

CHAPTER 9 SITE PLAN REVIEW

Section 9.01 Purpose

The intent of this Chapter is to provide for consultation and cooperation between the applicant and the Planning Commission in order that the applicant may accomplish their objectives in the utilization of land within the regulations of this Ordinance and with minimum adverse effect on the use of adjacent streets and other public facilities, and on nearby existing and future uses and the natural environment.

Section 9.02 Site Plan Review Required

- A. Planning Commission Review. Except as provided in this Ordinance with respect to matters subject to administrative site plan review, 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 chapter:
1. Any principal commercial, office, industrial, institutional or business use, and any residential use with more than two dwelling units.
 2. Special land uses.
 3. A change in the use of a building or property or an expansion of a building or use for which additional parking spaces are required by this Ordinance or an expansion of an existing parking lot to add more parking spaces.
 4. Relocation of an existing driveway.
 5. Site condominiums. Also see Chapter 11.
 6. All other uses subject to site plan approval as required by this Ordinance.
- B. Zoning Administrator Review. A site plan for any of the following uses shall be reviewed by the Zoning Administrator, instead of the Planning Commission; provided the Zoning Administrator may choose to refer any site plan for such uses to the Planning Commission for review by the Planning Commission in accordance with the requirements of this Chapter:
1. A change in the use of a building or property or an expansion of the building or use which does not result in the need for more parking spaces as required by this Ordinance.

2. Construction of a building or structure which is accessory to the principal use or building.

Review of site plans by the Zoning Administrator shall be in accordance with the same procedures, requirements and standards required for site plans reviewed by the Planning Commission, except the number of site plan copies and submittal date shall be subject to the discretion of the Zoning Administrator. The Zoning Administrator may waive specific site plan review submittal requirements if it is determined that such requirements are not relevant to the site plan under consideration. Following approval of a site plan the Zoning Administrator shall notify the Planning Commission.

C. Application and Review Procedures.

1. Requirements. An application for site plan review along with 10 sets of the site plan and all supporting materials shall be submitted to the Zoning Administrator at least two weeks prior to the next scheduled Planning Commission meeting. The application shall at a minimum contain the following information:
 - a. The applicant's name, address and phone number.
 - b. Proof that the applicant is the owner of the property or has a legal or financial interest in the property such as a purchase agreement.
 - c. The name, address and phone number of the owner of record if different than the applicant.
 - d. The address of the property.
 - e. Legal description or permanent lot number of the property.
 - f. Project description.
 - g. Size of the property in square feet or in acres.
 - h. Signature of the applicant and owner of the property.
2. Technical review. The Zoning Administrator shall refer copies of the application and site plan to the City director of public services and the City building official for technical review. Copies may also be sent to the city planner, fire chief and police chief as deemed necessary. The site plan shall be reviewed for compliance with the requirements of this Ordinance and a report prepared for the Planning Commission.
3. Final review. The Planning Commission shall review the site plan according to the general standards for site plan review in Section 9.04 and any other applicable regulations of this Ordinance. Based on these standards and regulations, the Planning Commission shall approve, deny, or approve with conditions the site

plan. If the site plan is denied, the applicant shall be given written notification of the reasons for denial within ten working days of the date of denial.

4. Approval. Upon approval of the final site plan, three copies of this plan shall be stamped as approved, dated, and signed by the Zoning Administrator. One copy of the approved plan shall be returned to the applicant, one shall be submitted to the building official as part of the building permit review process, and one copy shall be kept by the Zoning Administrator.
5. Review period. The Planning Commission shall render a decision on a site plan within 60 days of submission of all required information by the applicant unless an extension of time is agreed to by the applicant, or a different time is otherwise required by law.

