

ARTICLE 14 SITE PLAN REVIEW

14.1 AUTHORITY

An application for approval of a site plan may be denied, approved, or approved with conditions, in accordance with the provisions set forth in this Article.

14.2 REQUIREMENT

A site plan shall be submitted with all applications for a Land Use Permit, a Special Use Permit, a Planned Unit Development, a Planned Residential Development, and any construction project within the floodplain. An appeal to the Board of Appeals shall also include a site plan prepared according to the specifications of this Article.

14.3 PERMITS

No Land Use or Special Use Permit or Michigan Construction Code building permit, issued pursuant to the State Construction Code Act, shall be issued or otherwise authorized until after any required site plan has been approved, any conditions have been fulfilled, and any security requirement has been complied with.

14.4 OPTIONAL SKETCH PLAN REVIEW

Prior to submitting an application for a permit or site plan approval, an applicant may choose to submit a site plan sketch for review by the Zoning Administrator, the Township's Planning Consultant, and/or the Planning Commission. The sketch plan shall be superimposed on an air photo of the parcel or shall be a scaled drawing of the parcel showing the location of each existing and proposed parcel, property line, structure, improvement, street, sidewalk, easement, and drainage system. The review shall be informal and advisory only, and shall not constitute approval, authorization or granting any type of permit. The review shall be done without cost to the applicant, but must be scheduled as an item of business on the Planning Commission's agenda if the site plan sketch is to be reviewed by the Planning Commission.

14.5 TYPES OF SITE PLANS

There shall be three types of site plans required, depending on the complexity of the land use(s) proposed in the application:

- a) Basic Site Plan required for a completed application for:
 1. construction of a dwelling
 2. addition to or alteration of a dwelling
 3. construction of an accessory structure
 4. any habitable construction located within the floodplain

- b) Medium Site Plan required for a completed application for any permitted use not listed in a) above, or any matter before the Board of Appeals which does not need a Detailed Site Plan.
- c) Detailed Site Plan required for a completed application for:
 - 1. any Special Use
 - 2. any Multiple Family Dwelling
 - 3. any use in the Business Districts
 - 4. any Planned Residential or Planned Unit Development
- d) Basic site plans shall be subject to review only by the Zoning Administrator. Medium and Detailed Site Plans shall be reviewed by the Planning Commission.

14.6 SITE PLAN DETAIL REQUIREMENTS

The following information shall be provided with full and partial site plans, as indicated. All site plans shall be drawn at a scale of 1"=100' or less.

Required Site Plan Element	Basic Site Plan	Medium Site Plan	Detailed Site Plan
A. <u>Basic Information</u>			
1. Applicant's name, address, telephone number and signature	●	●	●
2. Property owner's name, address, telephone number and signature	●	●	●
3. Proof of property ownership	●	●	●
4. Whether there are any options or liens on the property	●	●	●
5. A signed and notarized statement from the owner of the property that the applicant has the right to act as the owner's agent	●	●	●
6. The address and/or parcel number of the property, property lines, location and size	●		
7. The address and/or parcel number of the property, complete legal description and dimensions of the property, setback lines, monument locations, gross and net acreages and frontage		●	●
8. A vicinity map showing the area and road network surrounding the property		●	●
9. Name, address and phone number of the preparer of the site plan	●	●	●
10. Project title or name of the proposed development	●	●	●
11. Statement of proposed use of land, project completion schedule, any proposed development phasing	●	●	●
12. Land uses and zoning classification on the subject parcel and adjoining parcels			●
13. Seal of the registered engineer, architect, landscape architect, surveyor, or planner who prepared the plan, as well as their name, address and telephone number			●

