

ARTICLE 42.0

SPECIAL DISTRICT REGULATIONS

Section 42.001 Authority to Establish Special Districts.

The LCD (Lodi Central) and PUD (Planned Unit Development) Special Districts, as established in accordance with Sections 503 and 504 of the Michigan Zoning Enabling Act (MCL125.3503 and 125.3504), are designed to accomplish the objectives of this Ordinance through development approval procedures that properly relate the type, design, use, and layout of development to the site and surrounding area, and are intended to achieve integration of the proposed development project with the characteristics of the project area.

These Special Districts are intended to permit flexibility in the regulation of land development; encourage innovation in land use and variety in design, layout, and type of structures constructed; achieve economy and efficiency in the development and use of land, natural resources, energy, and the provision of public services and facilities; encourage useful open space; and provide better housing, employment, and shopping opportunities particularly suited to the needs of the residents of the Township.

The provisions of this Article are intended to result in land development substantially consistent with zoning standards generally applied to the proposed uses, as specified on the approved Area Plan for the development, while allowing for the option of Township approval for limited deviations from the applicable use or development standards of this Ordinance as applied to a particular site and development project.

Section 42.002 Scope.

Special District projects shall not materially add public or municipal service or facility loads beyond those contemplated in the Master Plan or other adopted policies or plans. All uses, structures, and properties shall comply with all applicable regulations and requirements of this Ordinance, except as provided within this Article.

1. The location of all uses and buildings, all yards and transition strips, and all other information regarding uses of properties as shown on or as part of the approved Area Plan, and on approved final site plans, and any attached documents shall have the full force and permanence of this Ordinance as though such regulations were specifically set forth in this Ordinance.
2. A parcel of land that has been classified as a Special District by the Township Board shall not thereafter be developed or used except in accordance with the approved Area Plan and approved final site plan(s).
3. No construction, grading, cutting of trees or vegetation, soil stripping, excavating or other site improvements or changes shall commence, and no permit shall be issued therefore, on a lot within or under application for a Special District classification, until all requirements of this Article and Ordinance have been met.

2. **Determination.** After the hearing, the decision of the Township Board with regard to the rescission shall be made, and written notification provided to the developer, owner or designated agent.
3. **Recording.** Written notification that a Special District classification and Area Plan have been rescinded by the Township Board shall be recorded by the Township Clerk in the county Register of Deeds office.

Section 42.109 Violations.

Violation of any plan approved under this Article, or failure to comply with any provision of this Article, any Development Agreement or conditions attached to any approved plan shall be deemed a violation of this Ordinance, subject to the provisions of Section 57.09 (Violations and Penalties).

Section 42.110 Required Area Plan Information.

The following minimum information shall be included with any application for Area Plan approval under this Article, except where the Planning Commission determines that an item of information is not applicable or necessary for review of the site plan:

Minimum Area Plan Information	<input type="checkbox"/>
Applicant and developer’s name(s), signatures, address(es), telephone and facsimile numbers, e-mail, and interest in the property, and property owner’s name, address, telephone number, and signed consent if applicant is not the owner.	<input type="checkbox"/>
The name, address, telephone, facsimile numbers, and e-mail of the firm or individual preparing the site plan. If the site plans were prepared by an architect, engineer, landscape architect or land surveyor registered or licensed in the State of Michigan, the plans shall bear the individual’s professional seal.	<input type="checkbox"/>
Location, address(es), and tax identification number(s) of subject parcel(s).	<input type="checkbox"/>
Dimensions of the site, and the gross and net land area.	<input type="checkbox"/>
Legal description(s) of the subject parcel(s).	<input type="checkbox"/>
Legal description of the land use or development site and any non-contiguous open space area(s), if different from the subject parcel(s), with lot line angles or bearings indicated on the plan. Dimensions, angles, and bearings shall be based upon a boundary survey prepared by a registered surveyor.	<input type="checkbox"/>
Description of applicant’s intentions regarding selling or leasing of all or portions of land and dwelling units or other structures.	<input type="checkbox"/>
Gross and net dwelling unit density for residential projects.	<input type="checkbox"/>
General description of the number, size ranges, and types of proposed dwelling units; and proposed facade materials.	<input type="checkbox"/>
A detailed use statement describing proposed use(s); including land or building areas for each use, number of units, number of anticipated employees, or other applicable information to verify Ordinance compliance.	<input type="checkbox"/>

