plan requirements in Articles XVI, I-1, Limited Industrial District and XVII, RD Research and Development District.
- b. In order to plan for and accommodate new industries in the City of Dexter, the following information shall be provided for all proposed industrial businesses. An industrial activity statement is required in conjunction with site plan review. An industrial activity statement is also required for a new industry prior to occupying an existing building, even if a formal site plan review is not required. Responses shall be submitted on company letterhead, signed, and dated by the chief executive of the proposed facility.
 - i. Business name.
 - ii. Business mailing address.
 - iii. Business phone no., fax no., and emergency phone no.
 - iv. If a subsidiary, the name and address of the parent company.
 - v. The names and titles of individuals involved in management of the business in the City of Dexter.
 - vi. A detailed description of the business to be located in the City of Dexter, including, at minimum, the following information (this information, including the levels of emissions and discharges specified will become a part of the approved site plan, and may be used by the city to monitor compliance with the approved site plan):
 - (1) The types of industrial processes to be used.
 - (2) The products to be created.
 - (3) Identification of chemicals, hazardous substances, flammable or combustible liquids, pesticides, fertilizers, and oil products to be used, stored, or produced.
 - (4) Description of the type and maximum level of any air contaminants or air emissions to be produced by the industrial processes, and description of the measures to be taken to protect air quality.

- (5) Description of the type and maximum amount of wastewater to be produced, and description of the measures to be taken to prevent discharge of pollutants into or onto the ground.
 - (6) Description of the type and level of noise to be created by the industrial processes, and description of any noise abatement measures to be taken
 - vii. If the business is relocating from another municipality, the addresses of previous location(s).
 - viii. The expected daily hours of operation.
 - ix. The days of the week when expected to be in operation.
 - x. Number of employees expected at the facility.
 - xi. Indication whether the business has been cited within the past five years, in any form or manner, by any governmental authority for violation of any laws and regulations, including environmental laws and regulations, and indication whether the business had any permits revoked because of noncompliance with governmental regulations, with detailed explanation.
 - xii. Indication whether, in the past five years, any employees sustained on-the-job disabling injuries or injuries necessitating recovery lasting more than two weeks, or whether any employees have been killed on the job, with detailed explanation.
 - xiii. Indication whether there are any special fire protection devices or measures required by this business, with detailed explanation.
 - xiv. Indication whether there are any special waste treatment procedures or measures required by this business, with detailed explanation.
- c. **Certification Statements.** In the letter containing the above information, the following statement shall be inserted prior to the signature by the chief executive officer of the City of Dexter facility:

- i. I hereby swear or affirm that I have sufficient knowledge concerning the proposed business to provide the information provided herein and that this information is true and accurate. I further swear or affirm that I have the authority to sign this document on behalf of the applicant.
 - ii. I acknowledge that the information contained in this document is required under the City of Dexter Zoning Ordinance and shall become a part of our site plan review application. I acknowledge that any omission or material misrepresentation as to the information contained herein shall be cause for denial of the application, and if the omission or material misrepresentation is discovered subsequent to site plan approval, for revocation of that site plan approval. I acknowledge that any operations of the business that are inconsistent with or in conflict with the information presented herein shall constitute a violation of the Zoning Ordinance, and shall be subject to the penalties and corrective action specified in the Zoning Ordinance.
22. **Other Agency Reviews.** The applicant has provided documentation of compliance with other appropriate agency review standards, including, but not limited to, the MDEQ, MDOT, Washtenaw County Road Commission, Washtenaw County Water Resources Commission, Washtenaw County Health Department, and other Federal and State agencies, as applicable.

Section 21.10 FINAL SITE PLAN AND ENGINEERING

- A. No certificates of zoning compliance or building permits shall be issued until all required site plans and engineering plans have been approved and all applicable construction permits are in effect.
- B. No grading, removal of trees or other vegetation, landfilling, or construction of improvements shall commence for any development for which site plan approval is required until a final site plan is approved and is in effect, and construction permits are issued, except as otherwise provided in this Ordinance.

