

**15.2300 CHAPTER 23
SITE PLAN REVIEW**

15.2301 SECTION 23.01 PLANNING COMMISSION APPROVAL

No zoning permit shall be issued for the establishment of any use as outlined in Section 23.02 (Scope), below, or for the construction of any structure to be used in conjunction therewith, until the Planning Commission shall have issued its written approval following its review of a submitted site plan.

15.2302 SECTION 23.02 SCOPE

Except as provided elsewhere in this Ordinance, site plan approval under this Chapter is required for the following:

1. Any use or development for which the submission of a site plan is required by any other provision of this Ordinance;
2. Any use or development for which approval of a special land use is required under this Ordinance;
3. Any use, except single-family and two-family residential, for which off-street parking area is required in Section 24.02 (Off-Street Parking Requirements) through Section 24.03 (Schedule For Number of Off-Street Parking Spaces);
4. Any use, except single-family or two-family residential, in an R-3.5, R-4, SP, C-1, or I-1 district;
5. All uses permitted in residential districts, except single-family or two-family residential;
6. Planned Unit Developments; and,
7. Open Space Preservation Developments as defined under Act No. 177; and, (ord. no. 309 eff. Feb. 22, 1999; amend. by ord. no. 370 eff. Jan. 24, 2003)
8. Site Condominium Projects.

15.2303 SECTION 23.03 USES EXEMPT

The following uses are exempt from site plan submission and approval provisions of this Section:

1. Temporary manufactured homes for which a permit is obtained pursuant to Section 20.08 (Tents And Recreational Vehicles);

2. Signs for which a permit is obtained pursuant to Section 24.08 (General Sign Provisions), and other signs which comply with that section without a permit;
3. Residential entranceway structures for which a permit is obtained pursuant to Section 20.05 (Residential Entrance Way);
4. Swimming pools for which a permit is obtained pursuant to Section 20.15 (Swimming Pools);
5. Building additions or accessory buildings, unless additional off-street parking is required by Section 24.02 (Off-Street Parking Requirements) through Section 24.03 (Schedule For Number of Off-Street Parking Spaces), or unless site plan submission and approval is required by any other Section of this Ordinance. (ord. no. 380 eff. July 25, 2003)

15.2304 SECTION 23.04 OPTIONAL PRELIMINARY SITE PLAN REVIEW

1. If desired by the applicant, ten (10) copies of a preliminary site plan may be submitted for review by the Planning Commission prior to final site plan submittal. The purpose of such procedure is to allow discussion between the applicant and the Planning Commissioners, to better inform the applicant of the acceptability of the proposed plans prior to incurring extensive engineering and other costs which might be necessary for final site plan approval.
2. Preliminary site plans shall include the following, unless deemed unnecessary by the Planning Commission.
 - A. Small scale sketch of properties, streets and use of land within one half (1/2) mile of the area, including the zoning of surrounding property.
 - B. Ten (10) copies of a site plan at a scale not to exceed one (1) inch equals one hundred (100) feet (1" = 100'). The following items shall be shown on the plan:
 - 1) Existing adjacent streets and proposed streets.
 - 2) Lot lines and approximate dimensions.
 - 3) Parking lots and access points.
 - 4) Proposed buffer strips or screening.
 - 5) Significant natural features; and other natural

characteristics, including but not limited to open space, stands of trees, brooks, ponds, floodplains, hills, and similar natural assets.

- 6) Location of any signs not attached to the building.
 - 7) Existing and proposed buildings.
 - 8) General topographical features including contour intervals no greater than ten (10) feet.
 - 9) All buildings and driveways within one hundred (100) feet of all property lines.
- C. A narrative (shown on the site plan or submitted separately) describing in general terms:
- 1) The overall objectives of the proposed development.
 - 2) Approximated number of acres allocated to each proposed use and gross area in building, structures, parking, public and/or private streets and drives, and open space.
 - 3) Dwelling unit densities by type, if applicable.
 - 4) Proposed method of providing sewer and water service, as well as other public and private utilities.
 - 5) Proposed method of providing storm drainage.
3. The Planning Commission shall review the preliminary site plan and make such recommendations to the applicant that will cause the plan to be in conformance with the review standards required by this Chapter. The Planning Commission shall advise the applicant as to the general acceptability of the proposed plan, but shall not be bound by any statements or indications of acceptance of the plan.

