

**ARTICLE XXI**  
**Site Plan Review**

**§ 220-21-1. Purpose of site plan review; uses subject to site plan review.**

- A. Purpose of site plan review. The provisions in this article are intended to provide for consultation and cooperation between a land developer and the Township to facilitate the developer's objectives and the use of the land in accordance with the regulations of this chapter and with minimum adverse effect on the use of streets and other public facilities and on other existing and future land uses in the vicinity.
- B. Uses subject to site plan review. Except as provided in § 220-21-7 with respect to 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 or zoning compliance 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 article:
1. Multiple-family residential development.
  2. Mobile home park development.
  3. Office development.
  4. Commercial development.
  5. Industrial development.
  6. Open space preservation development.
  7. All uses in the HDR District other than one-family and two-family residential.
  8. All special land uses.
  9. Site condominium projects.
  10. Any other uses of land for which site plan review is required under any provision of this chapter.

**§ 220-21-2. Preliminary site plan review (optional).**

- A. 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 § 220-21-3, as only the Planning Commission has authority to waive such content requirements, in certain circumstances, as addressed at the end of Section § 220-21-3. All preliminary site plan submittals shall include at least the following:

1. The name and address of applicant.
2. Legal description of the property.
3. Drawings showing tentative plans.

**§ 220-21-3. Final site plan application content.**

- A. All final site plan review applications shall include all of the following (except where an item of content is clearly only applicable to a specified type of land use, such as sub-part 23):
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. 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].
  4. All lot and/or property lines, dimensioned, including building setback lines.
  5. The location and height of all existing and proposed structures on and within one hundred feet of the subject property.
  6. 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.
  7. The location of the pavement and right-of-way width of all abutting roads, streets or alleys.
  8. The name and firm address of the professional individual responsible for the preparation of the site plan (including imprint of professional seal, if any).
  9. The name and address of the property owner (if different from the applicant).
  10. The location of all rubbish receptacles.
  11. The location of all landscaping, and the location, height and type of fences and walls.

12. The size and location of existing and proposed utilities, including proposed connections to public sewer or water supply systems, if available.
13. The location of all fire hydrants.
14. 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.
15. The location of all existing and proposed interior floor drains.
16. 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.
17. A property survey by registered surveyor.
18. The existing and proposed contour, shown at two foot intervals, minimum.
19. The location of all lakes, streams, wetlands, county drains, and other waterways abutting or within 100 feet of the subject property.
20. 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.)
21. A description of the proposed land use in sufficient detail to indicate the effects of the use 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.
22. Engineering and architectural plans for the treatment and disposal of sewage and industrial waste tailings and unusable by-products.
23. (for mobile home parks) The lot size, setbacks, trailer pads, patios, and complete park layout.
24. The proposed number of shifts to be worked and the maximum number of employees on each shift.

25. 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 § 220-21-5.

**§ 220-21-4. Final site plan submittal and review scheduling procedures.**

- A. 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 B-C below.
- B. 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 standards for approval of the site plan.
- C. 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, except where the Zoning Administrator clearly identifies any such incomplete content to the Planning Commission for recommended waiver.
- D. 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 eight 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.

**§ 220-21-5. Final site plan review; review standards; modifications; approval conditions; performance guarantee.**

- A. Input from other officials. 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 Fire Chief/Fire Marshall, the Township Building Official, the County Drain Commissioner, the County Road Commission, 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.

B. 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:

1. 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.
2. 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.
3. The adverse effects resulting from the locations of buildings and accessory structures will be minimized to the occupants of adjacent properties.
4. 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.
5. 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.
6. 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.
7. 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.
8. 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.
9. The height and location of all portions of buildings and structures are accessible to available emergency personnel.
10. The proposed development will comply with all applicable provisions of this chapter, 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.