Required Site Plan Element	Basic Site Plan	Medium Site Plan	Detailed Site Plan
B. <u>Site Plan Information</u>			
1. North arrow, scale, and date of original submittal and last revision.	●	●	●
2. Natural features such as woodlots, water bodies, wetlands, high risk erosion areas, slopes over twenty-five (25%), beach, sand dunes, drainage, and similar features. An elevation certificate is required when habitable construction is proposed within the floodplain.	●	●	●
3. Boundary dimensions of natural features		●	●
4. Proposed alterations to topography and other natural features *		●	●
5. Existing topographic elevations at two foot intervals except shown at five foot intervals where slopes exceed 18% *			●
6. The location and type of existing soils on the site and any certifications of borings *			●
7. Soil erosion and sediment control measures as required by the Luce, Mackinac, Alger, Schoolcraft Health Department, or subsequent agency having jurisdiction	●	●	●
8. The location, height and square footage of existing and proposed main and accessory buildings, and other existing structures	●	●	●
9. Location and specifications for any existing or proposed (above or below ground) storage facilities for any chemicals, salts, flammable materials, or hazardous materials. Include any containment structures or clear zones required by county, state or federal government authorities.	●	●	●
10. Proposed finish floor and grade line elevations of any structures. Also required for all habitable construction within the floodplain on basic and medium site plans.	See note	See note	●
11. Residential density schedule showing the number of dwellings or housing units per acre, unit type(s), and number of each unit type			●
12. Existing and proposed driveways, including parking areas	●	●	●
13. Neighboring driveways and other vehicular circulation features adjacent to the site		●	●
14. Location, size and number of parking spaces in the on-site parking areas		●	●

Required Site Plan Element	Basic Site Plan	Medium Site Plan	Detailed Site Plan
B. <u>Site Plan Information</u>			
15. Identification and dimensions of service lanes and service parking, snow storage areas, loading and unloading and docks		●	●
16. Proposed roads, access easements, sidewalks, bicycle paths, and other vehicular and pedestrian circulation features within and adjacent to the site			●
17. Location of and dimensions of curb cuts, acceleration, deceleration and passing lanes		●	●
18. Location of neighboring structures that are close to the parcel line or pertinent to the proposal		●	●
19. Location of water well and on-site sewage disposal systems	●		
20. Location, specifications, and access to a water supply in the event of a fire emergency		●	●
21. Location of water supply lines and or wells, and the location and design of storm sewers, retention or detention ponds, waste water lines, clean out locations, connection points and treatment systems, including septic system if applicable		●	●
22. Location of all other utilities on the site including but not limited to natural gas, electric, cable TV, telephone and steam		●	●
23. Location, size and specifications of all signs and advertising features, including cross sections		●	●
24. Exterior lighting locations with area of illumination illustrated as well as the type of fixtures and shielding to be used		●	●
25. Proposed location of any open spaces, landscaping and buffering features such as buffer areas, vegetation belts, fences, walls, trash receptacle screening, and other screening features with cross sections shown		●	●
26. The proposed sizes of landscape materials not previously existing. All vegetation to be retained on site must also be indicated, as well as its typical size by general location or range of sizes as appropriate			●
27. Statements regarding the project impacts on existing infrastructure (including traffic capacity, schools, and existing utilities, and on the natural environment on and adjacent to the site)			●
28. Changes or modifications required for any applicable regulatory agencies' approvals			●

* NOTE: More detailed information may be required where the review authority determines that the site and use warrant a more critical review.

14.7 EXCEPTIONS

The Planning Commission may grant exceptions to the requirements of Section 14.6 during the review of any site plan where the application of such provisions is not reasonable for the parcel and provided such exceptions are consistent with the general intent and objectives of this Article.

14.8 APPLICATION PROCEDURE

14.8.1 Application

Anyone with an interest in a parcel may apply for approval of a site plan affecting such parcel. An application for approval of a site plan shall be made on the form provided by the Zoning Administrator. The application shall be submitted to the Zoning Administrator.

14.8.2 Application Contents

Every application for approval of a site plan shall be accompanied by the following information and materials:

- a) The site plan application form, filled out in full by the applicant, including the following:
 1. The applicant's name and address;
 2. An affidavit signed by the applicant stating that he or she is the owner or has a possessor interest in the parcel, or is acting as the authorized agent of one of the foregoing;
 3. The street address and legal description of the property;
 4. A specific and concise statement of the use proposed.
- b) A site plan as specified in Sections 14.5 and 14.6 above.

14.8.3 Required Copies

- A. Applications for a Land Use Permit shall be accompanied by one (1) copy of the Basic Site Plan.
- B. Applications for review by the Planning Commission shall be accompanied by eleven (11) copies of the Medium or Detailed Site Plan.
- C. Appeals to the Board of Appeals shall be accompanied by seven (7) copies of the Medium Site Plan.
- D. Whenever additional copies of the site plan are required by the Zoning Administrator, the Township's Planning Consultant, the Board of Appeals, or the Planning Commission, the applicant shall provide such additional copies as are determined to be necessary.