15.2305 SECTION 23.05 APPLICATION PROCEDURES

Every site plan submitted to the Planning Commission shall be in accordance with the requirements of this Ordinance and shall be accompanied by payment of the site plan review fee that is established from time to time by resolution of the Township Board. Prior to submission of the site plan to the Planning Commission the site plan shall be reviewed by the Zoning Administrator, the Fire/Rescue Department, and the Public Services Department to determine whether the site plan complies with the requirements of all applicable state and federal laws and regulations, and with the requirements if all applicable Township Ordinances,

resolutions, regulations and policies.

15.2306 SECTION 23.06 FINAL SITE PLAN REVIEW

1. Every final site plan submitted must be prepared in a neat and orderly manner, be drawn to a scale of not less than 1" = 50' if the subject property is less than three (3) acres in size, and 1" = 100' if the subject property is three (3) acres or larger in size and contain the following minimum information:
 - A. Date, north point, and scale.
 - B. Dimensions of all lot and property lines, showing the relationship of the subject property to abutting properties.
 - C. Location of all existing and proposed structures on the subject property, and of all existing structures on land immediately adjacent to the site within one hundred (100) feet of the site's boundary lines.
 - D. Location of all existing and proposed drives and parking areas.
 - E. Location and right-of-way widths of all existing and proposed abutting streets and alleys.
 - F. Location of all drainage easements, retention ponds, detention ponds, and other devices for disposal of surface water.
 - G. Names and addresses of the architect, planner, designer, engineer, or other person who prepared the site plan.
 - H. Location map, depicting the subject property and its location in the Township.
2. Information shall also be submitted indicating whether the site plan has been approved by any other person or agency that has authority to approve the site plan, including but not limited to: County Drain Commissioner, County Environmental Health Department. The information shall indicate the date of such approval and the person who approved it.
3. The site plan shall also show any portions of the property, if any, which are affected by applicable state, federal, county or township regulations, statutes, ordinances, etc., such as but not limited to: Wetlands Preserve Act, Critical Dunes Act, Endangered Species Act, Flood Plain Control Act, Shorelands Act, Inland Lakes and Streams Act.
4. The site plan or other materials shall also include any additional

information which may be requested by the Planning Commission to assist it in its review of the proposed use and the effect of the proposed use on neighboring uses, structures, and public facilities, public utilities, and public infrastructure. Such additional materials may include, but are not limited to, a traffic impact analysis, environmental impact, engineering analysis, soils analysis, and topographical survey.

5. Site plans relating to uses and structures for which Planning Commission approval as a special land use is granted pursuant to Chapter 19 (Special Land Uses) shall not be approved unless the site plan submitted by the applicant complies with the approval of the special land use and any conditions imposed as a requirement of approval of the special land use.
6. At the consideration of the site plan, The Planning Commission members shall have authority to inquire of the applicant into any matter that is required to be shown.
7. Site plans which relate to all uses or structures (permitted and special land uses) shall not be approved unless the Planning Commission affirmatively determines that each of the following standards have been fulfilled:
 - A. The uses proposed will not adversely affect the public health, safety, or welfare. Uses and structures located on the site shall take into account topography, size of the property, the uses on adjoining property and the relationship and size of buildings to the site. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.
 - B. Safe, convenient, uncontested, and well-defined vehicular and pedestrian circulation shall be provided for ingress/egress points and within the site. Drives, streets and other circulation routes shall be designed to promote safe and efficient traffic operations within the site and at ingress/egress points.
 - C. The arrangement of public or private vehicular and pedestrian connections to existing or planned street in the area shall be planned to provide a safe and efficient circulation system for traffic within the Township.
 - D. Removal or alteration of significant natural features shall be restricted to those areas which are reasonably necessary to develop the site in accordance with the requirements of this Ordinance. The Planning Commission may require that landscaping, buffers, and/or greenbelts be preserved and/or provided to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property.

