

CHARTER TOWNSHIP OF WATERFORD APPLICATION FOR SITE PLAN REVIEW

Development Services Department
5200 Civic Center Drive
Waterford, MI 48329-3773
(248) 674-6250

<i>Staff Use Only</i>	
Fee Paid _____	
Case No. _____	
Assigned _____	

REVIEW APPLICATION CAREFULLY AND HAVE ALL BOXES CHECKED PRIOR TO SUBMITTAL

- Narrative outlining intent of project requiring Site Plan Review
- Signatures of all persons having ownership interest
- Application fee (see fee schedule below)
- Proof of ownership*
- Proof that taxes are paid
- 8 sets of 24" x 36" Site Plans
- 7 sets of 11" x 17" Site Plans
- 1 digital Site Plan to be submitted by any of the following:
 - CD
 - Flash Drive
 - Emailed to jpolkowski@waterfordmi.gov

SITE PLAN REVIEW

Concept Plan Review.....	\$550.00
Change of Use Review	\$550.00
Minor Site Plan Review	\$1250.00
Major Site Plan Review	\$1550.00
Master Plan Review/amendment.....	\$1,000.00
Engineering Site Plan Review Fees	Per Engineering Division

**The only accepted documents are: deeds, property transfer affidavits, title commitments, land contracts, or building leases.*

Applicant Name: _____

Applicant Address: _____
Street Address
City
State
ZIP Code

Applicant Contact Information: _____
Phone Number
Fax Number
Email Address

Project Name: _____

Site Address/General Location: _____

Parcel ID No.: _____ **Total Site Acreage:** _____

Zoning (check applicable district):

- R-1/1A/1B/1C
 R-1D
 R-1E
 R-M1
 R-M2
 PL
 CR
 O-1
 O-2
 C-1
 C-3
 C-4
 C-UL
 C-UB
 HT-1
 HT-2
 M-1
 M-2

Charter Township of Waterford Planning Commission/Zoning Board of Appeals Consent to Property Inspection

Development Services Department
5200 Civic Center Drive
Waterford, MI 48329-3773
(248) 674-6250

I (WE), the undersigned have made application to the Charter Township of Waterford for land use matters to be considered and decisions made by the:

Planning Commission

Zoning Board of Appeals

that will affect use of our property identified below. In order to enable the members of such decision-making body to make an informed decision on our request, I (WE), do hereby consent to allow the members of the decision-making body to inspect the subject property up to the date of the meeting of the decision-making body at which such body issues its final decision on MY (OUR) request, provided that such inspections are limited to:

- gathering information specific to the requested action,
- typical hours of daily human activity, unless specified otherwise below, and
- the following restrictions:

Address of Subject Property

Parcel I.D. Number(s)

NOTE: Any and all persons having ownership interest in the above described property MUST sign this application in the presence of a notary.

Subscribed and sworn to before me this _____

day of _____, _____

Notary Public

My commission expires: _____

State of Michigan, County of _____

Property Owner: _____

Driver's License No.: _____

Birth Date: _____

Property Owner: _____

Driver's License No.: _____

Birth Date: _____

Additional signature pages may be attached for owners exceeding two in number.

(ARTICLE IV, SECTION 4-003 cont.)

9. Minor changes to a site plan may be approved by the Zoning Official if the change meets all requirements of this Zoning Ordinance and will not significantly alter or conflict with a condition of site plan approval. The Zoning Official shall place such findings on the Planning Commission consent agenda and shall certify such findings in writing to be entered as part of the official active site plan record.
10. For proposed developments requiring off-site easements for access, parking, utility or drainage installations, a copy of the signed and recorded off-site easement or easements shall be furnished to the Zoning Official prior to site plan approval for drive access and parking easements and prior to construction plan approval for utility and drainage easements.
11. Prior to final site plan approval, required approvals by the applicable street agency of drive locations, stormwater drainage outlets, acceleration/deceleration lanes and turning lanes, and all other improvements in the public right-of-way must be obtained and verified in writing.

SECTION 4-004. SITE PLAN REVIEW PROCEDURES AND REQUIREMENTS**1. Change of Use Review.****A. Purpose and Intent.**

- (1) In conjunction with **Sections 4-001** through **4-003**, change of use review and approval shall be required for any change in use on all or a part of a zoning lot in any zoning district which specifically requires site plan review and all of the following conditions exist:
 - (A) There is a Township approved site plan for the zoning lot.
 - (B) No physical expansion or substantial improvements are being proposed to the buildings, structures, or use areas on the zoning lot. Interior remodeling of existing buildings identified on the approved site plan and intended to accommodate a proposed change of use are exempt from this condition.
 - (C) Use of the zoning lot is proposed to be changed from the permitted use classification identified in the approved site plan to another permitted use classification.
- (2) Change of use review and approval shall be required for all wireless communication facilities collocations in accordance with **Section 2-600.8**.