14.8.4 Review for Completeness

- A. All site plan applications shall be reviewed for completeness by the Zoning Administrator and/or the Township's Planning Consultant.
- B. If the site plan is determined to be incomplete, the Zoning Administrator shall return the site plan to the applicant with a written list of items needed to make the site plan complete.
- C. If the site plan is determined to be complete, the applicant shall:
 - 1. As applicable, forward copies of the site plan to the County Road Commission, County Drain Commissioner, County Health Department, and Michigan Department of Highways, for their review and comments; and
 - 2. Forward a copy of all site plans proposing habitable construction within the floodplain to the Chippewa/East Mackinac Conservation District; and
 - 3. Forward all copies of the review comments to the Zoning Administrator.
- D. If the site plan is determined to be complete, the Zoning Administrator shall:
 - 1. Determine if the site plan is to be reviewed and acted upon by the Zoning Administrator, in which case the Zoning Administrator shall do so;
 - 2. Determine if the site plan is to be reviewed and acted upon by the Planning Commission and if so, forward a copy of the site plan(s) to each member of the Planning Commission at least one (1) week prior to the Planning Commission's meeting when the site plan is on its agenda;
 - 3. Determine if the site plan is to be reviewed and acted upon by the Board of Appeals, and if so, forward a copy of the site plan to each member of the Board of Appeals at least seven (7) days prior to the Board of Appeal's meeting when the site plan is on its agenda.

14.8.5 Consultant Reviews

- A. In the course of reviewing a site plan application, the Planning Commission may determine that outside consulting services such as, but not limited to, planning, engineering, traffic and environmental services, are required. Such determination shall be made by the Planning Commission at the earliest possible time based upon available information. The revelation of information during the review process shall not preclude the Planning Commission from halting proceedings and requiring escrow funds at any time that, in the determination of the planning commission, such funds become necessary to complete a full and proper review of an application.

- B. The Township reserves the right to consult with such consultants of its choice. Consultant costs shall be determined by written estimate from the consulting firm and supplied to the applicant. Funds to cover such costs shall be the responsibility of the applicant, in accordance with the escrow policies of Section 22.1.4 of this Ordinance.

14.8.6 Review and Approval

All applications for site plan approval shall be reviewed against the standards and requirements of this Ordinance, including all discretionary and non-discretionary standards. Only when satisfied that the application meets all such standards and requirements shall the Zoning Administrator or Planning Commission approve, or approve with conditions, such application for site plan approval.

14.8.7 Simultaneous Review

Whenever possible, site plan review by the Zoning Administrator and Planning Commission shall be conducted simultaneously with other reviews by the Zoning Administrator and Planning Commission on the same application.

14.8.8 Decision

- A. The Zoning Administrator may deny, approve, or approve with conditions, any application for site plan approval of a Basic Site Plan.
- B. The Planning Commission may deny, approve, or approve with conditions, any application for site plan approval of a Medium or Detailed Site Plan.
- C. In cases where the Zoning Administrator reviews the site plan, such review shall occur within fifteen (15) business days of the site plan being found complete.
- D. In cases where the Planning Commission reviews the site plan, such review shall occur within sixty (60) days of the site plan being found complete. This standard shall not apply when outside consultant review services are determined by the Planning Commission to be necessary.
- E. Where a decision is not made on the site plan application within the times allowed under C. and D. above, the Zoning Administrator or the Planning Commission, as applicable, shall advise the applicant of the reasons, in writing, and shall set a date for further consideration of the application.

- F.** The decision of either the Zoning Administrator or the Planning Commission shall be incorporated in a written statement containing, at a minimum, the following:
1. The conclusions that specify the basis for the decision;
 2. The conclusions that specify the basis for any conditions imposed;
 3. The decision;
 4. The conditions of approval, if applicable.

14.8.9 Conditions

Site plan approval may be granted with conditions, limitations, or additional requirements imposed by the Planning Commission. Any conditions, limitations or requirements upon which approval is based shall be:

- a) Reasonable and designed to protect natural resources and/or the health, safety and welfare of the public;
- b) Relevant to the social and economic well-being of the owners and occupants of the parcel in question, of adjacent parcels and the community as a whole;
- c) A valid exercise of the Township police power;
- d) Related to the purposes which are affected by the proposed use or activity;
- e) Consistent with the intent and purpose of this Ordinance, generally, and specifically for the Zoning District where such use is to be permitted;
- f) Designed to insure compatibility with adjacent uses of land and the natural environment;
- g) Designed 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 such use.