Section 9.03 Site Plan Content

- A. Each site plan submitted for review shall be drawn at a scale of 1" = 200' or less. The site plan shall contain the following information unless the Zoning Administrator determines that certain items are not necessary or relevant in reviewing the site plan:
 1. A vicinity map illustrating the location of the site.
 2. Date the site plan was prepared.
 3. Name and address of the preparer.
 4. North arrow.
 5. Legal description of the property.
 6. Property lines, dimensions, and building setback distances and all structures and lot lines within 100 feet of the site.
 7. Existing and proposed contour elevations at a minimum of five-foot intervals on the site and to a distance of ten feet outside the boundary lines of the site.
 8. Direction of stormwater drainage and how stormwater runoff will be handled.
 9. Location of existing and proposed buildings, their intended use, the length, width and height of each building, and the square footage of each building.
 10. Location of abutting streets, rights-of-way, service drives, curb cuts, and access easements serving the site, as well as driveways opposite the site and driveways within 100 feet on either side of the site.
 11. Location and size of all water and sanitary sewer lines and storm drainage lines as well as fire hydrants and catch basins, and location of septic tanks and drainfields, and utility easements.

12. Location of all sidewalks, bike paths, and other walkways.
13. Location and size of any existing and proposed walls, fences or other screening provisions.
14. Location of all proposed landscape materials, including size and type of planting.
15. Location of all exterior lighting, and proposed accessory structures, including light poles or fixtures, flagpoles, storage sheds, transformers, dumpsters or trash removal areas and signs.
16. Proposed parking areas and access drives showing number and size of spaces and aisles, loading areas, and handicapped access ramps. Also note method of surfacing such areas.

Section 9.04 General Standards

- A. The Planning Commission shall review the site plan for compliance with the requirements of this Ordinance and conformance with the following general standards:
 1. All elements of the site plan shall be harmoniously and efficiently organized in relation to topography, the size and type of the lot, the character of adjoining property, and the type and size of buildings. The site shall be so developed as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.
 2. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, and by topographic modifications that result in maximum harmony with adjacent areas.
 3. Special attention shall be given to property site drainage so that removal of stormwaters will not adversely affect neighboring properties.
 4. The site plan shall provide reasonable, visual and sound privacy for all dwelling units located therein. Fences, walks, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.
 5. All buildings or groups of buildings shall be so arranged as to permit emergency vehicle access by some practical means as required by the fire department.
 6. Every structure or dwelling unit shall have access to a public street, walkway or other area dedicated to common use.
 7. There shall be provided a pedestrian circulation system insulated as completely as reasonably possible from the vehicular circulation system.

8. All loading and unloading areas and outside storage areas, including areas for the storage of trash, that face or are visible from residential districts or public thoroughfares shall be screened by a vertical screen consisting of structural or plant materials no less than six feet in height.
9. Exterior lighting shall comply with Section 5.05A and any other provisions of this Ordinance applicable to lighting.
10. 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, general interior circulation, separation of pedestrian and vehicular traffic, particularly the avoidance of building corners next to access drives, and arrangement of parking areas that are safe and convenient, and insofar as practicable, do not detract from the design of the proposed buildings and structures and the neighboring properties. Streets and drives part of an existing or planned street pattern that serve adjacent development shall be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way equal to that specified in the city's master plan.
11. All public streets shall be built in accordance with the requirements of the City of Hastings or, where applicable, the Michigan Department of Transportation.
12. Sidewalks shall be provided along all streets in accordance with the City of Hastings requirements, and any other applicable provision of this Ordinance (such as Section 6.09F in the MU District).
13. Site plans shall conform to all applicable requirements of state and federal statutes, and approval may be conditioned on the applicant's receiving necessary state and federal permits before final site plan approval or an occupancy permit is granted.

Section 9.05 Access Control Standards

- A. The Planning Commission shall review site plans according to the standards of this section relating to vehicle access and circulation. The purpose of specific access standards is to increase traffic safety, lessen congestion, provide adequate access, promote community character, and ensure orderly development.
- B. The Planning Commission shall have the authority to require a frontage road or service drive for lots contiguous to M-43 and M-37, and on other streets. The Planning Commission shall also have the authority to limit the number of driveways for a site; to require that parking lots on contiguous lots be connected; to require that driveways for contiguous lots be shared; and to require that opposite driveways be directly aligned. In determining whether the above or other access control measures shall be required, the following criteria shall be considered:
 1. The type and location of commercial uses on the site and adjacent to the site.

