

**ARTICLE 17**  
**SITE PLAN REVIEW PROCEDURES**

**SECTION 17.00 REQUIREMENT ESTABLISHED**

Site plan review is required prior to the establishment or construction of any principal permitted or accessory use or structure in all zoning districts including all Special Condition Uses. Site plan review is required for any change or expansion of a use or the erection of any structure including fencing; provided however, that agricultural uses and structures exempted by the Right to Farm Act are excluded from this requirement. Individual single family homes are also exempt, but are reviewed through the building permit process. Required site plans shall be submitted for review in accordance with the Ordinance requirements of this Article. For any such development that requires site plan approval prior to the issuance of a building or occupancy permit, the procedures outlined below will be followed and the use shall comply with the application requirements and review standards herein.

**SECTION 17.01 APPLICATION**

Applications for site plan approval must be filed with the Township at least twenty-one (21) days prior to the next regularly scheduled meeting of the Planning Commission. Incomplete applications may not be placed on the next available agenda for Planning Commission review based upon a recommendation of the township staff or consultants review comments. Review fees shall be established by the Township Board to cover the administrative and consultant review costs associated with site plan applications. The applicant shall pay such fees at the time of application. Once all comments and reviews of the staff and consultants indicate the plans are ready for Planning Commission consideration, they will be placed on the next available Planning Commission agenda.

1. Unless administrative review is permitted pursuant to subsection 2 below, all site plans shall be reviewed by the Planning Commission.
2. A site plan may be reviewed for approval administratively by the Building Inspector without formal review by the Planning Commission under the following circumstances:
  - a) Every site plan submitted for administrative review shall be in accordance with the requirements of this ordinance. Administrative review procedures are not intended to modify any ordinance, regulation or development standards. The Building Inspector must review the application to determine that no variances to the Ordinance are required.
  - b) When the plan proposes a change of use within an existing freestanding building or an interior modification of an existing building provided that such use is conducted within a completely enclosed building. The Building Inspector

must find that the change in use will not substantially alter the character of the site and that the re-occupancy will not create additional parking demands, beyond ten percent (10%) of that which exists.

- c) When the site plan review application is solely for the installation of fencing. The Building Inspector may review and approve the application based upon a staked survey and other data as may be required to insure compliance. In unusual circumstances when a survey would serve no purpose relative to determining compliance, the Building Inspector may also waive the survey. If a variance is necessary, the applicant shall first obtain any necessary variance.
- d) When the plan only proposes the improvement, expansion, extension or abandonment of any utility line or easement.
- e) When the plan only proposes the modification or expansion of a previously approved off-street parking lot layout, provided the proposed modifications do not reduce the number of approved parking spaces to less than the minimum number of spaces required by the Ordinance.
- f) When the plan proposes minor revisions to a previously approved landscape planting layout, provided that the revisions comply with the minimum standards of this ordinance.

If during any administrative review process authorized under this subsection it is determined that the changes or modifications to the site proposed with the plan may significantly impact the site or adjacent areas, the site plan shall be forwarded to the Planning Commission for review and approval.

## **SECTION 17.02 DATA REQUIRED**

Site plans shall contain the following information:

1. The name and address and signature of the legal property owner and applicant or petitioner.
2. The date, north arrow and scale. The scale shall be not less than one (1) inch equals fifty (50) feet for property under three (3) acres and at least one (1) inch equals one hundred (100) feet for those three (3) acres or more.
3. All lot and/or property lines are to be shown and dimensioned.
4. The location and height of all existing and proposed structures on and within one hundred (100) feet of the subject property.

