

ARTICLE 24

SITE PLAN REVIEW

- 24.1 PURPOSE: The intent of these Ordinance provisions is to provide for consultation and cooperation between the land developer and the Township Planning Commission in order that the developer may accomplish his objectives in the utilization of his land in accordance with the regulations of this Zoning Ordinance and with minimum adverse effect on the use of adjacent streets and on existing and future land uses in the immediate area and vicinity.
- 24.2 USES SUBJECT TO SITE PLAN REVIEW: Except as provided in Section 24.12 of this ordinance with respect to the matters subject to administrative site plan review, as designated therein, the following uses shall not be conducted upon any land or in any building/structure, nor shall a building permit be issued for the construction of a building/structure associated with such uses, until a site plan has been submitted to, reviewed, and approved by the Planning Commission in accordance with the provisions of this ordinance pertaining to final site plans:
1. Special land uses.
 2. All office and commercial buildings and developments.
 3. Multiple family dwellings.
 4. Industrial buildings or developments.
 5. Mobile home parks.
 6. Multi-lot residential developments, including site condominium projects.
 7. Any other land use or activity subject to a site plan approval requirement pursuant to any provision of this ordinance.
- 24.3 PRELIMINARY SITE PLAN REVIEW: Preliminary sketches of site and development plans may be submitted to the Planning Commission. The purpose of this optional preliminary site plan opportunity is to allow discussion between the developer and the Planning Commission as to site, building, and general requirements; to allow the developer to become acquainted with the mandatory final site plan review process; and to investigate the feasibility of the project prior to extensive engineering plans being prepared for the final site plan review procedure. This preliminary site plan review opportunity is also especially advisable if the applicant intends to ask for a waiver of any of the final site plan content requirements imposed by Section 24.4 of this Ordinance, as only the Planning Commission has authority to waive such content requirements, in certain circumstances, as addressed at the end of Section 24.4. All preliminary site plan submittals shall include at least the following:

1. The name and address of applicant. If a corporation, the name and address of the officers thereof. If a partnership, the names and addresses of each partner.
2. Legal description of the property.
3. Drawings showing tentative plans.

24.4 FINAL SITE PLAN APPLICATION CONTENT: All final site plan review applications shall include, in addition to 1 and 2 above, all the following (except where an item of content is clearly only applicable to a specified type of land use, such as item 11):

1. The date, north arrow and scale [the scale shall be not less than one inch equals twenty feet for property under three acres and at least one inch equals one hundred feet for those three acres or more].
2. All lot and/or property lines are to be shown and dimensioned, including building setback lines.
3. The location and height of all existing and proposed structures on and within one hundred feet of the subject property.
4. The location and dimensions of all existing and proposed drives and aisles, sidewalks, curb openings, signs, exterior lighting, parking spaces, loading and unloading areas, outdoor display and storage areas, and recreation areas, etc.
5. The location of the pavement and right-of-way width of all abutting roads, streets or alleys.
6. The name and firm address of the professional individual responsible for the preparation of the site plan (including imprint of professional seal, if any).
7. The name and address of the property owner or petitioner.
8. The location of all rubbish receptacles and landscaping and the location, height and type of fences and walls.
9. The size and location of existing and proposed utilities, including proposed connections to public sewer or water supply systems, if available.
10. The location of all fire hydrants.
11. (for mobile home parks) The lot size, setbacks, trailer pads, patios, and complete park layout.
12. The location and dimensions of all existing and proposed interior and exterior areas and structures (including above or below ground storage tanks) to be used for the collection, storage, use, loading/unloading, recycling, or disposal

of any chemicals, fuels, flammable materials, contaminated stormwater or washwater, or hazardous materials.

13. The location of all existing and proposed floor drains.
14. The location and size of all existing and proposed exterior drains, drywells, catch basins, retention/detention areas, sumps and other facilities designed to collect, store or transport storm water, including the point of discharge for all associated drains and pipes.
15. A property survey by registered surveyor.
16. The existing and proposed contour shall be shown on all site plans [two foot intervals, minimum].
17. The location of all lakes, streams, wetlands, county drains, and other waterways abutting or within 100 feet of the subject property.
18. The front, side and rear elevations for all new buildings on the property. Also, with respect to site plans involving multiple-family dwellings, either floor plans for all such buildings or information which is otherwise sufficient to show compliance with the applicable minimum gross floor area per dwelling unit square footage requirement. (Complete floor plans are optional with respect to other types of developments subject to site plan review, but may be required by the Planning Commission where deemed necessary to properly evaluate compliance with the criteria for site plan approval.)
19. A description of the operation proposed in sufficient detail to indicate the effects of those operations in producing traffic congestion, noise, glare, air pollution, water pollution, land pollution, fire or safety hazards, or the emission of all potentially harmful or obnoxious matter or radiation.
20. Engineering and architectural plans for the treatment and disposal of sewage and industrial waste tailings and unusable by-products.
21. The proposed number of shifts to be worked and the maximum number of employees on each shift.
22. Any other information deemed necessary by the Township Planning Commission.