B. Submission and Review Process.

- (1) The prospective applicant(s) discusses the general elements of the proposed improvements with the Zoning Official's office staff to ensure that application is made for the proper review process. The applicant(s) may request a pre-application review meeting with the Zoning Official and Township Engineer to discuss and understand the applicability of Zoning Ordinance requirements. The Zoning Official and Township Engineer are under no obligation to provide review comments of any draft plan during this or subsequent pre-application review meetings with a prospective applicant(s).
- (2) The Zoning Official and Township Engineer may require the prospective applicant(s) to submit their application documents and fees before making such review comments.
- (3) The applicant(s) obtains change of use site plan review application and fee requirements from the office of the Zoning Official.
- (4) The applicant(s) submits fee, completed application forms and related documentation in the quantity specified by the Zoning Official.
- (5) The Zoning Official's clerical staff reviews submittal for completeness. It shall be the responsibility of the applicant(s) to ensure that they submit a complete application package in accordance with the requirements established by the Zoning Official. No progress beyond this step will occur until the applicant(s) fully complies with the application submittal requirements.
- (6) Once a complete set of application materials is received, the Zoning Official shall conduct a change of use review.
- (7) All change of use reviews shall be placed on the Planning Commission consent agenda. The Planning Commission may, at its discretion, request to review and comment on any change of use request prior to the issuance of approval by the Zoning Official.

(ARTICLE IV, SECTION 4-004.1.B cont.)

- (8) If the Zoning Official finds that the approved site plan for the subject zoning lot possesses the parking capacity needed to serve the proposed change of use, and if the approved site plan provides appropriate buffering and screening between the proposed change of use and adjacent uses, then the Zoning Official shall grant written approval of the requested change of use, outlining the reasons for such approval in the form and manner prescribed by the Zoning Official. If the Zoning Official finds that the approved site plan does not possess the parking capacity needed to serve the proposed change of use or does not provide for appropriate buffering and screening between the proposed change of use and the adjacent uses, then the Zoning Official shall require minor site plan review.
- (9) Before granting approval, or as a condition of approval, of a change of use, the Zoning Official may require the submission of an updated site plan containing information now required by this Zoning Ordinance.
- (10) If the decision of the Zoning Official is that the requested change of use will require minor site plan review, the applicant(s) shall apply for and receive an approved final site plan before using the subject zoning lot for the requested change of use. The Zoning Official may adjust the total review fees so that an applicant(s) shall not pay for two separate review processes for one project and shall only pay a total fee commensurate with the most extensive review process required for final approval of the proposed project.
- (11) In those cases where the Zoning Official has granted approval of a change of use, the Zoning Official shall keep a written record of the change of use approval for the record and provide one copy to the applicant(s).
- (12) Upon receipt of the change of use approval, the applicant(s) shall complete all construction plan approvals and obtain all required building permits in accordance with **Section 4-017**.

2. Minor Site Plan Review.

A. Purpose and Intent. In conjunction with **Sections 4-001** through **4-003**, minor site plan review and approval shall be required for all land development projects on a zoning lot in any zoning district which specifically requires site plan review and one or more of the following conditions exist:

- (1) A zoning lot was improved prior to the Township's site plan review requirements and therefore is not governed by an approved site plan and a change of use is proposed.
- (2) All new commercial, office and industrial projects on zoning lots less than one (1) acre in size.
- (3) Any addition or alteration to an existing building resulting in an increase of interior floor area or exterior use area on a zoning lot governed by an approved site plan which requires a building permit.
- (4) Any existing parking area proposed to be changed to an impervious surface and/or exterior storage area proposed for construction or expansion.
- (5) Any addition to, or modification of the landscaping, fence wall, or perimeter fence wall on a zoning lot governed by an approved site plan.
- (6) All attached wireless communication facilities considered permitted uses in accordance with **Section 2-600.2**.
- (7) All municipal, county, state, federal, and other governmental agency projects that are a permitted principal use.
- (8) A change of use that is not eligible for approval under **Section 4-004.1.A**.

B. Submission and Review Process.

- (1) The prospective applicant(s) discusses the general elements of the proposed improvements with the Zoning Official's office staff to ensure that application is made for the proper review process. The applicant(s) may request a pre-application review meeting with the Zoning Official and Township Engineer to discuss and understand the applicability of Zoning Ordinance requirements. The Zoning Official and Township Engineer are under no obligation to provide review comments of any draft plan during this or subsequent pre-application review meetings with a prospective applicant(s).
- (2) The Zoning Official and Township Engineer may require the prospective applicant(s) to submit their application documents and fees before making such review comments.
- (3) The applicant(s) obtains minor site plan review application and fee requirements from the office of the Zoning Official. The applicant(s) can choose to have their plan reviewed through the major site plan review process, at the fee established for minor site plan review.
- (4) The applicant(s) submits completed application forms, preliminary plan, and related documentation in the quantity specified by the Zoning Official.