- C. 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.
- D. Site plan approval conditions. The Planning Commission is hereby given the discretion and authority to impose reasonable conditions, as a condition of approval of any site plan, as necessary to insure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity; to protect the natural environment and conserve natural resources and energy; to insure compatibility of adjacent uses of land; and to promote the use of land in a socially and economically desirable manner. Conditions imposed shall meet all of the following requirements:
1. Be designed to protect natural resources, the health, safety and welfare and the social and economic well being of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.
  2. Be related to the valid exercise of the police power, and purposes which are affected by the proposed use or activity.
  3. Be necessary to meet the intent and purpose of this chapter, be related to the standards established in this chapter for the land use or activity under consideration and be necessary to insure compliance with those standards.
  4. Conditions imposed with respect to the approval of a site plan shall be recorded in the record of the approval action and shall remain unchanged except by amendment to the site plan as provided for herein.
- E. Performance guarantee. To insure compliance with the approved site plan, this chapter and any conditions imposed as a result of site plan review approval, the Planning Commission may require that a cash deposit, certified check, irrevocable bank letter of credit, or surety bond acceptable to the Township covering the estimated cost of improvements associated with a project for which site plan approval is sought be deposited with the Clerk of the Township to insure faithful completion of the improvement. The performance guarantee shall be deposited at the time or project. The Planning Commission shall establish procedures whereby a rebate of any cash deposit in reasonable proportion to a ratio of work completed on the required improvements will be made as work progress.

As used in this section, "improvements" means those features and actions associated with a project which are considered necessary by the Planning Commission to protect natural resources, or the health, safety and welfare of the residents of the Township and future users or inhabitants of the project or project areas, including roadways, lighting, utilities, sidewalks, screening, and the drainage. This term does not include the entire project which is the subject of site plan review and approval.

**§ 220-21-6. Duration of site plan approval; conformity to approved site plan; revocation of site plan approval; amendment of approved site plan.**

- A. Duration of site plan approval. A site plan approval is valid for one year from the date of approval. If any required building permit has not been obtained and the on-site development actually begun within this one year period, the site plan approval automatically expires and is void. No time extension to a site plan approval shall be granted.
- B. Conformity to approved site plan. Development of property subject to site plan review shall be in complete conformity with the approved site plan, including any conditions imposed on the site plan approval.
- C. Revocation of site plan approval. Any site plan approval may be revoked when the construction of the development is not in conformity with the approved site plan. The Zoning Administrator or Planning Commission shall give the applicant notice of intention to revoke a site plan approval at least 15 days prior to review of the proposed revocation by the Planning Commission. After conclusion of such review, the Planning Commission may revoke its approval of a site plan if the Planning Commission determines that a violation in fact exists and has not been remedied prior to the hearing.
- D. Amendment of approved site plan. The owner/developer of property subject to an approved site plan may propose one or more amendments of the approved site plan, pursuant to the same procedures required by this article for submission/review of the original site plan.

**§ 220-21-7. 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.

- A. 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:
  - 1. A reduction of the size of an existing building or structure.
  - 2. An expansion of an existing building or structure, not exceeding 25% of the existing square footage, and not exceeding a cost of \$40,000.

3. 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.
4. The relocation of an existing building or structure, where all setback and yard location requirements are met.
5. A new structure(s) not exceeding a total area of 2000 square feet, within an existing development.
6. 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 or altered access to the site.
- A change in use and/or a new use.
- A variance from any provision of Chapter 220 is required; or the project fails to comply with any applicable provision of this chapter, or any other applicable ordinance, regulation or law.

B. 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 provisions of this section 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 provisions of this section pertaining to final site plan review.

C. Review and Approval Criteria. The Zoning Administrator shall review and determine whether to approve a project eligible for the ASPR process pursuant to the standards specified in § 220-21-5 and all other applicable provisions of this chapter. The Zoning Administrator may require the applicant to submit such information pursuant to the final site plan application content requirements of § 220-21-3 as the Zoning Administrator deems necessary to properly review the project pursuant to the ASRP process.



- D. 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 § 220-21-6.