The Planning Commission may waive any of the above enumerated required items of content for a final site plan if the Commission determines the item of content either does not apply to the proposed use, or is otherwise unnecessary to evaluate the use for which approval is sought-pursuant to the site plan approval standards specified in Section 24.6 of this ordinance.

24.5 FINAL SITE PLAN SUBMITTAL AND REVIEW SCHEDULING PROCEDURES:

1. The applicant shall file the site plan and all related information with the Zoning Administrator (or other designee of the Planning Commission), and pay any applicable fee. This filing shall be sufficiently in advance of the Planning Commission meeting at which the applicant would like to have the site plan reviewed as to allow the Zoning Administrator adequate time to review the filing and timely comply with subsections 2-4 below.
2. The Zoning Administrator (or other designee of the Planning Commission) shall initially review the site plan and all related information submitted by the applicant for "administrative completeness", and shall identify all concerns relating to the ordinance criteria for approval of the site plan.
3. A site plan which is determined by the Zoning Administrator (or other designee of the Planning Commission) to be administratively incomplete shall not be distributed to the Planning Commission or placed on the agenda of a Planning Commission meeting.
4. When the Zoning Administrator (or other designee of the Planning Commission) has determined a site plan to be administratively complete the applicant shall supply the Zoning Administrator with 9 copies of the administratively complete site plan and all related information (or such other number of copies as the Zoning Administrator may require). The Zoning Administrator shall distribute a copy of the site plan and all related information submitted by the applicant, and the Administrator's report on same, to each member of the Planning Commission no later than 5 days prior to the Planning Commission meeting at which the site plan is scheduled to be reviewed. The Zoning Administrator shall retain 1 copy of the administratively complete site plan and all related information submitted by the applicant, and shall file 1 copy of same with the Township office to be available for public examination.

24.6 FINAL SITE PLAN REVIEW AND APPROVAL/APPROVAL CONDITIONS:

1. Prior to reviewing or acting on a site plan the Planning Commission may, in its discretion, request comments and recommendations on the site plan from the Township Planner, the Township Engineer, the Township Fire Chief/Fire Marshall, the Township Building Official, and such other parties as the Planning Commission may, in its discretion, determine to be advisable or necessary with respect to a particular site plan.
2. Standards for Final Site Plan Review:

The Planning Commission shall review and approve a site plan, or approve a site plan with conditions, upon a finding that all of the following standards are met:

- A. The proposed use will not have a harmful effect on the surrounding neighborhood development. Fencing, walls and/or landscaping may be required as a screening device to minimize adverse affects upon surrounding development.
- B. There is a proper relationship between the major thoroughfares and proposed service drives, driveways and parking areas so as to insure the safety and convenience of pedestrian and vehicular traffic.
- C. The adverse effects resulting from the locations of buildings and accessory structures will be minimized to the occupants of adjacent properties.
- D. The proper development of roads, easements and utilities has been provided to protect the general health, safety and welfare of the citizens of the Township.
- E. The natural features of the landscape, such as ponds, streams, hills, wooded areas, etc. shall be retained where they afford a barrier or buffer between adjoining properties being put to different use.
- F. The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, and any grade changes shall be in keeping with the general appearance of neighboring developed areas.
- G. All areas and structures where chemicals, fuels, flammable materials, contaminated stormwater or washwater, or hazardous materials are to be collected, stored, used, loaded/unloaded, recycled, generated or disposed of have been designed and located to prevent spills and discharges to the air, surface of the ground, groundwater, lakes, streams, rivers and wetlands, except as may be specifically permitted by a state or federal governmental agency.
- H. All floor drains have been approved by the responsible governmental agency for connection to an on-site closed holding tank, or, where appropriate, to a septic system or public sewer system, or regulated through a State of Michigan groundwater discharge permit.
- I. The height and location of all portions of buildings and structures are accessible to available emergency personnel.
- J. The proposed development will comply with all applicable provisions of this ordinance, and other applicable ordinances, laws, rules, and regulations.

The Planning Commission shall not approve a site plan if any part of the site plan or the intended use or development of the subject property does not comply with all the preceding standards.

3. Site Plan Approval Conditions/Performance Guarantee:

The Planning Commission is authorized to impose conditions on the approval of a final site plan to the same extent it is authorized to impose conditions on the approval of a special land use, as prescribed in Section 23.4 of this ordinance; and may also require a performance guarantee as prescribed in that section.

