

## Chapter 8a - Site Plan Review (Amendment & Supplement to Chapter 8)

### **SECTION 8a.1 PURPOSE AND INTENT**

The intent of this Chapter is to modify the version of Chapter 8 which is in existence as of the date of enactment of this Chapter. Specifically, the intent is to remove the requirement that Site Plan Approvals from the Planning Commission is required in the Residential Farming (AG), Single-Family Residential (R-A), Multiple-Family Residential (R-B) Districts, and to create an administrative site plan review and approval procedure for projects in the Residential Farming (AG), Single-Family Residential (R-A), Multiple-Family Residential (R-B) Districts.

### **SECTION 8a.2 AMENDMENT TO CHAPTER 8 – Exclusion of certain districts from Planning Commission Site Plan Review**

No form of site plan review is required from the Planning Commission in the Residential Farming (AG), Single-Family Residential (R-A), Multiple-Family Residential (R-B) Districts.

Notwithstanding this section, the Property Owner has the option of having the Planning Commission perform a site plan review rather than by the Zoning Administrator or his/her designee as set forth in Section 8a.3. If the Property Owner seeks Planning Commission site plan review, the Planning Commission shall conduct the review pursuant to the preliminary/final site plan approval procedure set forth in Chapter 8.

### **SECTION 8a.3 SUPPLEMENT TO CHAPTER 8 – Administrative Site Plan Review & Approval in Residential Farming (AG), Single-Family Residential (R-A), Multiple-Family Residential (R-B) Districts.**

Zoning Administrator review and approval is required in Residential Farming (AG), Single-Family Residential (R-A), Multiple-Family Residential (R-B) Districts for dwellings, accessory buildings/structures and/or other projects which require approval from the Township Code Authority.

1. APPLICATIONS. A legible written application for an administrative review and approval from the Zoning Administrator of a project requiring approval from the Township Code Authority shall be submitted to the Zoning Administrator or his/her designee accompanied by a fee as established by the Township Board. A copy of all materials submitted to the Township Code Authority shall be included with the application along with all decisions from the Township Code Authority regarding said project. The Zoning Administrator or his/her designee has a duty to review the complete application packet within a prompt time period of 30 days or less from the date of submittal. At a minimum, the written application shall include the following information:
  - (i) Name, address, telephone number, of the owner of the land on where the project shall be conducted.
  - (ii) The parcel identification number of the land where the proposed project will be conducted.
  - (iii) Identification of the documents being submitted with the application along with a summary of the decision(s) from the Township Code Authority.

2. APPLICATION REVIEW AND ACTION. The Zoning Administrator or his/her designee shall review all completed applications. The review will be limited to whether or not the project complies with all applicable township zoning ordinances. If the project complies with all of the applicable zoning ordinances, the Zoning Administrator or his/her designee shall approve the application. If the project does not comply with all of the applicable zoning ordinances, the Zoning Administrator or his/her designee shall deny the application. Reasons for any denial shall be set forth in writing and shall include any recommended changes which would make the proposal compliant with the township's zoning ordinances. The applicant may appeal any denial to the Zoning Board of Appeals in accordance with Section 10.4.

**SECTION 8a.4 SEVERABILITY**

If any portion of this Chapter is judicially declared void or unconstitutional, the remainder of the Chapter shall remain in force and will still be applied to the maximum extent legally possible.

**SECTION 8a.5 EFFECTIVE DATE**

This Chapter shall take effect 30 days after publication of a Notice of Adoption in a newspaper of general circulation in the Township and all prior versions of this Chapter are hereby superseded and are hereby repealed to the extent in which the prior versions of this Chapter conflict with this version of the Chapter. All ordinances of the Township heretofore or hereafter adopted shall hereafter be supplemented by the terms of this Chapter.

Approved by the Planning Commission on October 5, 2022

**ORDINANCE DECLARED ADOPTED BY THE TOWNSHIP BOARD OF TRUSTEES.**

Dated: 11-10-2022

Doug Kruger  
Doug Kruger, Supervisor

Laura Dawson  
Laura Dawson, Clerk

**CERTIFICATION**

The above Ordinance No. Chapter 5 was adopted at a meeting of the Lee Township Board of Trustees on the 10th day of October, 2022; and published in the Midland Daily News a newspaper of general circulation in Lee Township, Midland County, Michigan on the 17th day of October, 2022

Laura Dawson  
Laura Dawson, Lee Township Clerk