Minimum Area Plan Information	<input type="checkbox"/>
Preliminary and final site plans shall be drawn to an engineer’s scale not greater than 1:50 and appropriate for the required sheet size of 24 inches by 36 inches. For a large development shown in sections on multiple sheets, one overall composite sheet shall be provided for clarity.	<input type="checkbox"/>
<u>Draft of Area Plan agreement or statement.</u>	<input checked="" type="checkbox"/>
Vicinity map showing the general location of the site.	<input type="checkbox"/>
Scale, north arrow, initial plan date, and any revision date(s).	<input type="checkbox"/>
Existing zoning classification(s) for the subject parcel(s) and surrounding parcels (including across road rights-of-way).	<input type="checkbox"/>
Owners’ names, existing uses, and location of structures, drives, and improvements on surrounding parcels (including across rights-of-way).	<input type="checkbox"/>
Identification of all adjacent property in which the applicant(s), developer(s), or owner(s) have an ownership interest.	<input type="checkbox"/>
Dimensions of all property boundaries and interior lot lines.	<input type="checkbox"/>
Location of existing structures, fences, and driveways on the subject property, with notes regarding their preservation or alteration.	<input type="checkbox"/>
Location of existing walls, signs, utility poles and towers, pipelines, excavations, bridges, culverts, and other site features on the subject property, with notes regarding their preservation or alteration.	<input type="checkbox"/>
Identification of general location(s) and area(s) of each development phase.	<input type="checkbox"/>
Location, outline, ground floor area, and height of proposed structures; and of existing structures to remain on-site.	<input type="checkbox"/>
Conceptual drawings of exterior building façades for principal buildings and building additions, drawn to an appropriate scale.	<input type="checkbox"/>
Locations, layout, surface type, centerlines, road pavement and right-of-way widths, and indication of public or private road status for all existing and proposed roads and access drives serving the site.	<input type="checkbox"/>
Conceptual locations, layout, and surface type for all parking lots, sidewalks, and pedestrian pathways within and accessing the site.	<input type="checkbox"/>
A Natural Features Determination, with a general description and preliminary delineation of existing natural features on and abutting the site, per Section 54.08 (Natural Features Protection and Preservation).	<input type="checkbox"/>
Outdoor open space and recreation areas; location, area, and dimensions.	<input type="checkbox"/>
Location and size of required landscape strips, if applicable.	<input type="checkbox"/>
General layout of existing and proposed water supply systems, sanitary sewerage or septic systems, and stormwater management facilities.	<input type="checkbox"/>
General areas of intended filling or cutting.	<input type="checkbox"/>
Other information as requested by the Township Planner or Planning Commission to verify compliance with the standards and conditions imposed by this Ordinance, the policies of the Township Master Plan, and other applicable Township ordinances or state statutes.	<input type="checkbox"/>

ARTICLE 44.0

SITE PLAN REVIEW

Section 44.01 Purpose.

It is the intent of this Article to establish procedures and standards that provide a consistent method for review of site plans. The purpose of this Article is to ensure that land use activity or development in the Township conforms to all applicable requirements and standards of this Ordinance, other applicable ordinances, and state and federal statutes; and is consistent with the adopted policies of the Township's Master Plan and other statutorily authorized and properly adopted planning documents.

Flexible review standards have been established to ensure that the type of review and amount of required information is proportional to the project's scale and use intensity. It is the further purpose of this Article to encourage cooperation and consultation between the Township and the applicant; to protect natural resources; and to minimize adverse impacts from land use or development activity on properties in close proximity and the Township as a whole.

Section 44.02 Site Plan Approval Required.