(ARTICLE IV, SECTION 4-004.2.B cont.)

- (5) The Zoning Official's clerical staff reviews submittal for completeness. It shall be the responsibility of the applicant(s) to ensure that they submit a complete application package in accordance with the requirements established by the Zoning Official. No progress beyond this step will occur until the applicant(s) fully complies with the application submittal requirements.
- (6) Once a complete set of application materials are received, the Zoning Official and Township Engineer shall calculate the review fees for the submitted application.
- (7) The applicant(s) will be notified in writing of the required fee total. It shall be the responsibility of the applicant(s) to ensure that the required fees are paid in full. No progress beyond this step will occur until the applicant(s) pays the fees in full. The application process will also be stopped if the fee payment is rejected for such a reason as insufficient funds, and will not be restarted until all fees and insufficient funds penalties are paid in full by secured funds.
- (8) All minor site plan reviews shall be placed on the Planning Commission consent agenda. The Planning Commission may, at its discretion, request to review and comment on any minor site plan request prior to the issuance of approval by the Zoning Official.
- (9) The Zoning Official, Township Engineer, Public Works Official, Fire Chief, Police Chief, and all other required government agencies identified by the Zoning Official shall conduct a preliminary plan review.
- (10) The Zoning Official shall collect and transmit to the applicant(s) all revisions and comments recommended and received from the Township and other governmental agencies. The applicant(s) shall be responsible for ensuring that the revised preliminary plan contains all required revisions. This step shall be repeated until the Zoning Official confirms that the preliminary plan is in such form as to undergo final site plan review; the Zoning Official may require Planning Commission review of a preliminary plan to complete this step of the process.
- (11) The Zoning Official and Township Engineer shall conduct a final site plan review.
- (12) The applicant(s) may obtain construction plan review application and fee requirements from the office of the Building Official and submit for construction plan review by the Building Official at this step or any step hereafter. However, final approval of a construction plan cannot be given or building permits issued until after the Zoning Official issues the approved final site plan.
- (13) The Zoning Official and Township Engineer verify that the final site plan complies with all Zoning Ordinance requirements.
- (14) The Zoning Official approves the final site plan, stamps it approved, shall keep one copy for the record, and provide one copy to the applicant(s).
- (15) Upon receipt of the approved final site plan, the applicant(s) shall complete all construction plan approvals and obtain all required building permits in accordance with **Section 4-017**.

3. Major Site Plan Review.

A. Purpose and Intent. In conjunction with **Sections 4-001** through **4-003**, major site plan review and approval shall be required for all land development projects on a zoning lot in any zoning district which specifically requires site plan review and one or more of the following conditions exist:

- (1) All new commercial, office and industrial projects on zoning lots one (1) acre or larger in size.
- (2) All mobile home, multiple-family, site condominium, and other residential dwelling land development projects involving more than two dwelling units. (Note: Single-family platted subdivision projects are excluded from consideration under this Section and instead shall be reviewed in accordance with the procedures established in the **Waterford Code of Ordinances, Subdivision and Land Management Regulations**.)
- (3) All municipal, county, state, federal, and other governmental agency projects proposed in areas that are not a principal permitted use.
- (4) A review required by the Zoning Official or Township Engineer for any lot or acreage split which results in the creation of a public or private street. The review process, if required, will occur after approval of the proposed split in accordance with the procedures established in the **Waterford Code of Ordinances, Subdivision and Land Management Regulations**.
- (5) All wireless communication facilities that require special approval.