5. The location and dimensions of all existing and proposed drives, sidewalks, curb openings, and parking areas (include the number of spaces in each).
6. The location and the pavement and right-of-way width of all abutting roads, streets, or alleys within 200' of the subject site.
7. The name and firm address of the professional civil engineering or architectural firm(s) responsible for the preparation of the site plan (including imprint of professional seal).
8. The location of all rubbish receptacles and landscaping and the location, height, and type of fences and walls.
9. Loading and unloading areas.
10. Size and location of existing and proposed utilities including proposed connections to public sewer or water supply systems and stormwater drainage system.
11. Wherever there is reason to believe that any part of the site has a high water table or unstable subsoil conditions that would jeopardize the development, as proposed, the site plan submittal shall include a tabulated record and a keyed map of soil borings made by and certified by a registered civil engineer, or registered land surveyor.
12. Location of all fire hydrants.
13. A summary schedule should be affixed, if applicable, which gives the following data:
  - a. The number of dwelling units proposed, to include the number, size, and location of one-bedroom units, two-bedroom units, mobile home site, etc.
  - b. The residential area of the site in acres and in square feet, including the breakdowns for any sub-areas or staging areas (excluding all existing rights-of-way).
14. Size and location of all surface drainage facilities.
15. Existing and proposed contour shall be shown on all site plan (two (2) foot interval minimum).
16. Front, rear, and side elevation drawings of all buildings to be constructed on-site.
17. Types of facing materials to be used on structures.
18. Typical floor plan.

19. Where large equipment or machinery is to be installed as part of the development, the location, type, horsepower, fuel, dimension, noise, vibration and emission levels and other data of all such equipment or machinery.
20. Exterior lighting locations, fixture cut-sheets and a photometric plan demonstrating compliance with Section 15.13 Exterior Lighting.
21. Location and extent of development of recreation areas, where necessary.
22. Landscape Plan prepared in accordance with Section 15.10.
23. Location and description of all natural features to be altered or retained on-site.
24. For multiple-family development site plans, there shall be shown typical elevation views of the front and side of each type of building proposed, as well as typical dimensioned floor plans for each type of dwelling unit.
25. Aboveground Storage and Use Areas for Hazardous Substances, Critical Materials, and Polluting Material.
  - a. Secondary containment of hazardous substances and polluting materials shall be provided. Secondary containment shall be sufficient to store the substance for the maximum anticipated period of time necessary for the recovery of any released substance.
  - b. Outdoor storage of hazardous substances and polluting materials shall be prohibited except in product-tight containers, which are protected from weather, leakage, accidental damage and vandalism.
  - c. Secondary containment structures such as out buildings, storage rooms, sheds and pole barns shall not have floor drains which outlet to soils, groundwater, or nearby drains or natural water bodies.
  - d. Areas and facilities for loading / unloading of hazardous substances critical materials, and polluting materials, as well as areas where such materials are handled and used, shall be designed and constructed to prevent discharge or runoff to floor drains, rivers, lakes, wetlands, groundwater or soils.
26. Underground Storage Tanks
  - a. Existing and new underground storage tanks (UST's) shall be registered with the authorized state agency in accordance with requirements of the U.S. Environmental Protection Agency and the State Police Fire Marshall Division.

- b. Installation, operation, maintenance, closure, and removal of underground storage tanks shall be in accordance with the requirements of the State Police Fire Marshall Division. Leak detection, corrosion protection, spill prevention and overflow protection requirements shall be met. Records of monthly monitoring or inventory control must be retained and available for review by government officials.
- c. Out of service abandoned underground tanks shall be emptied and removed from the ground in accordance with the requirements of the State Police Fire Marshall Division, and the Michigan Department of Environmental Quality.
- d. UST's that were installed before December 1988 must have: 1) Corrosion protection for steel tanks and piping 2) Devices that prevent spills and overfills.
- e. All UST's must have leak detection in accordance with the U. S. Environmental Protection Agency Office of Underground Storage Tanks. Compliance documentation must be provided.

27. In lieu of the site plan data requirements enumerated above, the following information is required for those cases receiving administrative review as provided by Section 17.01.2.

- a. An accurate description of the subject property.
- b. A description of the proposed use including number of employees, nature of the proposed use, floor plan sketch, and other general information describing the use.
- c. A description of existing and proposed parking serving the site, including parking area improvements (paving, landscaping, etc.) existing and contemplated.
- d. A description of existing and proposed landscaping, sidewalks, and other site amenities.
- e. A description of buffering (i.e., walls, greenbelts) between the use and adjacent residential properties both existing and proposed.
- f. A description of site ingress and egress both existing and proposed.
- g. Any other information as required by the Building Inspector which will assist in evaluation the new use.