In accordance with the requirements of this Article and Ordinance, site plan review and approval shall be required prior to establishment, construction, expansion or structural alteration of any structure or use. Three (3) separate review processes (preliminary/final site plan, minor site plan, and administrative approval) have been established in keeping with the purpose of this Article. Until all required site plans have been approved in accordance with this Article, the Zoning Administrator shall not issue a Zoning Compliance Permit for construction of or addition to any structure, or a Certificate of Occupancy for the establishment or expansion of any land use or development activity for which site plan approval is required. Except where authorized per Section 44.05.E. (Effect of Preliminary Site Plan Approval), no grading, cutting of trees or other vegetation, excavation, land-filling, or construction of improvements shall commence for any land use or development activity for which site plan approval is required until all required site plans have been approved.

A. Exempt from Site Plan Approval.

The following land use or development activities are exempt from the requirement for site plan approval under this Article, but remain subject to all other applicable requirements of this Ordinance:

1. Rural Uses for which site plan approval is not expressly required by the applicable provisions of Article 40.0 (Use Standards).
2. The following Residential Uses shall be exempt from site plan approval:
 - a. One (1) single-family detached dwelling and customary accessory structures on an existing zoning lot of record zoned for residential use.

from a final site plan, where, in its 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 (2) or more phases.

Section 44.08 Required Site Plan Information.

The following minimum information shall be included with any application for site plan approval, except where the Planning Commission determines that an item of information is not applicable or necessary for review of the site plan:

Minimum Site Plan Information	Minor Site Plan	Preliminary Site Plan	Final Site Plan
SITE PLAN DESCRIPTIVE INFORMATION			
Applicant and developer's name(s), signatures, address(es), telephone and facsimile numbers, e-mail, and interest in the property, and property owner's name, address, telephone number, and signed consent if applicant is not the owner.	•	•	•
The name, address, telephone, facsimile numbers, and e-mail of the firm or individual preparing the site plan. If the site plans were prepared by an architect, engineer, landscape architect or land surveyor registered or licensed in the State of Michigan, the plans shall bear the individual's professional seal.	•	•	•
Location, address(es), and tax identification number(s) of subject parcel(s).	•	•	•
Dimensions of the site, and the gross and net land area.	•	•	•
Legal description(s) of the subject parcel(s).	•	•	•
Legal description of the land use or development site and any non-contiguous open space area(s), if different from the subject parcel(s), with lot line angles or bearings indicated on the plan. Dimensions, angles, and bearings shall be based upon a boundary survey prepared by a registered surveyor.		•	•
<u>Draft details of existing and proposed covenants or other restrictions imposed upon land or buildings, including bylaws, deed restrictions, and articles of incorporation for a cooperative, condominium, or homeowners' association.</u>		•	
Details of existing and proposed covenants or other restrictions imposed upon land or buildings, including bylaws, deed restrictions, and articles of incorporation for a cooperative, condominium, or homeowners' association.			•
Description of applicant's intentions regarding selling or leasing of all or portions of land and dwelling units or other structures.		•	•
Gross and net dwelling unit density for residential projects.		•	•
General description of the number, size ranges, and types of proposed dwelling units; and proposed facade materials.			

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Effective Date: June 20, 2019

Article 44.0
Site Plan Review

A schedule of the number, sizes (bedrooms, floor areas), and types of dwelling units, and lot area per dwelling unit.