2. The location, size and design of existing and proposed parking areas.
 3. The existing and projected traffic volume on the roadway and adjacent roadways.
 4. Compatibility between adjacent land uses and likelihood of change or expansion.
 5. Number of lots involved, location of lot lines and amount of road frontage.
 6. Topography and site distance along adjacent roadways and on the site.
 7. Distance from intersections.
 8. Location of driveways opposite the site.
 9. Width of roadway and number of lanes.
 10. Environmental limitations (steep slopes, water, or vegetation).
 11. Sufficient building setback.
- C. The following regulations shall apply to commercial uses along M-37 and M-43, and other streets where the Planning Commission has required access control measures pursuant to Section 9.05B above:
1. A lot shall not be denied reasonable access to a public roadway.
 2. A maximum of one driveway shall be provided to an individual lot or to a contiguous lot under the same ownership when the property in question has no other reasonable access to another abutting street or access road. Additional driveways may also be permitted in accordance with the driveway spacing standards herein. A one-way in/one-way out driveway system may be permitted if it is demonstrated that traffic circulation on and off the site will not create hazardous situations.
 3. Temporary direct access to M-43 and M-37 may be granted in instances where access roads or adjoining lots are not yet developed. A temporary driveway permit shall specify the future means of access, location if known, and date the change will be made. A temporary access agreement shall be recorded with the county register of deeds.
 4. Lots with 300 or more feet of road frontage with a single large use will not be required to construct a service drive but may be required to connect the parking area to parking areas on contiguous lots.
 5. If a lot with an established commercial use, and with 300 feet or more of road frontage, is divided to allow for an additional commercial use (resulting in lots with less than 300 feet of road frontage), an additional driveway for that use will not be permitted. Both the original and the additional commercial use will be

required to construct an adjoining service drive. An exception to this standard exists if the anticipated traffic volumes generated by either the original or the additional commercial use will exceed 3,000 vehicles per day and/or are projected to cause traffic congestion during peak hours.

6. If two or more existing contiguous lots with noncommercial uses together comprise less than 300 feet of road frontage, and if any of those lots converts to a commercial use (or any other use for which site plan review is required), the construction of a service drive will be required. As additional contiguous lots convert to commercial uses, they will be required to construct additional segments of the service drive. These lots will eventually be served by common driveway access, the placement of which will be determined by driveway spacing standards contained herein.
7. Driveways for a lot shall be permitted based on the amount of road frontage for that lot as follows, except that the Planning Commission may modify this in the interest of public safety based on the criteria in subsection B of this section:

Frontage (feet)	Driveways Permitted
Less than 300	1
300 to 600	2
More than 600	3

8. Driveway spacing and location from intersections shall be based on the following:
 - a. Driveway spacing from intersections shall be measured from the centerline of the driveway to the extended edge of the travel lane on the intersecting street.
 - b. The minimum distance between a driveway and an intersecting street shall be based on the following tables, as applicable:
 - (1) Spacing from intersection for driveways along M-43 and M-37 and other streets as deemed necessary:

Intersecting Street	Full Movement Driveway (feet)	Channelized for Right-Turn-In Right-Turn-Out Only (feet)
Highway	250	100

Signalized major street	250	75
Other street (local street or non-signalized major street)	100	75

(2) Spacing from intersection with M-37 and M-43 for driveways along side streets:

Side Street Classification*	Full Movement Driveway (feet)	Channelized for Right-Turn-In Right-Turn-Out Only (feet)
Highway	200	100
Signalized major street	100	75
Other street (local and non-signalized major street)	75	75

9. If the amount of street frontage is not sufficient to meet the above criterion, the driveway shall be constructed along the property line farthest from the intersection to encourage future shared use, and/or a frontage road or rear access service drive shall be developed.
10. For lots which are only allowed a channelized right-turn-in, right-turn-out driveway, and alternative means of access (shared driveway, frontage road, service drive or connected parking lots) are not feasible due to lot size or existing adjacent development, the Planning Commission may allow a non-channelized, full movement driveway provided that:
 - a. The driveway is spaced no closer to the intersection than the minimum spacing allowed for a right-turn-in, right-turn-out driveway.
 - b. A traffic study, conducted by a registered traffic engineer, provides substantial justification that the driveway operation will not result in conflicts with vehicles at the adjacent intersection.
11. Driveway spacing from other driveways shall be determined as follows:
 - a. There shall be minimum spacing of 25 feet between the centerline of a driveway and the adjacent property line, not including the right turn lane and/or taper. The centerline for channelized driveways is measured at the

street right-of-way line. This requirement does not apply to shared driveways.