## **SECTION 17.03 REVOCATION**

Any site plan approval shall be revoked when construction of said development is not in conformance with the approved plans, in which case the Planning Commission shall give the applicant notice of intention to revoke such approved plans at least ten (10) days prior to review of the violation by the Planning Commission. After conclusion of such review, the Planning Commission shall revoke its approval of the development if the Commission feels that a violation in fact exists and has not been remedied prior to such hearing. The approval by the Planning Commission of any site plan under the provisions of this Ordinance shall expire and be considered automatically revoked one (1) year after the date of such approval unless actual construction has commenced and is proceeding in accordance with the issuance of a valid building permit. If such construction activity ceases for any reason for a period of more than one (1) year subsequent use of said land shall be subject to review and approval of a new site plan for said property in conformance with the regulations specified by this Ordinance, except that the Planning Commission may, at its discretion, upon application by the owner and for cause shown, provide for up to two (2) successive twelve (12) month extensions prior to the expiration of the approval.

## **SECTION 17.04 FEES REQUIRED**

Fees for the review of site plans shall be established by resolution of the Township Board. Review fees shall apply to site plans undergoing administrative review and approval as well as those which require the approval of the Planning Commission or Township Board.

## **SECTION 17.05 BASIS FOR APPROVAL**

In the process of reviewing the site plan, the Planning Commission or Township board shall consider:

1. Whether single-family and condominium development has been designed using the subdivision ordinance design standards.
2. Whether the applicant has submitted the required information in a sufficiently complete and understandable form to allow an accurate description of the proposed use(s) and structure(s) in terms of density, location, area, height, bulk, placement, setbacks, performance, characteristics, parking and traffic circulation.
3. The location and design of driveways providing vehicular ingress to and egress from the site in relation to streets giving access to the site and in relation to pedestrian traffic. This information shall be used to determine whether a proper relationship exists between major thoroughfare and proposed service drives, driveways and parking areas so as to encourage the safety and convenience of pedestrian and vehicular traffic and to ensure that points of access to public thoroughfares have been minimized.

4. The traffic circulation features within the site and location of automobile parking areas; and may require revisions with respect to any matters as will assure:
  - a) Safety and convenience of both vehicular and pedestrian traffic both within the site and in relation to access streets;
  - b) Satisfactory and harmonious relations between the development of the site and the existing and prospective development of contiguous land and adjacent neighborhoods.
5. Whether the location of buildings, access points, outside storage receptacles, parking areas, screen walls and utility areas is such that the adverse effects of such uses will be minimized for the occupants of that use and the occupants of surrounding areas.
  - a) The approving body may require landscaping, fences, and walls in pursuance of these objectives and same shall be provided and maintained as a condition of the establishment and the continued maintenance of any use to which they are appurtenant.
  - b) In approving the site plan, the approving body may recommend marginal access drives. For a narrow frontage, which will require a single outlet, the approving body may recommend that money in escrow be placed with the Township so as to provide for a marginal service drive in length to the frontage of the property involved. Occupancy permits shall not be issued until the improvement is physically provided or monies having been deposited with the Township Clerk. Appropriate easements shall be recorded.
  - c) The approving body shall require marginal access drives for all subdivisions having residential lots facing onto major thoroughfares. Where practical, the approving body shall require a rear or side lot relationship to major thoroughfares.
  - d) Where the Township has adopted specific area or neighborhood improvement or redevelopment plans and recommendations involving, but not limited to, public rights-of-way, utilities and storm drainage, parking facilities, building placement, access drives, floor space density allocations, building façade and architectural treatment, no site plan and/or building permit shall be approved unless there is general compliance with such Township plan.
6. The installation, erection, and construction of transmission systems and easements for essential services. The Planning Commission shall determine whether the proper provisions have been made for the development of roads, easements, and public utilities to protect the general health, safety and welfare of the Township.