Section 21.11 AMENDMENT, REVISION OF SITE PLAN

- A. An applicant or property owner who has been granted site plan approval shall notify the Zoning Administrator of any proposed amendment to such approved site plan.
- B. Minor changes may be approved by the Zoning Administrator. The Zoning

Administrator must provide, in writing to the Planning Commission and City Council, documentation that the proposed revision does not alter the basic design, compliance with the standards of this Ordinance, nor any specified conditions of the plan. In considering such determination, the Zoning Administrator shall consider the following to be a minor change:

1. Change in size of structures, for residential buildings by up to 5%, provided that the overall density of units does not increase.
 2. Change in square footage of non-residential buildings by up to 10% or 2,000 square feet, whichever is smaller.
 3. Alterations to horizontal and /or vertical elevations by up to 5%.
 4. Movement of a building or buildings by no more than 10 feet.
 5. Increase in designated "areas not to be disturbed".
 6. Replacement of plantings approved in the site plan landscape plan by similar types and sizes of landscaping, which provides a similar screening effect on a 1:1 or greater basis, with approval of the Zoning Administrator.
 7. Improvements to site access or circulation, such as inclusion of deceleration lanes, boulevards, curbing, pedestrian/bicycle paths, etc.
 8. Changes of building materials to another of higher quality, as determined by the Zoning Administrator.
 9. Changes in floor plans, which do not alter the character of the use.
 10. Modification of sign placement or reduction of size.
 11. Internal rearrangement of parking lot, which does not change the number of parking spaces by 5% or alter access locations or design.
 12. Changes required or required by the City of safety reasons.
 13. Other minor site improvements that meet all Ordinance requirements.
- C. Should the Zoning Administrator determine that the requested site plan modification is not minor, the Planning Commission and City Council shall be notified in writing, and the applicant shall submit an application for an amendment to an approved site plan to the Zoning Administrator, in accordance with the procedure under Section 21.06.

Section 21.12 MODIFICATION OF PLAN DURING CONSTRUCTION

- A. All site improvements shall conform to the approved final site plan, including engineering drawings approved by the City Engineer. If the applicant makes any changes during construction in the development in relation to the approved final site plan, such changes shall be made at the applicant's risk, without any assurances that the City Council will approve the changes.
- B. It shall be the responsibility of the applicant to notify in writing the Zoning Administrator, and the City Council of any changes. The Zoning Administrator may require the applicant to correct the changes so as to conform to the approved final site plan, approve the proposed modification or require the applicant to make the modification request to the City Council.
- C. Any deviation from the approved site plan, except as authorized in Section 21.11, Amendment to an Approved Site Plan, shall be considered a violation of this Article.

Section 21.13 AS-BUILT DRAWINGS

- A. The applicant shall provide as-built drawings and a project engineer's certificate of all sanitary sewer, water, and storm-sewer lines and all appurtenances, which were installed on a site for which a final site plan was approved. As-built drawing requirements are available in the City's current engineering standards. The drawings shall be submitted to the Zoning Administrator, and shall be approved by the City Engineer prior to the release of any performance guarantee or part thereof covering such installation. An as-built performance deposit is required to ensure the completion of the as-built drawings.
- B. The as-built drawings shall show, but shall not be limited to, such information as the exact size, type and location of pipes; location and size of valves, fire hydrants, tees and crosses; depth and slopes of retention basins; and location of any 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.
- D. Upon acceptance of the as-built drawings the applicant shall submit the required information for the dedication of public infrastructure, if applicable.

Section 21.14 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. A construction timeline must be submitted for phased development. The City Council may impose restrictions on the approval of subsequent plans and phases due to lack of permit activity for a period of more than one year. Prior to the approval of subsequent phases the City Council may require that incomplete site work, such as but not limited to incomplete sidewalks, roads or other site amenities that affect the quality of life for residents, be completed.

