

Chapter 19 - SITE PLAN REVIEW

SEC. 19.1 PURPOSE

SEC. 19.2 REGULATION

SEC. 19.3 EXEMPTIONS

SEC. 19.4 SITE PLAN REQUIREMENTS

SEC. 19.5 SUBMITTAL AND APPROVAL

SEC. 19.6 PLAT REQUIREMENTS

SEC. 19.7 ADMINISTRATIVE FEES

SEC. 19.8 CHANGES IN THE APPROVED SITE PLAN

SEC. 19.9 APPEAL

SEC. 19.10 REVIEW STANDARDS

Sec. 19.1 *PURPOSE.*

The purpose of this Chapter is to provide for consultation and cooperation between the applicant and the Planning Commission in order that the applicant may accomplish planned objectives in the utilization of land within the regulations of this Zoning Ordinance. It is also intended to ensure that the development may be completed with minimum adverse effect on the use of adjacent streets and highways, and on existing and future uses and environment in the immediate area and general vicinity.

Sec. 19.2 *REGULATION.*

In accordance with the provisions of this Chapter, the Planning Commission shall be furnished a Site Plan of the proposed development prior to the creation of a use or the erection of a building in the Districts and conditions cited below:

- (A) Special Land Uses in all zoning districts. In addition, the requirements of Chapter 20 and the applicable standards of Sec. 20.4 shall be met.
- (B) Permitted Uses in the following districts, except as noted in Section 19.3:
 - (1) FP Floodplain Overlay Zone
 - (2) MHR Residential
 - (3) HDR Residential
 - (4) MHP Residential
 - (5) OS Commercial
 - (6) NS Commercial
 - (7) CS Commercial
 - (8) HS Commercial
 - (9) I Industrial
 - (10) PUD Planned Unit Development
- (C) Site condominiums in any district.

Sec. 19.3 *EXEMPTIONS.*

A site plan shall not be required for a single or two-family dwelling when permitted by right on a lot on which there exists no other building or use, except as may be provided in Section 19.2. Home occupations and accessory buildings and uses in Residential Districts shall also be exempt.

Sec. 19.4 *SITE PLAN REQUIREMENTS.*

Each Site Plan submitted shall contain the following information, unless specifically waived by the Planning Commission. (revised 6-8-1999)

- (A) The date, north arrow, and scale. The scale shall be not less than 1"=20' for property under three (3) acres and at least 1"=100' for those three (3) acres or more.
- (B) The name and firm address of the professional individual responsible for the preparation of the site plan.
- (C) The name and address of the property owner or petitioner.
- (D) A locational sketch.
- (E) Legal description of the subject property.
- (F) The size (in acres) of the subject property.
- (G) Property lines and required setbacks shown and dimensioned.
- (H) The location of all existing structures, driveways, and parking areas within 100' of the subject property's boundary.
- (I) The location and dimensions of all existing and proposed structures on the subject property.
- (J) The location of all existing and proposed drives (including dimensions and radii), acceleration/deceleration lanes, sidewalks, , signs, exterior lighting, curbing, parking areas (including the dimensions of a typical parking space and the total number of parking spaces to be provided), and unloading areas, .
- (K) The location, pavement width and right-of-way width of all abutting roads, streets, alleys or easements.
- (L) The existing zoning and use of all properties abutting the subject property.
- (M) The location of all existing vegetation and the location, type, and size of all proposed landscaping, and the location, height and type of existing and proposed fences and walls.
- (N) Size and location of existing and proposed utilities, including proposed connections to public sewer or water supply systems.
- (O) The location and size of all surface water drainage facilities.
- (P) Existing and proposed topographic contours at a maximum of five (5) foot intervals.
- (Q) Recreation areas, common use areas, flood plain areas and areas to be conveyed for public use and purpose.
- (R) Summary schedules and views should be affixed as applicable in residential developments, which give the following data:
 - (1) The net residential site as defined in Section 3.20 expressed in acres, including breakdowns for any sub-areas or staging areas.
 - (2) The number of dwelling units proposed (by type), including typical floor plans for each type of dwelling unit.
 - (3) The number and location (by code if necessary) of efficiency and one or more bedrooms units.
 - (4) Typical elevation views of the front and side of each type of building.

Sec. 19.5 *SUBMITTAL AND APPROVAL.*

- (A) The site plan completed application form, and application fee shall be submitted to the Zoning Administrator, by the petitioner or his designated agent, in sufficient copies and at such time prior to the next regular Planning Commission meeting as prescribed by the Planning Commission. The Zoning Administrator shall cause the submittal to be placed on the agenda of the next regular Planning Commission meeting. The petitioner shall attend a

- pre-application meeting with the zoning administrator prior to submission of the application in accordance with the established Township policy. (revised 11-28-2005)
- (B) The Planning Commission shall have the responsibility and authorization to approve, disapprove, or approve subject to conditions, the site plan, in accordance with this Chapter and the purpose of this Ordinance.
 - (C) Any conditions or modifications desired by the Planning Commission shall be recorded in the minutes of the appropriate Planning Commission meeting and shown on the approved site plan.
 - (D) Three (3) copies of the final approved site plan shall be signed and dated by the Secretary of the Planning Commission. When a variance is also involved, these copies shall also bear a dated signature of the Chairman of the Board of Appeals. One of these approved copies shall be kept on file by the Township Clerk, one shall be kept on file by the Zoning Administrator, and the other shall be returned to the petitioner or his designated representative.
 - (E) Each development shall be under construction within one (1) year after the date of approval of the site plan, except as noted below.
 - (1) The Planning Commission may grant one (1) six (6) month extension of such time period, provided the applicant requests, in writing, an extension prior to the date of the expiration of the site plan.
 - (2) The extension shall be approved if the applicant presents reasonable evidence to the effect that said development has encountered unforeseen difficulties beyond the control of the applicant, and the project will proceed within the extension period.
 - (3) If neither of the above provisions are fulfilled or the six (6) month extension has expired prior to construction, the site plan approval shall be null and void.