7. That the development of the site is such that it does not serve as a physical barrier or detriment to the development of adjacent land.
8. The extent to which natural features and characteristics of the land will be preserved has been addressed.
9. The use proposed for the site is a use permitted in the district and complies with all applicable requirements of the Clyde Township Zoning Ordinance and any other applicable code or ordinance.
10. The proposed use is consistent with the Township's Master Plan.

Should the approving body make a determination that a proposed site plan complies with the above findings site plan approval shall be granted.

#### **SECTION 17.06 SITE PLAN APPROVAL FOR SPECIAL CONDITION USE**

All approvals for site plans reviewed by the Planning Commission in conjunction with a Special Condition Use application in accordance with Article 18 shall be conditioned upon the approval of the Special Condition Use by the Township Board.

#### **SECTION 17.07 PERFORMANCE GUARANTEES**

To ensure compliance with the Zoning Ordinance and any condition imposed thereunder, the Planning Commission shall require that a cash deposit, certified check, irrevocable bank letter of credit, or surety bond acceptable to the Township covering the estimated cost of improvements associated with a project for which site plan approval is sought, be deposited the Clerk of the Township to ensure faithful completion of the improvements and also be subject to the following:

1. The performance guarantee shall be deposited at the time of the issuance of the building permit authorizing the activity of the project. The Township may not require the deposit of the performance guarantee prior to the time when the Township is prepared to issue a permit. The Township shall establish procedures whereby a rebate of any cash deposits in reasonable proportion to the ratio of work completed on the required improvements will be made as work progresses. This does not relieve the applicant from satisfying all applicable maintenance warranties and/or guarantees necessary to ensure the proper functioning of said public improvements.
2. This section shall not be applicable to improvements for which a cash deposit, certified check, irrevocable bank letter of credit, or surety bond has been deposited pursuant to Act 288 of the Public Acts of 1967, as amended.

3. As used in this section, "improvements" means those features and actions associated with a project's natural resources, or the health, safety, and welfare of the residents of the Township and future users or inhabitants of the proposed project or project area, including roadways, lighting, utilities, sidewalks, screening, landscaping, and surface drainage. The term "improvements" does not include other components of the development such as the principal building or accessory buildings.

## **SECTION 17.08 CONDOMINIUM SUBDIVISION APPROVAL**

Pursuant to authority conferred by Section 141 of the Condominium Act, Act 59 of 1978, as amended, all condominiums and condominium subdivision plans shall be reviewed by the Planning Commission and a recommendation for approval, approval with conditions, or denial shall be made to the Township Board. In determining whether to approve a condominium plan, the Planning Commission and Township Board shall consult with the Planning Consultant, Township Attorney, and if necessary, Township Engineer regarding the adequacy of the master deed, deed restrictions, utility systems and streets, condominium layout and design, and compliance with all requirements of the Condominium Act and this Ordinance.

### **A. Definitions Pertaining to Condominiums**

The following terms are defined both in the context of the Condominium Act and in a manner intended to make comparison possible between the terms of this Zoning Ordinance and the Condominium Act. (See Article 2 – Definitions for these condominium-related definitions)

1. "Condominium Act" means Act 59 of 1978, as amended.
2. "Condominium subdivision" shall be equivalent to the term "subdivision" as used in this Zoning Ordinance and the Subdivision Regulations Ordinance.
3. "Condominium subdivision plan" means the site, survey and utility plans; floor plans; floodplain plans; and sections, as appropriate, showing the existing and proposed structures and improvements including the location thereof on the land. The condominium subdivision plan shall show the size, location, area, and horizontal boundaries of each unit as well as vertical boundaries and volume for each unit comprised of enclosed air space. A number shall be assigned to each condominium unit. The condominium subdivision plan shall include the nature, location, and approximate size of common elements.
4. "Condominium unit" means that portion of the condominium project designed and intended for separate ownership and use, as described in the master deed.