(ARTICLE IV, SECTION 4-004.3 cont.)**B. Submission and Review Process.**

- (1) The prospective applicant(s) discusses the general elements of the proposed improvements with the Zoning Official's office staff to ensure that application is made for the proper review process. The applicant(s) may request a pre-application review meeting with the Zoning Official and Township Engineer to discuss and understand the applicability of Zoning Ordinance requirements. The Zoning Official and Township Engineer are under no obligation to provide review comments of any draft plan during this or subsequent pre-application review meetings with a prospective applicant(s).
- (2) The Zoning Official and Township Engineer may require the prospective applicant(s) to submit their application documents and fees before making such review comments.
- (3) The applicant(s) obtains major site plan review application and fee requirements from the office of the Zoning Official. All plans shall be prepared to comply with the following general plan criteria:
 - (A) The development shall be compatible with planned development patterns as expressed in the Township's adopted Master Plan, be for a use permitted or granted special approval by the Planning Commission in the zoning district, comply with all the applicable requirements of the Zoning Ordinance and the **Waterford Code of Ordinances** as reviewed and decided by the appropriate Township Officials and government agencies to ensure as practicable as possible that the use shall not result in a negative impact on the surrounding area.
 - (B) The plans shall disclose, provide for and demonstrate compliance with the use of a site harmoniously and efficiently organized in relation to surrounding uses, the performance standards listed in **ARTICLE II, Division 2-2**, accessibility, pedestrian and vehicular circulation, spatial relationships, off-street parking, public utilities, stormwater management, protection of surface water and/or groundwater resources, topography, environmental characteristics, site vegetation and landscaping, screening and buffering, piling of plowed snow, provision of adequate access for emergency and public safety vehicles and equipment, exterior lighting, dumpster receptacles, exterior appliances, developmental characteristics and other site elements which may have an effect upon the public health, safety and general welfare, the Township Engineering Standards, the SPL Manual, and other applicable sections of this Zoning Ordinance and **Waterford Code of Ordinances** as determined by the Zoning Official, Township Engineer, or Building Official.
 - (C) The placement, size, and other features of proposed buildings, parking areas, driveways, landscaping, and other physical improvements of the site will preserve, to the extent possible, existing on-site natural features and vegetation such as trees, wooded areas, wetlands, natural groves, and terrain features, with tree and soil removal to be minimized.
 - (D) The dedication and/or restriction of open space, streets, or other lands for public, common or other designated use or purpose shall be absolute, not subject to reversion or possible future termination or modification without Township approval and shall be provided by an easement or other document acceptable to the Township Attorney and recorded at the Oakland County Register of Deeds prior to final site plan approval.
 - (E) Safe, convenient, uncongested, and well defined vehicular and pedestrian circulation throughout the site shall be provided.
 - (F) Plans prepared for condominium developments shall also be regulated by the requirements outlined in **Section 4-004.4**.
- (4) The applicant(s) submits completed application forms, concept plan, the conceptual review fee, and related documentation in the quantity specified by the Zoning Official.
- (5) The Zoning Official's clerical staff reviews submittal for completeness. It shall be the responsibility of the applicant(s) to ensure that they submit a complete application package in accordance with the requirements established by the Zoning Official. No progress beyond this step will occur until the applicant(s) fully complies with the application submittal requirements.
- (6) Once the conceptual review fee is paid and a complete set of application materials are received, the Zoning Official shall review the concept plan for compliance with the goals and objectives of the Master Plan, and prepare an analysis of how the concept plan meets the Master Plan goals and objectives for use by the Planning Commission in making its determination of compliance.
- (7) The Zoning Official schedules a conceptual review by the Planning Commission at its next available regularly scheduled public hearing meeting.

(ARTICLE IV, SECTION 4-004.3 cont.)

- (8) The Planning Commission shall be responsible for reviewing the concept plan and the analysis from the Zoning Official to determine the plan's compliance with the Master Plan and make any other determinations allowed or required by this Zoning Ordinance. If the Planning Commission finds that the concept plan complies with the Master Plan, it shall approve the concept plan without modifications. If the Planning Commission finds that the concept plan does not comply with the Master Plan in full or in part, it shall specifically identify where the concept plan is deficient in achieving the Master Plan goals and objectives. The Planning Commission may postpone the case to allow the applicant(s) time to revise the concept plan or deny the concept plan based on the identified deficiencies. In those cases where the Planning Commission finds that the concept plan does not comply with the Master Plan, it may require the applicant(s) to prepare and submit one (1) or more components of a development impact analysis report along with a revised concept plan for Planning Commission review and consideration before a final decision is made. Nothing in this subsection shall prevent the Planning Commission from approving a concept plan that does not comply with the Master Plan.
- (9) Planning Commission approval of a concept plan shall be valid for a period of one (1) year, within which final site plan approval must be obtained.
- (10) Once the concept plan has been approved, the applicant(s) shall submit the preliminary plan based on the approved concept plan and related documentation in the quantity specified by the Zoning Official.
- (11) Once a complete set of application materials are received, the Zoning Official and Township Engineer shall calculate the review fees for the submitted application.
- (12) The applicant(s) will be notified in writing of the required fee total. It shall be the responsibility of the applicant(s) to ensure that the required fees are paid in full. No progress beyond this step will occur until the applicant(s) pays the fees in full. The application process will also be stopped if the fee payment is rejected for such a reason as insufficient funds, and will not be restarted until all fees and insufficient funds penalties are paid in full by secured funds.
- (13) The Zoning Official, Township Engineer, Public Works Official, Fire Chief, and all other required government agencies identified by the Zoning Official shall conduct a preliminary plan review.
- (14) The Zoning Official shall collect and transmit to the applicant(s) all revisions and comments recommended and received from the Township and other governmental agencies. The applicant(s) shall be responsible for ensuring that the revised preliminary plan contains all required revisions. This step shall be repeated until the Zoning Official confirms that the preliminary plan is in such form as to undergo final site plan review.
- (15) The Zoning Official and Township Engineer shall conduct a final site plan review.
- (16) The applicant(s) may obtain construction plan review application and fee requirements from the office of the Building Official and submit for construction plan review by the Building Official at this step or any step hereafter. However, final approval of a construction plan cannot be given or building permits issued until after the Zoning Official issues the approved final site plan.
- (17) The Zoning Official and Township Engineer verify that the final site plan complies with all Zoning Ordinance requirements.
- (18) The Zoning Official approves the final site plan, stamps it approved, shall keep one copy for the record, and provide one copy to the applicant(s).
- (19) Upon receipt of the approved final site plan, the applicant(s) shall complete all construction plan approvals and obtain all required building permits in accordance with **Section 4-017**.