- b. Minimum driveway spacing requirements shall be determined based on posted speed limits along the lot frontage, as indicated in Table 7-1.

TABLE 7-1

Posted Speed (mph)	Minimum Driveway Spacing* (in feet)
30	125
35	150
40	185
45	230
50	275
55	350

* As measured from the centerline of each driveway.

- c. The values in table 7-1 are considered minimums based on the distances required to avoid conflicts between vehicles turning right or left from adjacent driveways.
- d. The Planning Commission shall have the authority to waive or modify the preceding spacing requirements when strict adherence to them would result in unreasonable access to the site. In waiving or modifying the spacing requirements, the criteria of subsection B of this section shall be used.

Section 9.06 Performance Guarantee

- A. The Planning Commission may require a performance bond, letter of credit, or certified check in an amount equal to the estimated cost of road, lighting, utility, sidewalk, landscaping, drainage, and other required improvements associated with the project. The estimated amount shall be determined by the Zoning Administrator after conferring with the City director of public services. Such performance guarantee shall be deposited with the city clerk/treasurer prior to the issuance of a building permit authorizing the activity or project. The performance guarantee is to ensure faithful completion of the improvements indicated with the approved site plan; if not completed, the performance guarantee shall be forfeited.

- B. The city clerk/treasurer shall rebate a proportional share of cash deposits only when requested by the depositor, based on the percent of improvements completed, as attested to by the depositor and verified by the Zoning Administrator. In cases where the provisions of this Ordinance have not been met, the amount of the aforementioned performance guarantee shall be used by the city to complete the required improvements or return the property to a safe and healthy condition at the option of the city; and the balance, if any, shall be returned to the applicant. No rebate shall be paid until the work is completed and the costs have been accurately determined by the city.

Section 9.07 Time Limit for Site Plan Approval

The development for which a site plan has been approved shall be under construction within one year after the date of final approval by the Planning Commission (or, where applicable, by the Zoning Administrator). If the applicant does not fulfill this provision, the Planning Commission may grant a single extension of not more than one year provided the applicant presents reasonable evidence to the effect that the development has encountered unforeseen difficulties but is then ready to proceed. Should neither of the aforementioned provisions be fulfilled or the one year extension has expired without construction underway, the site plan approval shall be deemed abandoned and terminated.

Section 9.08 Amendment of an Approved Site Plan

- A. Any person who has been granted site plan approval shall notify the Zoning Administrator of any proposed amendment to the approved site plan.
- B. A minor change in the site plan may be approved by the Zoning Administrator who shall notify the Planning Commission of the minor change and that such change does not substantially change the basic design or alter the conditions required for the plan by the Planning Commission.

The following items shall be considered as minor changes:

1. Reduction of the size of any building and/or sign.
2. Movement of buildings by no more than 10 feet.
3. Plantings approved in the site plan landscape plan being replaced by different but similar types of landscaping.
4. Internal rearrangement of a parking lot which does not affect the number of parking spaces or alter access locations or design.
5. Changes required or requested by the Planning Commission for safety reasons.
6. Changes which will preserve the natural features of the site without changing the basic site layout.

7. Other similar changes of a minor nature proposed to be made to the configuration, design, layout or topography of the site plan which are deemed by the Zoning Administrator to be not material or significant in relation to the entire site and which the Zoning Administrator determines would not have any significant adverse effect on adjacent or nearby lands or the public health, safety and welfare.
- C. The Zoning Administrator may refer any decision regarding any proposed change to an approved site plan to the Planning Commission for review and approval, regardless of whether the change may qualify as a minor change. In making a determination whether a change is a minor change, or whether to refer a change to the Planning Commission for approval, the Zoning Administrator may consult with the Chairperson of the Planning Commission.
 - D. If the Zoning Administrator determines that the requested modification to the approved site plan is not minor, resubmission to the Planning Commission for an amendment of the site plan shall be required and conducted in the same manner as an original site plan review application.