

Section 5.04 DEVELOPMENT IMPACT STATEMENT.

A. Statement of Intent.

The purpose of the Development Impact Statement is to provide the Township with relevant information on the anticipated impact of a proposed development on public utilities, public services, traffic, the economy, environmental conditions, and adjacent land uses. This process recognizes that many development proposals have impacts on existing site conditions and that these impacts often extend beyond the boundaries of the site. The intent of these standards is to identify and assess these impacts and, thereby, provide the Township with information necessary to understand and address these impacts.

B. Submission Requirements.

1. A Development Impact Statement containing all the required information specified in this section shall be required for any site plan review, special land use, rezoning, or any subdivision, private road or condominium request.
2. Qualifications of Preparer: Name(s) and address(s) of person(s) or firm(s) responsible for the preparation of the impact statement and a brief description of their qualifications shall be included for each type of study. The preparers shall be generally accepted professionals in the area of study.
3. Any application for commercial rezoning shall be accompanied by a market study demonstrating that there is sufficient demand to support the project. The market study shall take into consideration the availability of existing retail and service businesses within the trade area and retail vacancy rates, as well as stating reasons why currently vacant buildings or properties are not a viable option.
4. The applicant may request a waiver of any or all portions of Section 5.04, Submission Requirements, to include any or all portions of the Development Impact Statement. The applicant shall provide for review all supportive documentation showing the reason(s) why the waiver(s) should be granted.

C. Information and Data Required.

1. The Development Impact Statement shall include all applicable information as normally required for site plan review, rezoning, subdivision review, site condominium review, or special land use, as specified in the Zoning Ordinance and Subdivision Ordinance; and, in addition, the following supplemental information shall be required:
 - a. Location map at 1" = 200', indicating the location of the subject property in relation to the Township's thoroughfare system.
 - b. Zoning Map, indicating the subject property and the zoning of adjacent properties for a radius of one half (1/2) mile, measured from

the boundaries of the site.

- c. Land Use Map, indicating the subject property and adjacent land uses by type for a radius of one half (1/2) mile, measured from the boundaries of the site. An aerial photograph may be used to illustrate this information.
- d. Site conditions of the subject property, indicating the following information. All information shall be depicted graphically on an existing conditions map and accompanied by the most recent aerial photography supplied by Lapeer County or equally suitable photography.
 - (1) Location and size of existing natural features, such as streams, bodies of water, floodplains, soil types and conditions, topography, ground water table, and vegetation inventory (classification of existing types by general location and numbers or density as appropriate). If wetlands exist on-site, an official wetlands determination conducted by the Michigan Department of Environmental Quality shall be supplied.
 - (2) A woodlands map identifying the location, size and type of site vegetation, as required by this Zoning Ordinance.
 - (3) Location and size of existing facilities and utilities (thoroughfares, water service, sanitary sewer, storm drain, gas lines, electric lines, etc.) on the site or available to serve the site.
 - (4) Improvements adjacent to and across the street, i.e., driveway approaches, passing lanes, curb-cuts, etc.
- e. Conceptual Plan, showing how the proposed development relates to the above-referenced conditions.
- f. Other information, as determined by the Planning Commission, that may be necessary to assess the impact of the proposed development.

2. Impact Assessment.

The applicant shall provide information assessing the impact of the proposed development as it pertains to the following factors. The required information shall be provided in narrative and graphic formats, as appropriate.

a. Land Use Impacts.

- (1) Brief description of the proposed land use.
- (2) Hours of operation, if applicable.
- (3) Identify whether the proposed use will create dust, noise, odor or glare that may impact abutting property.
- (4) Project phasing plan or schedule.
- (5) Describe how existing natural features identified in Section 3.04 C.1.d.(1) will be preserved.
- (6) Describe any impact on ground water quality or quantity.

b. Impact on Public Utilities.