4. Additional Regulations For Condominium Developments

- A. Additional Application Materials.** The preliminary plan and preliminary plan review for condominium developments (*See Condominium Development in Section 1-007*) shall include the condominium master deed (*See Condominium Development in Section 1-007*) and any other documents required by the Condominium Act, Public Act 59 of 1978, as amended, or to be recorded with the Oakland County Register of Deeds. Those documents shall be reviewed and approved with respect to all matters subject to regulation by the Township in accordance with this Zoning Ordinance and the **Waterford Code of Ordinances**.
- B. Site Plans for Expandable, Contractable, or Convertible Projects.** For expansion, contraction, or conversion of a condominium development to add or withdraw land, the new phase of the project shall undergo all steps of the major site plan review for approval.

(ARTICLE IV, SECTION 4-004.4 cont.)

C. Amendments to Master Deed, By-Laws, and Final Site Plans. The approval of the final site plan is also conferred upon the master deed and by-laws as related documents. Therefore, any amendment of a master deed, by-laws, or as-built survey which would have any direct or indirect effect upon any matter reviewed or approved under this Section, as determined by the Zoning Ordinance, shall be reviewed and approved by the Township Attorney prior to recordation. If the Township Attorney, in consultation with the Township Engineer and Zoning Official, determines that the proposed amendments are a substantial departure from the approved final site plan, then the amendment shall undergo the same plan review and approval process as the original approved documents. The Zoning Official shall receive copies of all recorded master deed, by-law, and condominium development plan documents prior to the issuance of a certificate of occupancy.

5. Open Space Preservation.

A. Purpose and Intent. The open space preservation option is intended to encourage the long-term preservation of open space and natural features in accordance with Public Act 110 of 2006, Michigan Zoning Enabling Act, as amended. Property meeting the eligibility requirements of this subsection may be developed, at the owner's option, with the same number of dwelling units on a portion of the land as specified herein that, as determined by the Planning Commission, could have otherwise been developed on the same land under current ordinances, laws and rules, subject to and in accordance with the regulations of this subsection.

B. Eligibility Requirements. The open space preservation option shall be applicable to zoning lots located within the R-1, Single Family Residential District that are served by municipal sewers as well as such zoning lots that are not served by municipal sewers. The provisions in this subsection shall supplement the existing regulations applicable to the R-1 zoning district in the event an eligible zoning lot is proposed for development using the open space preservation option provided in this subsection.

C. Review Process.

(1) All proposed open space preservation option developments shall be submitted and reviewed in accordance with **Section 4-004.3** and in accordance with the requirements of this subsection and other applicable ordinances.

(2) In addition to all other submittals and information required under this subsection, all open space preservation plans submitted to the Township shall include a natural features inventory and mitigation report.

D. Density Calculation. The density of dwelling units shall not exceed the density customarily developable in the R-1A Single Family Residential zoning district when developed with a conventional layout and with all applicable laws and ordinances being observed.

(1) A proposed open space preservation concept plan and a parallel concept plan shall be submitted in order to establish the maximum permitted density. The parallel concept plan shall depict development of the R-1 zoning lot under the conventional standards of the R-1A zoning district and the requirements of all other applicable state and municipal regulations and standards. The proposed open space preservation concept plan shall depict the proposed arrangement of dwelling units on the R-1 zoning lot with building envelopes of sufficient size, taking into consideration sanitary sewage disposal capacity (only on property where there is a question of soil capacity will it be necessary to undertake actual soil analysis or County review), topography, easements or encumbrances, drainage retention/detention areas, along with all necessary streets and street accessways, without impacting natural areas and features required to be preserved under applicable law and ordinance. All unbuildable areas and areas with limitations to development must be accurately identified on both the parallel concept plan and the proposed open space preservation concept plan, including, but not limited to, wetlands, watercourses, drains, floodplains, steep slopes, woodlands and similar features. It is not the intent of this provision to generally require detailed engineering in the preparation of this plan, however, it must be a realistic plan of development, taking into consideration the actual assets and constraints of the property.