5. "Consolidating master deed" means the final amended master deed for a contractible condominium project, an expandable condominium project, or a condominium project containing convertible land or convertible space, which final amended master deed fully describes the condominium project as completed.
6. "Contractible condominium" means a condominium project from which any portion of the submitted land or buildings may be withdrawn pursuant to express provision in the condominium documents and in accordance with this Ordinance and the Condominium Act.
7. "Conversion condominium" means a condominium project containing condominium units some or all of which were occupied before the establishment of the condominium project.
8. "Convertible area" means a unit or a portion of the common elements of the condominium project referred to in the condominium documents within which additional condominium units or general or limited common elements may be created pursuant to express provision in the condominium documents and in accordance with this Ordinance and the Condominium Act.
9. "Expandable condominium" means a condominium project to which additional land may be added pursuant to express provision in the condominium documents and in accordance with this Ordinance and the Condominium Act.
10. "Front yard setback" shall be equal to the distance between the front yard area line and the dwelling or building occupying that homesite or condominium unit.
11. "General common element(s)" are areas other than limited common elements, used by all members of the development, such as roads, utilities, storm water basins, common open space, etc.
12. "Limited common element(s)" are areas restricted for the exclusive use of one or more condo unit owners.
13. "Lot" shall mean the same as "Homesite", "Building Site" and "Condominium Unit".
14. "Manufactured home condominium project" means a condominium project in which manufactured homes are intended to be located upon separate sites which constitute individual condominium units.
15. "Master deed" means the condominium document recording the condominium project as approved by the zoning administrator to which is attached as exhibits and

incorporated by reference the approved bylaws for the project and the approved condominium subdivision plan for the project.

16. "Rear yard setback" shall be equal to the distance between the rear yard area line and the condominium dwelling.
17. "Side yard setback" shall be equal to the distance between the side yard area line and the condominium dwelling.
18. "Commercial, office and industrial condominium project" shall mean a condominium project in which business buildings, whether on a common site or on individual site, constitute individual condominium units.

B. Condominium Subdivision Plan Review Process.

Condominium Subdivision Plans shall be reviewed in accordance with the following process:

1. Pre-application Conference: Applicant applies to the Township for a pre-application conference with the Township planning consultant, zoning administrator and Planning Commission Chair (or designee) to discuss the proposed condominium subdivision layout, ordinance requirements and review procedures.
2. Preliminary Condominium Design Plan Review: Applicant initiates preliminary review by submitting the required site plans to the Township in accordance with Section 17.00, Site Plan Review Procedures.
  - a. The preliminary site plan is distributed to the Township's planning consultant, engineering consultant, and other agencies determined necessary during the pre-application conference, for review. The applicant is responsible for distributing required copies and fees to agencies other than the Township for review. If the preliminary site plan is complete and all relevant review comments have been received, it will be placed on the agenda of a Planning Commission meeting.
  - b. Planning Commission conducts preliminary site plan review and shall make a recommendation to the Township Board. The overall site design, lot and road layout, number and size of units, common areas and ordinance compliance are reviewed during the preliminary site plan review.
  - c. Preliminary Plan approval shall confer upon the applicant the right to develop detailed engineering plans for final review. Preliminary Plan approval shall be valid for one (1) year.

3. Final Condominium Design and Engineering Plan Review: Applicant initiates final site plan and engineering plan review by submitting to the Township a revised site plan and detailed engineering plans for roads, utilities, storm water management, and required survey monuments.
  - a. The revised site plans are distributed to the Township's Planning consultant for review. The detailed engineering plans are distributed to the engineering consultant, St. Clair County Road Commission, St. Clair County Drain Commission, St. Clair County Health Department, utility companies, and other governmental agencies if determined necessary, for review. The applicant is responsible for distributing required copies and fees to agencies other than the Township for review. If the final site plan and engineering plans are complete, and all relevant review comments have been received, it will be placed on the agenda of a Planning Commission meeting.
  - b. The Planning Commission reviews the final site plan and makes a recommendation to the Township Board. The Township Board grants final site plan and engineering plan approval. The revised site plans are reviewed for consistency with the preliminary site plan, required revisions and ordinance compliance. The detailed engineering plans are reviewed to assure proper road design and drainage, adequacy of public utilities, sanitary sewage disposal, water supply, site drainage, and survey monuments.
  - c. If approved, the applicant may begin site grading, installation of survey monuments, and construction of roads, underground utilities and storm water detention basins, subject to a preconstruction meeting and receipt of all required permits. Final condominium design and engineering plan approval shall be valid for two (2) years.
  - d. The Township may issue building permits provided all utilities (except cable), rough grading, and the bituminous leveling course on the street are completed and inspected. A performance bond shall be posted for the remainder of the improvements.
4. Condominium Document Review: The applicant initiates condominium document review by submitting to the Township copies of the draft Master Deed and By-laws for review.
  - a. The Township's attorney, planning consultant, and engineering consultant review the draft condominium documents. If the documents are complete