Sec. 19.6 PLAT REQUIREMENTS.

In those instances in which Act 288, Public Acts of 1967, as amended, the Subdivision Control Act, is involved, the owner shall, after Site Plan approval, submit the preliminary and final plats to the proper officer in conformance with Act 288, and in accordance with all other applicable codes, acts and ordinances. Such plats shall remain in conformance with the approved Site Plan.

Sec. 19.7 ADMINISTRATIVE FEES.

Any Site Plan application shall be accompanied by a fee, in an amount to be established by the Township Board. Such fee shall be for the purpose of payment for the administrative costs and services expended by the Township in the implementation of this Chapter and the processing of the application. Such fee may be used to reimburse another party retained by the Township to provide expert consultation and advice regarding the application. No part of such fee shall be returnable.

Sec. 19.8 CHANGES IN THE APPROVED SITE PLAN.

Changes to the approved site plan shall be permitted only under the following circumstances:

- (A) The holder of an approved site plan shall notify the Zoning Administrator of any proposed change to an approved site plan.

- (B) Minor changes may be approved by the Zoning Administrator upon determining that the proposed revision(s) will not alter the basic design nor any specified conditions imposed as part of the original approval. Minor changes shall include the following:
- (1) Change in the building size, up to five percent (5%) in total floor area.
 - (2) Movement of buildings or other structures by no more than ten (10) feet.
 - (3) Replacement of plant material specified in the landscape plan with comparable materials of an equal or greater size.
 - (4) Changes in building materials to a comparable or higher quality.
 - (5) Changes in floor plans which do not alter the character of the use.
 - (6) Changes required or requested by the Township, the Ottawa County Road Commission, or other County, State or Federal regulatory agency in order to conform to other laws or regulations.
- (C) A proposed change not determined by the Zoning Administrator to be minor shall be submitted to the Planning Commission as a site plan amendment and shall be reviewed in the same manner as the original application.

Sec. 19.9 APPEAL.

If any person shall be aggrieved by the action of the Planning Commission, appeal in writing to the Township Board of Appeals may be taken within five (5) days after the date of such action. The Board of Appeals shall fix a time and place for a public hearing to be published in a newspaper prior to the hearing. All interested parties shall be afforded the opportunity to be heard thereat. After such hearing, the Board of Appeals shall affirm or reverse the action of the Planning Commission, stating its findings and the reasons for its action and a written copy of such findings, reasons, and action shall be given to the appellant.

Sec. 19.10 REVIEW STANDARDS.

The following standards shall be utilized by the Planning Commission in reviewing all site plans. These standards are intended to provide a frame of reference for the applicant in the preparation of site plans as well as for the reviewing authority in making judgment concerning them. These standards shall not be regarded as inflexible requirements. They are not intended to discourage creativity, invention, or innovation.

- (A) **Landscape Preservation.** 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. The Planning Commission may require that landscaping, buffers, or greenbelts be preserved and/or provided to ensure that proposed uses will be adequately buffered from one another and from surrounding property.
- (B) **Relation of Buildings to Environment.** Proposed structures shall be related harmoniously to the terrain and to the existing buildings in the vicinity that have a visual relationship to the proposed buildings. The achievement of such relationship may include the enclosure of space in conjunction with other existing buildings or other proposed buildings and the creation of focal points with respect to avenues of approach, terrain features, or other buildings.

- (C) **Drives, Parking, and Circulation.** With respect to vehicular and pedestrian circulation, including walkways, interior drives and parking, special attention shall be given to location and number of access points to the public streets, width of drives and access points, general interior circulation, separation of pedestrian and vehicular traffic, and arrangement of parking areas that are safe and convenient and, insofar as practicable, do not detract from the design of proposed buildings and structures and the neighboring properties. Shared drives and other means of access management intended to reduce congestion and increase safety along public streets shall be encouraged.
- (D) **Surface Water Drainage.** Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. If practical, storm water shall be removed from all roofs, canopies, and paved areas and carried away in an underground drainage system. Surface water in all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic, and will not create puddles in the paved areas. All storm water drainage systems must conform to the requirements of the Ottawa County Drain Commission.
- (E) **Utility Service.** All utility services shall be underground. Any utility installations remaining above ground shall be located so as to have a harmonious relationship to neighboring properties and the site.
- (F) **Special Features.** Exposed storage areas, exposed machinery installations, service areas, truck loading areas, utility buildings and structures, and similar accessory areas and structures shall be subject to such setbacks, screen plantings, or other screening methods as shall reasonably be required to ensure their compatibility with the existing or contemplated environment and the surrounding properties.