(2) The Planning Commission shall make the determination that a proposed open space preservation concept plan is acceptable once it meets all applicable Township ordinance requirements and, based on the comparative review of the parallel concept plan and proposed open space preservation concept plan, determine the number of units permitted under the open space preservation option provided in this subsection.

(ARTICLE IV, SECTION 4-004.5 cont.)

E. Design Requirements and Restrictions. The following design and application requirements shall apply to a proposed open space preservation development under this subsection. The design requirements shall be incorporated into a preliminary plat, if the land is proposed to be developed in accordance with the procedures established in the **Waterford Code of Ordinances, Subdivision and Land Management Regulations**, and otherwise incorporated into a site plan in accordance with the requirements of **Section 4-004.3**.

- (1) A minimum of fifty (50) percent of the lot area shall be preserved as permanent open space in an undeveloped state in the manner set forth in subparagraph F, below.
- (2) Permanent open space shall include the most significant natural features on the zoning lot.
- (3) The applicant(s) for an open space preservation development shall be entitled to an approval under this subsection; provided, the following aspects of the proposed development plan shall be reviewed for approval by the Planning Commission:
 - (A) The bulk regulations established by the Planning Commission for the dwellings in an open space preservation development shall be reasonable and rationally related to the standards, requirements and intent of single family residential development permitted under this Zoning Ordinance to the maximum extent feasible. Factors to be considered in determining the reasonableness of the area, width and setback requirements shall include the amount of open space, the density as determined by the Planning Commission under the proposed open space preservation concept plan, and the setbacks, minimum lot width, and maximum impervious surface requirements for the single family residential zoning districts.
 - (B) The development layout and configuration shall result in zoning lots or condominium lots feasible for residential development and use, and in the maintenance of a reasonable buffer between an open space development hereunder and adjacent streets and other land which is developed, or may be developed for non-cluster residential development. Each zoning lot or condominium lot shall be depicted on the plan with a proposed building envelope, in which a proposed dwelling may be constructed and used, including all likely improvements, without the necessity of the grant of a variance by the ZBA.
- (4) Open space areas shall be accessible to all zoning lots or condominium lots in the development, either directly from the internal street network or, if approved in the discretion of the Planning Commission, directly from another manner of access providing perpetually existing and maintained pedestrian accessibility to all zoning lots or condominium lots.
- (5) Preserved open space shall be connected with adjacent open space, public land, and existing or planned nonmotorized pathways, where feasible, as determined by the Planning Commission.
- (6) Approval of an open space preservation development does not constitute a change in the zoning of the property, and, except as specifically provided in this subsection, all other regulations applicable within the zoning district of the property and development shall apply.
- (7) Restrictions.
 - (A) Nothing in this subsection shall allow the construction of multi-family residential units in a single family residential district.
 - (B) Nothing in this subsection shall allow a development to result in the creation of a nuisance or a danger or hazard to the health, safety, and welfare of any person or property.
 - (C) The development shall not result in an unreasonable burden upon public services and/or facilities, taking into consideration the capacity and availability, considering the existing and anticipated future use of such services and facilities.
 - (D) The development shall be designed to avoid an unreasonable burden upon the subject or surrounding zoning lots, taking into consideration economic, aesthetic, traffic, noise and other applicable and relevant planning or engineering considerations.

F. Open Space Maintenance and Preservation.

- (1) All open space shall remain perpetually in an undeveloped state by means of a conservation easement to be recorded with the Oakland County Register of Deeds. All such conservation easements shall clarify ownership, access/use rights, and perpetual maintenance, and shall be approved by the Planning Commission prior to final approval of the development, and shall be received and approved as to substance and form by the Township Attorney prior to acceptance by the Planning Commission.
- (2) Nothing in this subsection shall be construed to require the property owner to convey fee title ownership of the open space to the public.

(ARTICLE I, SECTION 1-007, PLAN cont.)

Grading Plan. A grading plan shall be the graphic depiction of existing and proposed topography drawn on a twenty-four (24) inch by thirty-six (36) inch sheet and properly scaled within the range of one (1) inch = twenty (20) feet to one (1) inch = fifty (50) feet and shall consist of the following items of information:

- A. Name, address and telephone number of property owner.
- B. Name, business address and phone number of individual who prepared the plan.
- C. North arrow.
- D. Scale.
- E. Legend.
- F. U.S.G.S. datum with contours at two (2) feet intervals extending to a minimum of one hundred (100) feet beyond the site property lines. In certain instances additional topography may be required.

