

ORDINANCE NO. 17-330

Amendment to Chapter 22 of the City Code

An ordinance to amend Section 22-261 of Chapter 22 of the City Code of the City of Morenci to regulate site plan review and approval.

CITY OF MORENCI, LENAWEE COUNTY, MICHIGAN, HEREBY ORDAINS:

Section 1. Amendment.

Section 22-261 of Chapter 22 of the City of Morenci municipal code is amended in its entirety to read as follows:

Sec. 22-261. - Site plan review and approval.

It is recognized by this chapter that there is a value to the public in establishing safe and convenient traffic movement to higher density sites, both within the site and in relation to access streets; that there is value in encouraging a harmonious relationship of buildings and uses both within a site and in relation to adjacent uses; further that there are benefits to the public in conserving natural resources. Toward this end, this chapter requires site plan review by the planning commission for certain buildings and structures that can be expected to have significant impact on natural resources, traffic patterns and on adjacent land usage.

- (1) *Buildings, structures and uses requiring site plan.* The zoning inspector shall not issue a zoning compliance permit for the construction of new buildings and structures identified in this section unless a site plan has been reviewed and approved by the planning commission and such approval is in effect.
 - a. Any conditional use.
 - b. A multiple-family building containing six or more dwelling units.
 - c. More than one multiple-family building on a lot, parcel or tract of land, or on a combination of lots under one ownership.
 - d. A mobile home park.
 - e. Any building or structure intended for commercial or industrial use.
 - f. Planned residential developments (see section 22-269).
 - g. In addition, a site plan can be required for any use when deemed necessary by the zoning administrator, planning commission or city council.

- h. There shall be two (2) types of site plan review. A full site plan review requiring the information in Sec. 22-261 (4) and a limited site plan review specified by the requirements in Sec. 22-261 (5). The zoning administrator shall determine which site plan review is required based on information presented to him regarding the project. The zoning administrator shall document the reasoning for why such a review was chosen.
- (2) *Application and fee.* Any person may file a request for a site plan review by the planning commission by filing with the zoning administrator, planning commission or city council. As an integral part of such application the applicant shall file at least four copies of a site plan. The city council shall set the fee for full and limited site plan reviews.
- (3) *Planning commission review of site plan.* Upon receipt of such application from the clerk, the planning commission shall within 30 days approve or disapprove such site plan, advising the applicant in writing of the recommendation, including any changes or modifications needed to achieve conformity to the standards specified in this chapter.
- (4) *Full site plan review.* If the activities specified in Sec. 22-261 (1) (a – h) result in the construction of new buildings and structures that increase the lot coverage of an existing lot by more than ten (10) percent, then a full site plan review shall be required. A full site plan review shall be submitted to the planning commission in accordance with the following requirements.
 - a. The site plan shall be of a scale of not less than one inch equals 50 feet if the subject property is less than three acres and one inch equals 100 feet if three acres or more and of such accuracy that the same can be readily interpreted.
 - b. The property shall be identified by lot lines and location, including dimensions, angles and size, and correlated with the legal description of such property. Such plan shall further include the name and address of the property owner, developer and designer.
 - c. The site plan shall show the scale; north point, boundary dimensions; topography (at least two-foot contour intervals); and natural features, such as, woodlots, streams, rivers, lakes, drains and similar features.
 - d. The site plan shall show existing manmade features, such as buildings; structures; high tension towers; pipe lines; and existing utilities, such as, water and sewer lines, excavations, bridges, culverts, drains and easements, and shall identify adjacent properties and their existing uses.

- e. The site plan shall show the location, proposed finished floor and grade line elevations, size of proposed principal and accessory buildings, their relation one to another and to any existing structure on the site, the height of all buildings and square footage of floor space. Site plans for residential development shall include a density schedule showing the number of dwelling units per net acre, including a dwelling schedule showing the unit type and number of each unit type.
 - f. The site plan shall show the proposed streets, driveways, sidewalks, and other vehicular and pedestrian circulation features within and adjacent to the site; also, the location, size and number of parking spaces in the off-street parking area, and the identification of service lanes and service parking.
 - g. The site plan shall show the proposed location, use and size of open spaces; and the location of any landscaping, fences or walls on the site. Any proposed alterations to the topography and other natural features shall be indicated. The site plan shall further show any proposed location of connections to existing utilities and proposed extensions thereof.
 - h. A vicinity map shall be submitted showing the location of the site in relation to the surrounding street system.
- (5) *Limited site plan review.* If the activities specified in Sec. 22-261 (1) (a – h) result in the construction of new buildings and structures that do not increase the lot coverage of an existing lot by more than ten (10) percent, then a limited site plan review may be required if the zoning administrator feels it is appropriate. The zoning administrator is required to document the reason that a limited site plan review was allowed. The planning commission has the power to revise this decision and require a full site plan review if it disagrees with the zoning administrator's decision. A limited site plan review shall be submitted to the planning commission in accordance with the following requirements.
- a. The property shall be identified by lot lines and location, including dimensions, angles and size, and correlated with the legal description of such property. Such plan shall further include the name and address of the property owner, developer and designer.
 - b. The limited site plan can be a sketch that shows the scale; north point, boundary dimensions; and natural features, such as, woodlots, streams, rivers, lakes, drains and similar features. In addition, all buildings and structures shall be denoted on the sketch.