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Minimum Site Plan Information	Minor Site Plan	Preliminary Site Plan	Final Site Plan
A detailed use statement describing proposed use(s); including land or building areas for each use, number of units, number of anticipated employees, or other applicable information to verify Ordinance compliance.	•	•	•
SITE PLAN DATA AND NOTES			
Minor site plans shall be drawn to a scale appropriate for a sheet size between 8.5 inches by 11 inches (minimum) and 24 inches by 36 inches (maximum); and of such accuracy that the Planning Commission can readily interpret the plan.	•		
Preliminary and final site plans shall be drawn to an engineer's scale not greater than 1:50 and appropriate for the required sheet size of 24 inches by 36 inches. For a large development shown in sections on multiple sheets, one overall composite sheet shall be provided for clarity.		•	•
Vicinity map showing the general location of the site.		•	•
Scale, north arrow, initial plan date, and any revision date(s).	•	•	•
Existing zoning classification(s) for the subject parcel(s) and surrounding parcels (including across road rights-of-way).		•	•
Owners' names, existing uses, and location of structures, drives, and improvements on surrounding parcels (including across rights-of-way).		•	•
Identification of all adjacent property in which the applicant(s), developer(s), or owner(s) have an ownership interest.		•	•
Dimensions of all property boundaries and interior lot lines.	•	•	•
Percentage of lot coverage, total ground floor area, and floor area ratio.		•	•
Calculations for parking and other applicable Ordinance requirements.	•	•	•
EXISTING CONDITIONS			
Location of existing structures, fences, and driveways on the subject property, with notes regarding their preservation or alteration.	•	•	•
Location of existing walls, signs, utility poles and towers, pipelines, excavations, bridges, culverts, and other site features on the subject property, with notes regarding their preservation or alteration.		•	•
SITE PLAN DETAILS			
Delineation of required yards, setback areas, and transition strips.	•	•	•
Identification of general location(s) and area(s) of each development phase.		•	•
Planned construction program and schedule for each development phase.		•	•
Location, width, purpose, and description of all existing and proposed easements and rights-of-way on or adjacent to the site.	•	•	•
Location, type, area, height, and lighting specifications of proposed signs.	•		•

Minimum Site Plan Information	Minor Site Plan	Preliminary Site Plan	Final Site Plan
An exterior lighting plan with all existing and proposed lighting locations, heights from grade, specifications, lamps types, and methods of shielding.			•
Location, area, and dimensions of any outdoor sales, display or storage areas.	•	•	•
Location of proposed outdoor waste receptacle enclosures; with size, elevation, and vertical cross-section showing materials and dimensions.		•	•
BUILDING DESIGN AND ORIENTATION			
Location, outline, ground floor area, and height of proposed structures; and of existing structures to remain on-site.	•	•	•
Dimensions, number of floors, and gross and net floor area of proposed principal buildings; and of existing principal buildings to remain on-site.		•	•
Separation distances between adjacent buildings, and between buildings and adjacent lot boundaries.		•	•
Conceptual drawings of exterior building façades for principal buildings and building additions, drawn to an appropriate scale.			
Detailed exterior building façade elevation drawings for all proposed dwellings, principal buildings, and additions, drawn to an appropriate scale and indicating types, colors, and dimensions of finished wall materials.		•	•
Finished floor elevations and contact grade elevations for proposed principal buildings and existing principal buildings to remain on-site, referenced to a common datum acceptable to the Township Engineer.			•
ACCESS AND CIRCULATION			
Locations, layout, surface type, centerlines, road pavement and right-of-way widths, and indication of public or private road status for all existing and proposed roads and access drives serving the site.		•	•
Conceptual locations, layout, and surface type for all parking lots, sidewalks, and pedestrian pathways within and accessing the site.	•	•	•
Locations and dimensions of vehicle access points, and distances between adjacent or opposing driveways and road intersections.	•	•	•
Details of the location, width, and paving of proposed sidewalks and pedestrian ways, including alignment, cross section, connections to existing or planned off-site facilities, and easement or right-of-way dedications.			•
Parking space dimensions, pavement markings, and traffic control signage.	•	•	•
Parking space angles; maneuvering aisle, island, and median dimensions; surface type; fire lanes; drainage patterns; location of loading areas; and typical cross-section showing surface, base, and sub-base materials.		•	•
Identification of the proposed name(s) for new public or private road(s) serving the site.		•	•