- (1) Describe how the site will be provided with water and sanitary sewer facilities, including the adequacy of the existing public utility system to accommodate the proposed new development.
- (2) General calculations for water flows and water demands and how they relate to sewer line capacity, if any.
- (3) For sites to be served by wells and septic systems, documentation of adequacy and/or permits from the Lapeer County Health Department shall be required.
- (4) Describe the methods to be used to control storm water drainage from the site. This shall include a description of measures to control soil erosion and sedimentation during construction. Correspondence from the Lapeer County Drain Commissioner stating their initial concerns and recommendation shall be attached.

c. Impact on Public Services.

- (1) Describe the number of expected residents, employees, visitors or patrons, and the anticipated impact on public schools, police, fire and other emergency services. Letters from the appropriate agencies shall be provided, as appropriate.

d. Traffic Impacts.

- (1) Description of Existing Traffic Conditions:
 - (A) Traffic Counts. Existing conditions, including existing

peak-hour traffic volumes and daily volumes, if applicable, on street(s) adjacent to the site. Traffic count data shall not be over two (2) years old, except the community or road agency may permit 24-hour counts up to three (3) years old to be increased by a factor supported by documentation or a finding that traffic has increased at a rate less than two (2%) percent annually in the past three to five years.

- (B) Roadway characteristics shall be described and illustrated, as appropriate. Features to be addressed include land configurations, geometrics, signal timing, traffic control devices, posted speed limits, average running speeds and any sight distance limitations. Existing levels of service shall be calculated for intersections included within the study area.
- (c) Existing driveways and potential turning movement conflicts in the vicinity of the site shall be illustrated and described.
- (D) The existing right-of-way shall be identified, along with any planned or desired expansion of the right-of-way requested by the applicable road agency.
- (E) Approved developments within the study area shall be part of all calculations for anticipated traffic.

(2) Trip Generation.

- (A) Forecasted trip generation of the proposed use for the a.m. (if applicable) and p.m. peak hour and average day. The forecasts shall be based on the data and procedures outlined in the most recent edition of Trip Generation, published by the Institute of Transportation Engineers (ITE). The applicant may use other commonly accepted sources of data or supplement the standard data with data from at least three (3) similar projects in Michigan.
- (B) Where a traffic study is required, the study should contrast the traffic impacts of typical uses permitted in the requested zoning district with uses permitted in the current zoning district. The determination of typical uses shall be made by the Planning Commission.
- (C) Any trip reduction for pass-by trips, transit, ride sharing, other modes, internal capture rates, etc. shall be based both on ITE findings and documented survey results

acceptable to the agency reviewers. The community may elect to reduce the trip reduction rates used.

- (D) For projects intended to be developed in phases, the trip generation by phase shall be described.

(3) Trip Distribution.

The projected traffic generated shall be distributed (inbound vs. outbound, left turn vs. right turn) onto the existing street network to project turning movements at site access points and nearby intersections, where required. Projected turning movements shall be illustrated in the report.

(4) Impact Analysis.

Level of service or "capacity" analysis shall be performed for the proposed access points using the procedures outlined in the most recent edition of the Highway Capacity Manual published by the Transportation Research Board.

(5) Access Design/Access Management Standards.

The report shall include a map and description of the location and design of proposed access (driveways or new street intersections), including any sight distance limitations, dimensions from adjacent driveways and intersections within 250 feet on either side of the main roadway, data to demonstrate that the number of driveways proposed are the fewest necessary, support that the access points will provide safe and efficient traffic operation, and be in accordance with the standards of Lapeer Township and the Lapeer County Road Commission (not required for rezoning application).

(6) Other Study Items.

The traffic impact study shall include:

- (A) Need for, or provision of, any additional right-of-way where planned or desired by the applicable road agency.
- (B) Changes which should be considered to the plat or site plan layout.
- (C) Description of any needed non-motorized facilities.
- (D) If the use involves a drive-through facility, the adequacy of the queuing and/or stacking area should be evaluated.
- (E) If a median crossover is desired, separate analysis should be provided.

- (F) If a traffic signal is being requested, the relationship of anticipated traffic to traffic signal warrants in the Michigan Manual of Uniform Traffic Control Devices. Analysis should also be provided on the impacts to traffic progression along the roadway through coordinated timing, etc.
- (G) Description of site circulation and available sight distances at site driveways.
- (H) Conflicts with pedestrian traffic within the development and along all site boundaries which require sidewalk access.