and all relevant review comments have been received, it will be placed on the agenda of a Planning Commission meeting.

- b. Planning Commission conducts review of Condominium Master Deed and By-laws, making sure they are consistent with the final preliminary site plan and engineering plans, and conformance with subsection 17.07 D. The Planning Commission shall make a recommendation for approval, approval with conditions, or denial to the Township Board.
5. Final Condominium Subdivision Approval: The applicant shall not initiate final condominium subdivision review until all site improvements are completed, inspected and approved by the Township's engineering consultant, and the Condominium Master Deed and By-laws are recorded with the County Register of Deeds. If these items are completed, the applicant shall submit to the Township copies of the final condominium plans and documents with evidence of completion and approval of all site improvements, and evidence of recording of the condominium documents with the County Register of Deeds. If these items have not been completed, a bond for the final improvements may be posted for items such as landscaping, the wearing course of asphalt, and the like before final approval.
- a. The final plans and condominium documents shall be reviewed administratively by the Township's attorney, Planning Consultant, and Assessor.
  - b. All amendments to approved condominiums documents shall be reviewed and approved by the Township prior to recording the documents at the County. The Zoning Administrator shall determine whether the documents should be reviewed by the Planning Commission and Township Board or whether they can be reviewed administratively.

C. Condominium Subdivision Plan - Required Content.

All condominium subdivision plans shall include the information required by Section 66 of the Condominium Act, Section 17.02, Site Plan Review and Approval of the Township Zoning Ordinance, and the following:

1. Preliminary Condominium Subdivision Plans:
  - a. A cover sheet.
  - b. Proposed name of condominium subdivision.

- c. Names and addresses of the applicant, owner, and the planner, landscape architect, designer, engineer or surveyor who designed the condominium subdivision layout. The applicant shall also indicate his interest in the land.
- d. Proof of ownership such as a policy of title insurance, or legal opinion with reference to ownership, approved by the Township attorney.
- e. Statement of intended use of the proposed condominium subdivision such as residential single-family, industrial, commercial, and etc.
- f. A survey plan of the proposed condominium subdivision, including a detailed legal description.
- g. Boundary line of proposed condominium subdivision, section or municipal limits within or adjacent to the tract and overall property dimensions.
- h. Date, north point and scale of site plan, 1"=100' is the minimum acceptable scale.
- i. An overall area location map at a scale of not less than 1"=400'.
- j. Topography based on United States Geological Topography or equivalent, at a minimum contour interval of 2 feet, superimposed on the site plan for the subject site and areas at least 100 feet outside of the project boundary.
- k. A flood plain plan, when appropriate, based on FEMA.
- l. Vegetation on the site carefully inventoried and sketched as to type and location on a map at the same scale as the preliminary condominium subdivision plan.
- m. Property lines of contiguous adjacent tracts of land within 200 feet from the proposed development.
- n. Layout, number and dimensions of condominium units, including building setback lines showing the width of each lot at the front setback line.
- o. Building elevations and floor plans.
- p. Location, widths, and names of existing and proposed streets and alleys, public areas and public easements within or adjacent to the tract being proposed for development, including connections with adjoining streets and streets located across abutting roads.