24.7 MODIFICATIONS: The Planning Commission may approve a final site plan contingent upon the modification of the site plan as discussed with the applicant and as specified in the Planning Commission's approval action. In such circumstances the final site plan approval shall not be effective until a new original of the approved site plan, with the required modifications, has been filed with and verified by the Zoning Administrator. Notwithstanding the foregoing, the Planning Commission shall in no case approve a site plan subject to variance relief being granted by the Zoning Board of Appeals. If a proposed site plan cannot be approved without variance relief the Planning Commission shall disapprove the site plan; or, in the alternative, may table any substantive action on the site plan until the applicant has determined whether to apply to the Zoning Board of Appeals for the pertinent variance relief, and any such application has been decided by the Zoning Board of Appeals.

24.8 CONFORMITY TO APPROVED SITE PLAN/AMENDMENTS OF APPROVED SITE PLAN: Property which is the subject of site plan approval shall be developed in strict conformity with the final site plan for that property as approved by the Planning Commission, including any site plan modifications approved by the Planning Commission, and any conditions imposed on the site plan approval. Any proposed amendment to a final site plan approved by the Planning Commission shall be subject to review and approval pursuant to the same submittal and review procedures as would apply to a new final site plan, unless the proposed site plan amendment qualifies for consideration pursuant to the administrative site plan review process as specified in Section 24.12 of this ordinance.

24.9 FEES: Any application for site plan approval, or administrative site plan review, shall be accompanied by a fee as may be determined from time to time by the Township Board.

24.10 REVOCATION: Any site plan approval may be revoked when the construction of said development is not in conformance with the approved plans, in which case the Township Planning Commission shall give the applicant notice of intention to revoke such approval at least fifteen days prior to review by the Planning Commission. After conclusion of such review, the Planning Commission may revoke its approval

of the development if the Commission determines that a violation in fact exists and has not been remedied prior to such hearing.

24.11 TERM OF APPROVAL: A site plan approval shall be valid for a period of one year. One six-month time extension may be granted after complete review of the application by the Planning Commission. At the end of the six-month extension, if no building permit has been obtained and on-site development actually begun, the site plan approval becomes void, and the developer shall submit a new application for approval.

24.12 ADMINISTRATIVE SITE PLAN REVIEW: The following administrative site plan review (ASPR) process shall apply in the circumstances and to the extent specified in this section, as an alternate to the generally applicable final site plan review process specified in this Article.

1. Projects eligible for ASPR. A project is eligible for the ASPR process only with respect to any of the following changes to an existing development:
 - A. A reduction of the size of an existing building or structure.
 - B. An expansion of an existing building or structure, not exceeding 25% of the existing square footage, and not exceeding a cost of \$40,000.
 - C. The internal rearrangement of a parking lot and/or parking spaces, where the total number of parking spaces is neither increased nor decreased, and there is no alteration of the access location or design.
 - D. The relocation of an existing building or structure, where all setback and yard location requirements are met.
 - E. Other similar changes of a minor nature which the Zoning Administrator, upon consultation with the Planning Commission Chairperson, determines will not materially affect the character or intensity of use, vehicular or pedestrian circulation, drainage patterns, or the demand for public services; will not have any adverse affect on adjacent or nearby property or the use thereof; and will not have any adverse affect on the health, safety, or welfare of the general public.

The ASPR process shall not apply if any of the above-listed circumstances involve any of the following:

- A new building or structure.
- A new or altered access to the site.
- A change in use and/or a new use.

- A variance from any provision of the Zoning Ordinance is required; or the project fails to comply with any applicable provision of this Ordinance, or any other applicable ordinance regulation or law.
2. **ASPR Process.** The Zoning Administrator, after consultation with the Planning Commission Chairperson, may determine whether a proposed project is eligible for the ASPR process and may be granted site plan approval pursuant to that process. The Zoning Administrator shall refer to the Planning Commission for review and approval consideration pursuant to the preceding sections of this Article pertaining to final site plan review any proposed project for which the Planning Commission Chairperson has not recommended approval pursuant to the ASPR process. In addition, the Zoning Administrator shall have discretion to decline applying the ASPR process to an eligible project, and instead refer such project to the Planning Commission for review and approval consideration pursuant to the preceding sections of this Article pertaining to final site plan review.
 3. **Review and Approval Criteria.** The Zoning Administrator shall review and determine whether to approve a project eligible for the ASPR process pursuant to the criteria specified in Section 24.6, subsection 2 of this Ordinance and all other applicable provisions. The Zoning Administrator may require the applicant to submit such information pursuant to the final site plan application content requirements of Section 24.4 of this Ordinance as the Zoning Administrator deems necessary to properly review the project pursuant to the ASRP process.
 4. **Significance of Approval Pursuant to ASPR Process.** A project approved by the Zoning Administrator pursuant to the ASPR process shall be considered to have site plan approval, subject to sections 24.7-24.11 of this Ordinance.