- c. The limited site plan and / or site plan sketch shall show streets, driveways, sidewalks, and other vehicular and pedestrian circulation features within and adjacent to the site; also, the location, size and number of parking spaces in the off-street parking area, and the identification of service lanes and service parking.
 - d. The limited site plan shall show the proposed location, use and size of open spaces, the location and size of proposed principal and accessory buildings, their relation to each other, the height of all buildings and square footage of floor space for all buildings and proposed buildings.
 - e. A vicinity map shall be submitted showing the location of the site in relation to the surrounding street system.
- (6) *Standards for site plan review.* In reviewing the site plan, the planning commission shall ascertain whether the proposed site plan is consistent with all regulations of this chapter and state and federal statutes. Further, in consideration of each site plan, the planning commission shall find that provisions of subsections (3) and (4) of this section as well as the provisions of the zoning district in which such buildings, structures and uses as indicated in the proposed site plan have been satisfactorily met by the applicant. Decisions rejecting, approving or conditionally approving a site plan shall be based upon requirements and standards contained in this chapter. A site plan shall be approved if it contains the information required in subsection (4) of this section and is in compliance with this chapter, the conditions imposed pursuant to this chapter, other applicable ordinances, and state and federal statutes. In addition, each of the following standards shall apply.
- a. The use shall be designed, constructed, operated and maintained in a manner harmonious with the character of adjacent property and the surrounding area.
 - b. The use shall not inappropriately change the essential character of the surrounding area.
 - c. The use shall not interfere with the general enjoyment of adjacent property.
 - d. The use shall represent an improvement to the use of character of the property under consideration and the surrounding area in general, yet also be in keeping with the natural environment of the site.
 - e. The use shall not be hazardous to adjacent property, or involve uses, activities, materials or equipment which will be detrimental to

the health, safety or welfare of persons or property through the excessive production of traffic, noise, smoke, odor, fumes, glare or dust.

- f. The use shall be adequately served by essential public facilities and services, or it shall be demonstrated that the person responsible for the proposed use shall be able to continually provide adequately for the services and facilities deemed essential to the use under consideration.
 - g. The use shall not place demands on public services and facilities in excess of current capacity.
 - h. The use shall be consistent with the intent and purpose of this chapter.
- (7) *Approval of site plan.* After the site plan is reviewed and approved by the planning commission, one copy shall be retained on permanent file with the planning commission and two copies shall be filed with the zoning administrator along with written notification of such approval. If the site plan is disapproved by the planning commission, written notification of such denial shall be given to the applicant within ten days after such action. The applicant may thereafter file an amended site plan which shall be reviewed in the same manner as hereinafter set forth. The zoning administrator shall not issue a zoning compliance permit and building permit until he has received a certified approved site plan.
- (8) *Expiration of site plan certificate.* The site plan certificate shall expire, and be of no effect, 365 days after the date of issuance thereof, unless within such time the zoning administrator has issued a zoning compliance permit for any proposed work authorized under a site plan certificate.
- (9) *Amendment, revision of site plan.* A site plan and site plan certificate issued thereon, may be amended by the planning commission upon the request of the applicant. Such amendment shall be made upon application and in accordance with the procedure provided in this section. Any fees paid in connection with such application may be waived or refunded at the discretion of the planning commission.

Section 2. Repeal of Conflicting Provisions.

All other City ordinances, City Council resolutions, and parts thereof that conflict with provisions of this Ordinance are hereby repealed and shall be of no further force or effect.

Section 3. Severability.

All sections, terms, provisions or clauses of this Ordinance shall be deemed independent and severable. Should a court of competent jurisdiction hold any section, term, provision or clause void or invalid, all remaining sections, terms, provisions and clauses not held void or invalid shall continue in full force and effect.

Section 4. Publication and Effective Date.


Publication of this ordinance shall be made by causing a true copy thereof to be inserted once in the State Line Observer, a newspaper circulating within the City of Morenci. This ordinance shall take effect ten (10) days after the ordinance is published.

YEAS: Councilors: Berger, DiCenso, Leahy, Lampson, Seger & Mayor Bell

NAYS: None

ABSENT: Councilor Cox

Ordinance declared adopted on August 28, 2017.



Jeffrey D. Bell, Mayor
City of Morenci

CERTIFICATION OF ADOPTION AND PUBLICATION

I, Michael S. Sessions, the City Clerk, certify that the foregoing ordinance was properly enacted by the City Council of the City of Morenci, Lenawee County, Michigan on August 28, 2017 and that it was published in the Stateline Observer on August 30, 2017.



Michael S. Sessions, City Clerk
City of Morenci