14.8.10 File Copies

At least two (2) copies of the site plan, all accompanying documents, record of approval, and list of conditions shall be kept by the Township for its record.

14.9 GENERAL REQUIREMENTS AND STANDARDS

The Planning Commission shall make a finding that the following general standards are met prior to approving a site plan:

- a) All required site plan and application information has been provided as specified in this Article.
- b) All required permits and approvals from outside agencies have been secured, or have been made a condition of site plan approval.
- c) Adequate essential facilities and services, including highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities, and schools, are available.
- d) All applicable standards of agencies including, but not limited to, the Fire Department, Michigan Department of Transportation, County Road Commission, Drain Commission, and the Department of Environmental Quality, have been met.
- e) The spirit and intent of all ordinances and standards adopted by the Township, including this Ordinance, have been complied with.

- f) All buildings and structures shall be designed, constructed, operated and maintained so as to be harmonious, compatible, and appropriate in appearance, with the existing or intended character of the general vicinity.
- g) The proposed use will not change the essential character of the area in which it is proposed.
- h) The buildings, structures and entryway thereto proposed are so situated, designed and screened/buffered as to minimize any adverse effects upon owners and occupants of adjacent properties and the neighborhood.
- i) Complete and safe pedestrian and vehicular circulation is provided.
- j) All buildings and structures are accessible to emergency vehicles.
- k) The percentage of impervious surface has been limited on the site to the extent practical.
- l) Efforts have been made to protect the natural environment to the greatest extent possible.
- m) The proposal is not in conflict with the goals and objectives of the Township Master Plan.

14.10 SECURITY REQUIREMENTS

- A. To insure compliance with the site plan and Ordinance and any conditions, limitations or requirements imposed by the Zoning Administrator or Planning Commission as necessary to protect natural resources or the health, safety and welfare of the residents of the Township and users or inhabitants of the proposed project or project area, the Zoning Administrator or the Planning Commission may require that the applicant deliver to the Zoning Administrator any one of the following at the option of the applicant:
 - 1. a cash deposit with the Township Clerk;
 - 2. a certified check payable to the Township;
 - 3. an irrevocable bank letter of credit in favor of the Township;
 - 4. a surety bond in favor of the Township, in such amount and with such conditions as are permitted by law.
- B. Such security shall be deposited with the Township Clerk at the time of the issuance of the permit authorizing the commencement of such project. Where the project will take more than ninety (90) days to be completed, the Planning Commission may authorize a rebate of any cash deposit in reasonable proportion to the ratio of the work completed as the work progresses.
- C. Such security shall not exceed the estimated cost of the required conditions, limitations, requirements for which the security is designed to insure compliance with.

14.11 REQUIRED COMPLIANCE

Property that is the subject of an approved site plan shall be developed in full compliance with the approved site plan and any approved amendments thereto. Failure to conform with the approved site plan shall constitute a violation of this Ordinance.

14.12 EXPIRATION OF SITE PLAN APPROVAL

- A. An approved site plan shall be valid for a period of one (1) year from the date of approval. If construction or the permitted use has not commenced and proceeded meaningfully toward completion by the end of this one (1) year, the site plan approval shall expire. The Planning Commission may, at its discretion, extend the approved site plan for one (1) additional year if requested to do so in writing by the applicant and if there is good reason to believe that the applicant will in fact commence construction of the permitted use and proceed meaningfully toward completion by the end of the second year. Such extension must be requested in writing by the applicant and granted by the Planning Commission prior to the site plan approval expiring pursuant to this section. No extension of approval shall be granted to a site plan approval that has expired.
- B. Once construction has been completed and the site plan has been complied with, an approved site plan shall be valid for as long as the approved site plan continues to be complied with in accordance with the terms and conditions of the approval. The site plan will remain in full force and effect until replaced or superseded by a subsequent site plan.

14.13 AMENDMENTS

An application to amend an existing site plan may be filed with the Zoning Administrator, and shall be handled in the same manner as the initial site plan review prescribed by this Ordinance. By mutual agreement between the Township and applicant, minor non-substantive changes may be made to an existing approved site plan if such change is sought prior to the issuance of an occupancy permit for work authorized by a Special Use Permit.

14.14 REAPPLICATION

No application for site plan approval which has been denied wholly or in part shall be re-submitted for a period of one (1) year after such denial. The Planning Commission may, on the grounds of newly discovered evidence or proof of substantially changed conditions, waive this one (1) year period. The determination of the Planning Commission shall be final.