Landscape Plan. A landscape plan shall be the graphic layout of the landscaping details for the approved concept plan or change of use of the subject zoning lot submitted to the Township to review and determine compliance with the requirements of this Zoning Ordinance. The landscape plan shall be drawn on a twenty-four (24) inch by thirty-six (36) inch sheet and properly scaled within the range of one (1) inch = twenty (20) feet to one (1) inch = fifty (50) feet and shall consist of the following items of information:

- A. The property dimensions and site layout and components shall be drawn to mirror the preliminary plan.
- B. The location, number, size and species, and planting/design details. The proper type, spacing, height, placement and location of plant materials in order to insure that the intent of this Zoning Ordinance is met.
- C. The choice and selection of plant materials so as to insure that root systems will not interfere with public utilities and so that fruit and other debris, except leaves, will not constitute a nuisance within public rights-of-way or to abutting property owners.
- D. The choice and selection of plant materials so as to insure that the type of plantings selected will be of a type that will survive and thrive in the area in which they are to be located and as a protective measure against disease and insect infestation.
- E. The locations of existing and proposed greenbelt and landscaped areas, open spaces, natural features areas, and outdoor recreation areas, and all landscaping notations as required in the SPL Manual.
- F. The proper relationship between deciduous and evergreen plant materials exists so as to assure that the desired obscuring effect will be accomplished. The selection, spacing and sizing of plant materials shall depend on the use to which the plantings are to be, placed.
- G. Sealed by the registered landscape architect, as prescribed in Public Act 299 of 1980, who designed the landscape plan.

Plot Plan. A plot plan shall be the graphic depiction of existing conditions and proposed improvements on a subject zoning lot drawn on at minimum an eleven (11) inch by seventeen (17) inch sheet and properly scaled within the range of one (1) inch = twenty (20) feet to one (1) inch = fifty (50) feet and shall consist of the following items of information:

- A. Name, address and telephone number of property owner.
- B. Name, business address and phone number of individual who prepared the plan.
- C. North arrow.
- D. Scale.
- E. Legend.
- F. A certified survey completed by a State of Michigan licensed land surveyor, which indicates the legal description and recorded and measured dimensions of the property lines and other pertinent data as prescribed in Public Act 132 of 1970, Certified Surveys, as amended. The plan shall be drawn in accordance with the dimensions shown on this survey.
- G. The location and dimensions of all existing and proposed permanent and accessory buildings and structures, and where applicable all proposed temporary structures, on the site.
- H. Existing and proposed streets, drives, drive approaches (including acceleration, deceleration and passing lanes), parking areas indicating type of surfacing and listing number and size of parking spaces, and outdoor display areas where applicable.
- I. Wetland, floodplain, and drainage course boundaries.
- J. Location of all proposed signs - type, size and details.
- K. Where required by the Township Engineer, the following additional information:

(ARTICLE I, SECTION 1-007, PLAN, Plot Plan, cont.)

- (1) Existing and proposed topography using U.S.G.S. datum with contours at two (2) feet intervals extending to a minimum of one hundred (100) feet beyond the site property lines. In certain instances additional topography may be required.
- (2) The location and capacity of existing or proposed water, sanitary, stormwater, and other utilities serving the site with approximate rim elevations, inverts, size and lengths.
- (3) Proposed public and private sidewalks.

Preliminary Plan. A scale drawing(s) of existing or proposed land improvements for the approved concept plan or change of one or more zoning lots submitted to the Township for review and determine compliance with the requirements of this Zoning Ordinance. The preliminary plan shall be drawn on a twenty-four (24) inch by thirty-six (36) inch sheet and properly scaled within the range of one (1) inch = twenty (20) feet to one (1) inch = fifty (50) feet and shall consist of the following items of information:

- A. The property dimensions on the plan shall be drawn in accordance with a certified survey as specified in item I under **Concept Plan** either as part of the concept plan or as part of the preliminary plan, whichever plan is required to be submitted first.
- B. The same information required in items A through H listed under **Concept Plan**.
- C. The same information required in item J listed under **Concept Plan**.
- D. In addition to the location information required in items K through Q listed under **Concept Plan**, show all dimensional and numerical information, and three-dimensional details for items K through M listed under **Concept Plan**.
- E. Location map.
- F. All required minimum setbacks from existing or proposed public or private rights-of-way and property lines.
- G. Total lot area, net lot area, and buildable area of the zoning lot, as measured in square feet and acreage.
- H. Grading plan.
- I. The location, dimensions, and details for all walls, fences and berms as proposed and/or required by the Zoning Ordinance.
- J. All curbing including size, type, location and detail.
- K. The location, capacity, and details of all existing or proposed water, sanitary sewer, stormwater drainage, and other utilities serving the site with all information as required to conform with the Township Engineering Standards.
- L. All existing easements and vacated easements and rights-of-way.
- M. Front, side, and rear elevations of all proposed buildings.
- N. All other items required by either the Zoning Official or the Building Official to comply with land regulation requirements contained in the **Waterford Code of Ordinances**.

PLAN REVIEW COMPONENT. The plan review procedures described in **ARTICLE IV** are composed of some review components that are uniform in intent, content, and implementation, regardless of the review procedure used by an applicant. For the purposes of this Zoning Ordinance, the following definitions shall be used:

Change of Use Review. A review conducted by the Planning Commission and/or Zoning Official to evaluate a request to use an existing improved zoning lot for a permitted use where no structural expansion of existing buildings and structures are needed to conduct the proposed permitted use.