- q. Location of existing utilities, storm drains and other underground facilities within or adjacent to the tract being proposed for development.
- r. Drainage patterns.
- s. A conceptual utility plan showing all sanitary sewer, water, and storm sewer lines and easements for the installation, repair and maintenance of all utilities.
- t. The nature, location and approximate size of all land to be set aside for public use, all common elements to be dedicated or set aside for the use of property owners in the condominium subdivision, and any lands to be preserved in their natural state.

2. Final Preliminary Condominium Subdivision and Engineering Plans:

- a. Modifications to the site plan demonstrating compliance with all preliminary site plan review conditions of approval.
- b. Survey Monuments: All condominium developments which consist in whole or in part of condominium units which are building sites, mobile homes sites or recreational sites shall be marked with monuments as provided in the following:
  - 1). Monuments shall be located in the ground and made according to the following requirements, but it is not intended or required that monuments be placed within the traveled portion of a street to mark angles in the boundary of the condominium development if the angle points can be readily re-established by reference to monuments along the sidelines of the streets.
  - 2). All monuments used shall be made of solid iron or steel bars at least one-half (1/2) inch in diameter and thirty-six (36) inches long and completely encased in concrete at least four (4) inches in diameter.
  - 3). Monuments shall be located in the ground at all angles in the boundaries of the condominium development; at the intersection lines of streets and at the intersection of the lines of streets with the boundaries of the condominium development and at the intersection of alleys with the boundaries of the condominium development; at all points of curvature, points of tangency, points of compound curvature, points of reverse curvature and angle points in the side

lines of streets and alleys; at all angles of an intermediate traverse line and at the intersection of all limited common elements and all common elements.

- 4). If the required location of a monument is an inaccessible place, or where the locating of a monument would be clearly impracticable, it is sufficient to place a reference monument nearby and the precise location thereof be clearly indicated on the plans and referenced to the true point.
  - 5). All required monuments shall be placed flush with the ground where practicable.
  - 6). All unit corners shall be marked in the field by iron or steel bars or iron pipes at least eighteen (18) inches long and one-half (1/2) inch in diameter, or other approved markers.
- c. A street construction and paving plan showing types of surfacing, method of drainage, and grade elevations. For private streets, a maintenance plan must also be provided.
  - d. A grading and storm water drainage plan that shows proposed finished floor elevations, finished grades at structures, proposed storm water collection system, storm outlet(s), ultimate downstream outlet, all necessary off-site drainage easements, and, when required, retention/detention basin design calculations. Any areas of filled or reclaimed land shall be identified and all development shall detain storm water so that the runoff from the property does not negatively impact upon adjacent properties or public and private rights-of-way.
  - e. A utility plan that shows all existing and proposed utilities and easements located on or serving the site, including sizes of water and sewer lines, wells, proposed hydrants, proposed meter size, and proposed fire suppression line into building. Proposed sanitary leads, proposed sanitary sewers or on-site disposal systems must also be shown, as applicable.
  - f. Subsoil drainage: Whenever there is reason to expect that any part of the tract has a high water table or unstable subsoil conditions, a plan shall be submitted that includes a tabulated record and a keyed map of soil borings made by and certified by a registered civil engineer, or registered land surveyor.

- g. Water areas: A plan shall be submitted of any proposed water areas indicating depths, normal water levels, slopes and type of bank retention; method of controlling insects, water growths and vegetation.
- h. Note on plans and requirement in Master Deed: A certified survey of the corner stakes for all proposed buildings, with 10 foot offsets, shall be performed by a professional surveyor to establish setbacks and the location of the foundation prior to the issuance of building permits.