(7) Mitigation/Alternatives.

The study shall outline mitigation measures and demonstrate any changes to the level of service achieved by these measures. Any alternatives or suggested phasing of improvements should be described. The mitigation measures may include items such as roadway widening, need for bypass lanes or deceleration tapers/lanes, changes to signalization, use of access management techniques, or a reduction in the proposed intensity of use. Proposed mitigation measures should be discussed with the applicable road agency. The responsibility and timing of roadway improvements shall be described.

- (8) All traffic impact studies shall be prepared by a registered Professional Engineer specializing in the preparation of traffic studies. The preparer shall have a minimum of three years of recent experience in the preparation of traffic impact analyses and provide evidence of ongoing familiarity with the Highway Capacity Manual.

D. Evaluation Standards.

In reviewing Development Impact Statements, the Planning Commission shall consider the information provided in relation to the following standards:

1. Land Use Impacts.

- a. The use shall not result in a negative impact on surrounding development, taking into consideration the type and intensity of use on the basis of the potential for nuisances (glare, noise, odor, etc.).
- b. The use is compatible with planned development patterns, as expressed in the Township's adopted Master Plan.

2. Public Utilities.

- a. Public water and sanitary sewers with adequate capacity to serve the site are available, as determined by the Township Engineer.
- b. For sites where public utilities are not available, documentation has been provided by the appropriate agency that the site is capable of supporting on site waste water disposal systems and well(s).
- c. That the drainage plan for the proposed development is adequate to handle anticipated storm water runoff, and will not cause undue runoff onto neighboring property or overloading the water courses in the area.
- d. That the plan provides for the proper extension of public utilities and drainage improvements as provided for in the Township Master Plan and as determined by the Township Engineer.

3. **Public Services.**

- a. The Township is capable of providing police and fire protection to the proposed development on the basis of existing equipment and personnel.
- b. Adequate recreation facilities are available to serve the anticipated residents of the development (applicable to residential projects only).
- c. Public schools are available to serve the anticipated number of children to be generated by the proposed development (residential projects only).

4. **Economic Impacts (for rezonings only).**

- a. The project will have a beneficial impact on the local economy by increasing employment opportunities and increasing and diversifying the Township's tax base.
- b. The applicant has demonstrated that a sufficient market demand exists to support the use based on a documented market study and that the use will not create vacancies for existing retail establishments within the trade area.
- c. The applicant shall demonstrate that the subject property can not be developed under the current zoning designation.

5. **Traffic Impacts.**

- a. The proposed development has access to a public road capable of supporting the development.
- b. The use will not increase traffic that will effectively result in a lower

level of service on the abutting road or at intersections proximate to the site.

- c. The number of driveways serving the site are the minimum necessary to accommodate anticipated traffic.
- d. The placement and design of driveways will accommodate safe movement of traffic into and out of the site.
- e. Adequate provisions have been made to accommodate pedestrians.
- f. Appropriate mitigation measures have been provided to address the anticipated traffic impacts of the development.

6. Natural Resources.

- a. That natural resources will be preserved to the maximum extent feasible, and that areas to be left undisturbed during construction shall be so indicated on the plan.
 - b. The proposed development does not encroach into floodways or floodplains.
 - c. That soil conditions are suitable for excavation and site preparation and the wet or unstable soils not suitable for development will be either undisturbed or modified in an acceptable manner.
 - d. The proposed development will not cause soil erosion or sedimentation problems.
7. Any adverse impacts which are the direct result of mitigation strategies shall also be addressed.

E. Processing Requirements.

- 1. A Development Impact Statement shall accompany applications for rezoning, special land use, site plan review, tentative preliminary plat approval and preliminary condominium approval, as provided in Section 5.04.B.
- 2. The Development Impact Statement shall be considered, along with other applicable information required for the specific request, and shall be considered by the Planning Commission and/or Township Board, as required in this Ordinance or the Lapeer Township Subdivision Ordinance.