Conceptual Review. A review of a concept plan conducted by the Planning Commission, and the Township Board in the case of planned unit developments, to ensure its conformance with the general goals and objectives of the Master Plan as well as with the future land use goals for the land use designation in which the proposed project is located. A conceptual review is not conducted by the standards required of the preliminary plan review and final site plan review.

Construction Plan Review. Review, oversight, inspection, and approval of the construction plan and related construction activity conducted by the Building Official, Township Engineer, Public Works Official, and Fire Chief to ensure that it conforms with the approved final site plan upon which it is based and all applicable requirements of **Waterford Code of Ordinances, Buildings and Building Regulations, Fire Prevention and Protection, and Flood Control and Environmental Protection** pertinent to the proposed project. This review includes review and issuance of building permits, conducting final inspections, and issuance of certificates of occupancy in accordance with **Waterford Code of Ordinances, Buildings and Building Regulations** and the procedures established by the Building Official.

(ARTICLE I, SECTION 1-007, PLAN REVIEW COMPONENT cont.)

Final Site Plan Review. A review of the final site plan conducted by the Zoning Official and Township Engineer to confirm that all applicable requirements of this Zoning Ordinance and **Waterford Code of Ordinances, Fire Prevention and Protection, and Flood Control and Environmental Protection** have been recorded as part of the final site plan.

Plot Plan Review. A review of a proposed plot plan, or a plan substituted for a plot plan where permitted by this Zoning Ordinance, and succeeding versions undertaken by the Township to ensure that the plan conforms with all applicable requirements of this Zoning Ordinance and **Waterford Code of Ordinances, Buildings and Building Regulations, Fire Prevention and Protection, Flood Control and Environmental Protection, and Licenses and Miscellaneous Business Regulations.**

Preliminary Plan Review. A review of a preliminary plan conducted by the Zoning Official, Township Engineer, Public Works Official, Fire Chief, and all other agencies identified by the Zoning Official to ensure that the preliminary plan conforms with all applicable requirements of this Zoning Ordinance, including the Township Engineering Standards and SPL Manual, and **Waterford Code of Ordinances, Fire Prevention and Protection, and Flood Control and Environmental Protection.**

PLANNING COMMISSION. The Planning Commission of the Charter Township of Waterford established under **Section 5-001.2** of this Zoning Ordinance.

POINT OF INTERSECTION. The point at which two street right-of-way lines abutting a corner lot intersect, or if the two street right-of-way lines meet in a curve then it is the point at which the production of the two zoning lot lines abutting the two streets intersect.

PROHIBITED USE. A use that is not defined as a permitted use or a special approval use in a zoning district.

PROPERTY. Each dwelling unit, business, or profession occupying a zoning lot.

PROPERTY LINES. The lines bounding each dwelling unit, business, or profession occupying a zoning lot, as defined by this Zoning Ordinance .

PUBLIC AUTHORITY. Any Federal, State, County or Municipal agency, and includes any commission, board, authority, or department established by such agency to achieve and implement policies, programs, and projects for the benefit of the general public.

PUBLIC HEARING. A formal meeting held pursuant to public notice intended to inform and obtain public comment prior to taking action in accordance with the applicable Public Act 110 of 2006, Michigan Zoning Enabling Act, and Public Act 33 of 2008, Michigan Planning Enabling Act, as amended.

PUBLIC MEETING. A meeting held by the Township Board, Planning Commission, or ZBA pursuant to public notice.

PUBLIC NOTICE. A notice of a public meeting and/or public hearing published in accordance with the applicable requirements of Public Act 110 of 2006, Michigan Zoning Enabling Act, Public Act 33 of 2008, Michigan Planning Enabling Act, and Public Act 267 of 1976, Open Meetings Act, as amended.

PUBLIC UTILITY. Except for Wireless Communication Facilities, those services customarily rendered by public utility corporations, municipalities, or municipal authorities, to include but not necessarily limited to, electricity, gas, cabled communication systems, water and sewage, stormwater drainage, and the components used in connection with the supplying of such services, including but not necessarily limited to:

Public Utility Building. A building used for customer service and administrative services related to the supply of a public utility, including office space for engineering and design services, space for repair crew operations and dispatch services, warehouse space for material and equipment storage, and space for other related uses as approved by the Planning Commission. *(Effective 12/20/2018)*

Public Utility Facilities. Any above-ground structures used in connection with the production, generation, transmission, delivery, collection, or storage of water, sewage, electricity, gas, oil, or electronic signals.

Public Utility Facilities, Area. Public Utility Facilities that are designed to serve the surrounding area consisting of one or more neighborhoods.