D. Condominium Documents - Required Content.

A master deed shall comprise the required condominium documents. The master deed shall conform to the requirements of the Condominium Act and the provisions provided below. The master deed shall be submitted with the following attachments:

- 1. Exhibit A document: By-laws for the Association of Co-owners.
- 2. Exhibit B document: a survey drawing, a final condominium subdivision plan and engineering plans, sealed by a registered civil engineer, as approved by the Township. A mylar copy of Exhibit B shall be submitted when the Applicant applies for Final Condominium Subdivision Approval.
- 3. Exhibit C document: a legal description of the subject site, sealed by a registered land surveyor, and approved by the Township.
- 4. Bylaws for the Association of Co-owners shall include the following minimum standards:
  - a. A trash collection plan.
  - b. A street snow removal plan.
  - c. A street maintenance plan providing for, at a minimum, annual maintenance.
  - d. A maintenance plan for common elements such as parks, cul-de-sac islands, boulevard landscaping, entranceway landscaping and signs, sidewalks and pathways, clubhouses, swimming pools, tennis courts and similar common elements.
  - e. A statement that all exterior site lighting shall be appropriate for the proposed use of the condominium subdivision, and that all lighting shall be

directed downward and shielded from projecting onto adjoining properties by the use of cut-off fixtures.

- f. A statement that all streets, common sewer systems, sewage treatment plants, water supply systems, storm water management systems, and other common elements shall be owned, operated, and maintained by the Co-owners of the condominium in conformance with the Condominium Act and this Ordinance.

5. Restrictions and covenants for the Association of Co-owners.

E. Condominium Subdivision Approval

1. All Condominium Subdivision Plans shall conform to the plan preparation requirements, review and approval procedures; design, layout and improvements standards of this Section, and the Private Road Standards of this Ordinance, if applicable. A digital copy of the condominium plans may also be required by the Township in addition to the required number of paper copies. Review, approval or denial of a proposed condominium subdivision shall also be based on the following considerations:

- a. Township, County and State regulations and ordinances.
- b. The availability and adequacy of sewer, water and other utilities.
- c. Open space preservation and natural resource protection.
- d. Availability of recreation, and public service facilities.
- e. Master Plan proposals.
- f. The standards of this ordinance and the health, safety and welfare concerns of the Township.

2. A deposit in the form of cash, certified check, or irrevocable bank letter of credit shall be made with the Township, as determined by the Township Engineer, to guarantee the installation and completion of any required public sanitary sewer, water supply, roads, and drainage facilities.

3. Approval Time Limits:

- a. Preliminary Condominium Subdivision Plan approval is valid for a maximum of one year, unless an extension of the approval is applied for in writing by

the applicant and granted by the Township Board. The required bond shall be updated in conjunction with the extension of the site plan. Preliminary Condominium Subdivision Plan approval establishes the layout and design of streets, lots, common areas and open spaces.

- b. Final Preliminary Condominium Subdivision and Engineering Plan approval is valid for two years with the same conditions for extension as provided for in subsection "a" above. Final Preliminary Condominium Subdivision and Engineering Plan approval allows the applicant to begin development of site improvements, such as roads, underground utilities and storm water management systems, subject to obtaining all required permits.
- c. Condominium Document approval is valid for one year, with the same conditions for extension as provided for in subsection "a" above. Condominium Document approval is required prior to submission for Final Condominium Subdivision review and approval.
- d. A copy of the recorded Condominium Documents shall be submitted to the Township for verification by the Township Attorney prior to Final Condominium Subdivision Plan approval.
- e. Final Condominium Subdivision Plan approval is valid for one year, with the same conditions for extension as provided for in subsection "a" above.

F. Condominium Subdivision Design Standards and Public Improvements

- 1. All condominium subdivisions shall be developed with public streets that conform to all minimum requirements, general specifications, typical cross-sections and other conditions set forth in the Subdivision Regulations Ordinance and any other requirements of the St. Clair County Road Commission. All streets shall also be approved by and dedicated to the St. Clair County Road Commission. In the event the applicant is unable to obtain approval from, and dedicate the proposed streets to the St. Clair County Road Commission, a separate application for approval of private condominium streets shall be filed with the Clyde Township Planning Commission. All private condominium streets shall conform to the standards of the Subdivision Regulations Ordinance.
- 2. The design, layout and improvement standards of the Subdivision Regulations Ordinance shall apply to condominium subdivision plans. Nothing in this ordinance shall be construed as requiring a condominium subdivision to obtain plat approval under the Subdivision Regulations Ordinance or the Subdivision Control Act.