Section 21.15 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 deposit with the City, to be held by the City in escrow, an amount deemed reasonable by the Zoning Administrator and/or City Engineer to pay for anticipated inspections. The applicant shall be responsible for requesting the necessary inspections. The Zoning Administrator shall obtain inspection assistance from the City Fire Chief, and Engineer, where applicable. 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 site plan. The Zoning Administrator shall notify the City Council and 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 City Council and the Planning Commission of steps taken to achieve compliance. In such case, the Zoning Administrator shall periodically notify the City Council and the Planning Commission of progress toward compliance with the approved final site plan and when compliance is achieved.

Section 21.16 PERFORMANCE GUARANTEES

- A. Performance bonds, irrevocable bank letters of credit, cash deposits, or other forms of security shall be provided by the applicant to the City. The guarantee shall be provided after a final site plan and/or zoning compliance certificate is approved, but prior to issuance of a certificate of final zoning compliance, or as determined by the Zoning Administrator, for any improvements covered by the site plan. The guarantee shall cover site improvements shown on the approved final site plan, which will not be completed prior to issuance of the certificate of final zoning compliance. Site improvements shall include but not be limited to: streets and drives, parking lots, sidewalks, street signage, grading, required landscaping, required screens, storm drainage, exterior lighting, trash enclosures, utilities and

any other information shown on the approved final site plan.

- B. The applicant shall provide a cost estimate of the improvements to be covered by the guarantee and such estimate shall be verified as to amount by the City Engineer. The form of the guarantee shall be approved by the City Attorney.
- C. If the applicant shall fail to provide any site improvement according to the approved plans within the time period specified in the guarantee, the City Council shall have the authority to have such work completed. The City Council may reimburse itself for cost of such work, including administrative costs, by appropriating funds from the deposited security, or may require performance by the bonding company.
- D. If a cash deposit is used, the applicant and City Zoning Administrator shall decide at the time of deposit on the means of rebating portions of the deposit in proportion to the amount of work completed on the covered improvements. All required inspections for improvements for which the cash deposit is to be rebated shall have been made before any rebate shall be made.
- E. The Zoning Administrator may refuse to sign a certificate of final zoning compliance in order to achieve compliance with the approved final site plan, and approved engineering plans related thereto. In such cases, a certificate of final zoning compliance shall be signed by the Zoning Administrator upon compliance with the approved plans or upon provision of adequate security to guarantee compliance following occupancy.

Section 21.17 FEES

Fees for the application and review of site plans and inspections as required by this Article shall be established and may be amended by resolution of the City Council.

Section 21.18 VIOLATIONS

The approved final site plan shall become part of the record of approval and subsequent action relating to the site in question shall be consistent with the approved final site plan, unless the City Council agrees to such changes as provided in this Article. Any violation of the provisions of this Article, including any improvement not in conformance with the approved final site plan, shall be deemed a violation of this Ordinance and shall be subject to all penalties therein.

Section 21.19 PROPERTY MAINTENANCE AFTER APPROVAL

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 plan approval was based, or until a new site design is approved. This maintenance requirement includes healthy landscaping, walls, fences, pavement, pavement markings, signs, building exterior, drainage facilities and all other elements of a site. Any property owner who fails to so maintain an approved site design shall be deemed in violation of the use provisions of this Ordinance and shall be subject to the same penalties appropriate for a use violation.

With respect to condominium projects, the Master Deed shall contain provisions describing the responsibilities of the condominium association, condominium owners, and public entities, with regard to maintenance of the property in accordance with the approved site plan on a continuing basis. A storm water management maintenance schedule shall be part of the master deed. The Master Deed shall further establish the means of permanent financing for required maintenance and improvement activities, which are the responsibility of the condominium association. Failure to maintain an approved site plan shall be deemed in violation of the use provisions of this Ordinance and shall be subject to the same penalties appropriate for a use violation.

Prior to the transitional control date, the developer shall not amend the Master Deed without approval from the Planning Commission.

Section 21.20 DEVELOPMENT AGREEMENTS

The City Council may as a condition of final site plan approval, require the proprietor and/or developer to enter into a Development Agreement with the City. Such agreement shall set forth and define the responsibilities of the proprietor and the City, as set forth in Section 22.13.

Article 21 Site Plan Review Process