- E. Areas of natural drainage such as swales, wetlands, ponds, or swamps shall be protected and preserved insofar as practical in their natural state to provide areas for natural habitat, preserve drainage patterns and maintain the natural characteristics of the land.
- F. The site plan shall provide reasonable visual and sound privacy for all dwelling units located therein, and adjacent thereto. Fences, walls, barriers, and landscaping shall be used, as appropriate, to accomplish these purposes.
- G. All buildings and groups of buildings shall be arranged so as to permit necessary emergency vehicle access as requested by the Fire/Rescue Department.
- H. All streets and driveways shall be developed in accordance with the Township Subdivision Control Ordinance, the Ottawa County Road Commission, or Michigan Department of Transportation specifications, as appropriate, unless developed as a private road in accordance with the requirements for private roads in this Ordinance or any other Township Ordinance. Except that the Planning Commission may impose more stringent requirements than those for the Road Commission or Department of Transportation with respect to driveway location and spacing. In addition, sidewalks may be required if determined to be necessary or appropriate for pedestrians and non-motorized vehicles.
- I. Appropriate measures shall be taken to ensure that removal of surface water will not adversely affect neighboring properties of the public storm drainage system. Provisions shall be made to accommodate stormwater, prevent erosion and the formation of dust. The use of detention/retention ponds may be required. Surface water on all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic or create puddles in paved areas. Catch basins may be required to contain oil filters or traps to prevent contaminants from being discharged to the natural drainage system.
- J. Exterior lighting shall be arranged so that it is deflected away from adjacent properties and so that it does not interfere with the vision of motorists along adjacent streets. Lighting of buildings or structures shall be minimized to reduce light pollution and preserve the rural character of the Township.
- K. All loading and unloading areas and outside storage areas, including areas for the storage of trash, which face or are visible

from Residential Districts of public streets, shall be screened by a vertical screen consisting of structural or plant materials no less than six (6) feet in height. The finished side of any wall, fence, or other screen shall face adjacent properties.

- L. Entrances and exits shall be provided at appropriate locations so as to maximize the convenience and safety for persons entering or leaving the site. The number of entrances to and exits from the site shall be determined with reference to the number of dwelling units or other land uses within the site, the nature and location of the surrounding streets, the effect of traffic in the area, nearby topography, and other factors. In those instances where the Planning Commission finds that an excessive number of ingress or egress points may occur on abutting street, thereby diminishing the carrying capacity of such street, and compromising public safety, the Planning Commission may limit such access points and require service access drives within the site.
- M. Site plans shall conform to all applicable requirements of County, State, Federal, and Township statutes and ordinances. Approval may be conditioned on the applicant receiving necessary County, State, Federal, and Township permits before final site plan approval or an occupancy permit is granted.
- N. Appropriate fencing may be required by the Planning Commission around the boundaries of the development if deemed necessary to minimize or prevent trespassing or other adverse effects on adjacent lands.
- O. The general purposes and spirit of this Ordinance and the Master Plan of the Township shall be maintained.

15.2307 SECTION 23.07 SPECIAL CONDITIONS

- 1. Approval of site plans may be made subject to conditions imposed by the Planning Commission which are designed to assure the safety and convenience of both vehicular and pedestrian traffic within the site and in relation to abutting streets, and in furtherance thereof such conditions may, by way of illustration and not of limitation, regulate the number, location, and design of curb cuts, driveways, walkways, and parking lots.
- 2. The approval of site plans may be conditioned upon the installation of public water or public sewer utilities, or both, to the property, when such utilities are necessary in order to facilitate adequate and efficient provision of water and sewage disposal, or both.

15.2308 SECTION 23.08 CONFORMITY TO APPROVED SITE PLAN

1. Property, which is the subject of site plan approval, must be developed in strict compliance with the approved site plan, inclusive of any amendments, which have received the approval of the Planning Commission.

2. If construction and development does not conform with the approved plan, the approval of the site plan shall be revoked by the Community Development Department by written notice of the revocation being posted upon the premises involved, and mailed to the owner at his last known address. Upon revocation of this approval, all construction activities shall cease upon the site until the time the violation has been corrected or the Planning Commission has, upon proper application of the owner and after hearing, approved a modification in the site plan to coincide with the owner's construction, or altered plans for construction to be in compliance with the criteria contained in the site plan approval provisions and with the spirit, purpose, and intent of this Ordinance.

3. Approval of the site plan shall be valid for a period of one (1) year. If a building permit has not been obtained and on-site development actually commenced within one (1) year, the site plan approval shall become void and a new application for site plan approval shall be required and new approval obtained before any construction or earth change is commenced upon the site.

15.2309 SECTION 23.09 AMENDMENT TO SITE PLAN

1. Minor changes to approved final plans may be approved by the Zoning Administrator, provided such changes comply with all applicable requirements of this Zoning Ordinance and all other federal, state, county or township laws and regulations.

2. Major changes must be submitted to the Planning Commission for review in the same manner as the original application was submitted or reviewed. Major changes include:
 - A. Increases in the scope or density of land use, land area, or building size;

 - B. The addition of uses and/or buildings not authorized by the original approval;

 - C. The rearrangement of lot lines or building locations by more than ten (10) feet;

 - D. Changes in the character or function of access drives;

- E. Significant changes in the concept of the development; or
- F. Any changes which the Zoning Administrator refuses or fails to approve.