Minimum Site Plan Information	Minor Site Plan	Preliminary Site Plan	Final Site Plan
Spot elevations for existing roads on and adjacent to the subject parcel(s), including surface elevations at intersections with the internal roads and drives serving the proposed development; curve-radii and road grades; location and details of curbs, and turning lanes; and typical road cross sections showing surface, base, and sub-base materials and dimensions.			•
NATURAL FEATURES AND OPEN SPACE AREAS			
A Natural Features Determination, with a general description and preliminary delineation of existing natural features on and abutting the site, per Section 54.08 (Natural Features Protection and Preservation).		•	•
A Natural Features Impact Statement, with details of all existing natural features on the site; indications of features to be preserved, removed, or altered; and proposed mitigation measures per Section 54.08 (Natural Features Protection and Preservation).			•
Outdoor open space and recreation areas; location, area, and dimensions.		•	•
Description of the organization that will own and maintain open space and recreation areas, and a long-term maintenance plan for such areas.			•
SCREENING AND LANDSCAPING			
Location and size of required landscape strips, if applicable.		•	•
General layout of proposed landscaping and screening improvements; including plantings, topographic changes, and similar features.	•	•	•
A detailed landscape plan, including location, size, quantity and type of proposed plant materials and any existing plant materials to be preserved.			•
Planting list for all landscape materials, with the method of installation, botanical and common name, quantity, size, and height at planting.			•
Landscape maintenance plan, including notes regarding replacement of dead or diseased plant materials.			•
Proposed fences, walls, and other screening devices, including typical cross section, materials, and height above grade.	•	•	•
Screening methods for any waste receptacle areas, ground-mounted generators, transformers, mechanical (HVAC) units, and similar devices.	•	•	•
UTILITIES, STORMWATER MANAGEMENT, AND GRADING			
General layout of existing and proposed water supply systems, sanitary sewerage or septic systems, and stormwater management facilities.		•	•
Location and size or capacity of the existing and proposed potable water supply and sewage treatment and disposal facilities serving the site.		•	•
Location, size, and slope of proposed detention or retention ponds; and location and size of underground tanks and drain lines where applicable.		•	•

Minimum Site Plan Information	Minor Site Plan	Preliminary Site Plan	Final Site Plan
Layout, line sizes, inverts, hydrants, flow patterns, and location of manholes and catch basins for proposed sanitary sewer and water supply systems.			•
Calculations for capacity of stormwater management and drainage facilities.			•
Location and size of existing and proposed telephone, gas, electric, and similar utility lines and surface-mounted equipment.			•
General areas of intended filling or cutting.		•	•
A detailed grading plan, with details of proposed filling or cutting, existing and proposed topography at a minimum of two (2) foot contour levels, stormwater runoff drainage patterns, and a general description of grades within 100 feet of the site. All finished contour lines are to be connected to existing contour lines within the site or at the parcel boundaries.			•
Locations, dimensions, and materials of proposed retaining walls, with fill materials and typical vertical sections.		•	•
Description of measures to control soil erosion and sedimentation during construction operations, and until permanent groundcover is established.			•
ADDITIONAL REQUIRED INFORMATION			
Other information as requested by the Township Planner or Planning Commission to verify compliance with the standards and conditions imposed by this Ordinance, the policies of the Township Master Plan, and other applicable Township ordinances or state statutes.	•	•	•

Section 44.09 Expiration of Site Plan Approval.

Approval of a site plan shall expire in accordance with the following:

A. Expiration of Administrative Approval.

Administrative approval of incidental changes during construction consistent with an approved final site plan shall not alter the original expiration date for the final site plan. Any other site plan subject to administrative approval under this Article shall expire and be of no effect unless, within 365 calendar days of administrative approval, all work associated with the approved plan has been completed.

B. Expiration of Minor Site Plan Approval.

A minor site plan shall expire and be of no effect unless, within 365 calendar days of the Planning Commission’s approval, appropriate permits have been approved, substantial construction has begun on the property, and such work is diligently pursued in conformance with the approved minor site plan.

ARTICLE 45.0

CONDOMINIUM REGULATIONS

Section 45.01 Purpose.

The purpose of this Article is to regulate projects that divide real property under a contractual arrangement known as a condominium. New and conversion condominium projects shall conform to the requirements of this Ordinance, all other applicable Township regulations, and the Condominium Act. Each condominium project shall be reviewed in a manner consistent with equivalent projects within the zoning district.

Pursuant to the authority conferred by the Condominium Act, condominium subdivision (site condominium) plans shall be regulated by this Ordinance as site condominiums, and shall be considered equivalent to a platted subdivision for the purposes of enforcing the Township's site development standards. It is the intent of this Article to ensure that:

1. Single-family detached residential subdivision developments implemented under the provision of the Condominium Act shall be consistent with subdivision plats established in accordance with the Land Division Act and any Township subdivision regulations.
2. Review of condominium subdivision plans shall be accomplished, aside from procedural differences, with the objective and intent of achieving the same results as if the site were to be developed as a conventional subdivision plat.
3. Condominium subdivisions and all other condominium projects are to be developed in compliance with all applicable standards of this Ordinance and design standards equivalent to those found in the Land Division Act and any Township subdivision regulations.

Section 45.02 Scope.

The standards set forth in this Article shall be considered minimum requirements. Where the adopted Master Plan or other provisions of this Ordinance or other applicable state laws or Township ordinances require higher standards, such higher standards shall apply.

Section 45.03 Types of Permitted Condominium Units.

The following types of condominium units shall be permitted under this Article, subject to conformance with all applicable standards of this Ordinance, any higher standards required by Section 45.02 (Scope), and the Condominium Act:

1. **Single-family dwellings.** A condominium unit which is intended for a detached single-family dwelling (or site condominium).
2. **Two-family or duplex dwellings, or multiple-family buildings.** Condominium buildings and units created by the construction of two-family or duplex dwellings, or multiple family building and where each dwelling,

apartment, townhouse or stacked flat is a separate, individually owned condominium unit, or by the conversion of existing two-family or duplex dwellings, or multiple-family building into residential condominium units.

3. **Non-residential condominium units.** Any permitted condominium unit not otherwise addressed in this Section that consists of either new building construction or the conversion of an existing building into individual condominium units.

Section 45.04 Condominium Site Plan Requirements.

Prior to recording of the Master Deed of the condominium project as required by Section 72 of the Condominium Act, each condominium project shall be subject to review and approval of preliminary and final condominium site plans in accordance with the requirements of this Ordinance. Pursuant to authority granted by Section 141 of the Condominium Act, review and approval of site plans for all condominium projects shall be subject to the procedures and standards of Article 44.0 (Site Plan Review), and the following:

A. Preliminary Condominium Site Plan Requirements.

1. A preliminary condominium site plan shall be filed for approval at the time the notice of proposed action is filed with the Township per Section 71 of the Condominium Act. The preliminary site plan shall include all information required for preliminary site plans per Section 44.08 (Required Site Plan Information).
2. Drafts of condominium documents, including bylaws, deed restrictions, articles of incorporation and other covenants or restrictions proposed to be imposed upon land or buildings shall be submitted with the preliminary condominium site plan in accordance with Section 44.08 (Required Site Plan Information).

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B. Final Condominium Site Plan Requirements.

1. The final condominium site plan shall include all information required for final site plans per Section 44.08 (Required Site Plan Information), and all information required by the Condominium Act.
2. Condominium documents, including bylaws, deed restrictions, articles of incorporation and other covenants or restrictions to be imposed upon land or buildings shall be submitted with the final condominium site plan in accordance with Section 44.08 (Required Site Plan Information).

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C. Site Condominium Projects.

In the case of a site condominium project that consists only of condominium lots and not buildings or other structures at the time of plan review, the location and dimensions of the condominium lots, building envelopes, and required yards shall be shown on the preliminary and final site plans. Principal buildings or detached dwellings on proposed condominium lots may be shown on the site plans, but shall not be required for site condominium project approval.

Section 45.05 Changes to an Approved Condominium.

Amendments or revisions to any condominium document or the approved final condominium site plan (Exhibit B, as required by the Condominium Act) shall be subject to review and approval in accordance with Section 44.13 (Amendment and Revision). In the event that the condominium project

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is located in a Special District or planned unit development (PUD), such changes shall be subject to the amendment provisions of Section 42.106 (Amendment).

Section 45.06 Effect of Condominium Site Plan Approval.

At the discretion of the Township Board, approval of a final site plan may authorize the execution of a Development Agreement between the Township and the property owner(s)/developer(s) per Section 54.20 (Development Agreement). If no Development