

## **CHAPTER 13     SITE PLAN REVIEW**

### **SECTION 13.01         DESCRIPTION AND PURPOSE**

It is the purpose of this Chapter to require site plan approval for certain buildings, structures, and uses that can be expected to have a significant impact on natural resources, traffic patterns, adjacent parcels and land uses and on the character of future development in the area involved. This Chapter is intended to achieve, through site plan review, safe and convenient traffic movement (both within a site and in relation to access streets or drives); harmonious relationships of buildings, structures, and uses (both within a site and with regard to adjacent sites or properties); and to conserve natural features and resources. Finally, it is the further intent of this Chapter to delegate certain aspects of the site plan review process and authority to the Zoning Administrator in certain instances, and the Planning Commission, and Township Board, in other instances, all consistent with the standards and requirements set forth in this Chapter.

### **SECTION 13.02         USES REQUIRING SITE PLAN APPROVAL**

Unless provided for by this Ordinance, all new uses and structures, or modifications of uses and structures, shall require site plan approval as follows:

- A.     Final Site Plan Approval by the Zoning Administrator:
  - 1.     All buildings, structures, and uses not subject to site plan approval by the Planning Commission or Township Board. Pursuant to site plans approved by the Zoning Administrator, said Administrator may, at his/her discretion, wave any of the site plan elements required by Section 13.03, provided, however, the resultant plan shall be of sufficient detail to ensure compliance with the provisions of this Ordinance.
- B.     The following buildings, structures, and uses require final site plan approval by the Planning Commission:
  - 1.     All special land uses, provided that site plan approval shall be in the form of a recommendation to the Township Board, wherein the Township Board shall exercise final review and approval authority as provided for by this Ordinance.
  - 2.     Platted subdivisions and condominiums, provided that site plan approval shall be in the form of a recommendation to the Township Board, wherein the Township Board shall exercise final review and approval as provided for by this Ordinance.
  - 3.     All permitted MHP, commercial and industrial uses.
  - 4.     Grading, excavation, filling, soil removal, creation of ponds (or lakes) or tree clearing of over one (1) acre.
  - 5.     Planned Unit Developments (PUDs).
  - 6.     Developments of land division involving or creating four (4) or more lots, or parcels.

7. Other uses ad provided for in this Ordinance
- C. Final Site Plan Approval by the Township Board.
1. Platted subdivisions and condominiums.
  2. Special and Uses and Planned Unit Developments (PUDs).

### **SECTION 13.03 SITE PLAN REVIEW REQUIREMENTS**

- A. Optional Preliminary Site Plan Review.
1. Nine (9) copies of a preliminary site plan may be submitted by the applicant for review by the Planning Commission prior to final site plan submittal. The purpose of this optional 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 plan submittal shall include the information as listed within subsection C, below, unless deemed unnecessary by the Zoning Administrator. Preliminary site plans shall be at a scale not to exceed 1 inch equals 100 feet (1" = 100').
  3. The Planning Commission shall review the preliminary site plan and make any recommendations to the applicant in the context of the standards required by this Ordinance. 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.
- B. Final Site Plan Review
1. If submission of a preliminary site plan is not desired by the applicant, nine (9) copies of a final site plan prepared by a professional engineer, architect, or land surveyor may be submitted for review without first receiving a review of a preliminary plan. Final site plans shall be at a scale not less than one-inch equals twenty feet (1" =20') for property under three (3) acres and at least one-inch equals one hundred feet (1" =100') for those three (3) acres or more.
  2. Applications for final site plan reviews shall include the information as listed within subsection C, below, unless deemed unnecessary by the Zoning Administrator.
- C. Required Site Plan Submission Requirements

<b>Basic Information for Both Preliminary and Final Site Plan Requirements</b>
A general location sketch showing at minimum, properties, streets and use of land within 1/2 mile of the area.
Zoning of surrounding properties.

Basic Information for Both Preliminary and Final Site Plan Requirements	
Legal description of the subject property.	
The date, north arrow, and scale.	
Name and address of the property owner or petitioner.	
Name and address of the person and/or firm who drafted the plan and the date on which the plan was prepared.	
Existing zoning and use of all properties abutting the subject property.	
All buildings, parking and driveways within 100 feet of all property lines.	
Narrative: Shown on the site plan or submitted separately, describing in general terms:	The overall objectives of the proposed development.
	Size (in acres) of the subject property and approximate number of acres allocated to each proposed use and gross area in building, structures, parking, public streets and drives, and open space as applicable.
	Dwelling unit densities by type, if applicable.
	Proposed method of providing sewer and water service, as well as other public and private utilities.
	Proposed method of providing storm drainage.
Preliminary Site Plan Requirements	
Property lines and approximate dimensions.	
Building location(s)	
Existing adjacent streets and proposed streets.	
Parking lots and access points.	
Proposed buffer strips or screening.	
Significant natural features; and other natural characteristics, including but not limited to open space, wetlands, stands of trees, brooks, ponds, floodplains, hills, slopes of over 15%, and similar natural assets or hazards.	
Any signs not attached to the building(s).	
General topographical features at contour intervals no greater than 10 feet.	
Existing and proposed uses, buildings and structures.	
Final Site Plan Requirements (in addition to other information requirements above)	
Seal, name, and firm address of the professional individual responsible for the preparation of the site plan.	
Property lines and required setbacks shown and dimensioned.	
Dimensions of all existing and proposed structures on the subject property including dwelling unit densities by type, if applicable.	

<b>Basic Information for Both Preliminary and Final Site Plan Requirements</b>
Size and location of existing and proposed utilities, including any proposed connections to public or private community sewer or water supply systems.
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), fire lanes, and unloading areas.
Existing and proposed topographic contours - minimum 5 foot intervals.
Pavement width and right-of-way width of all roads, streets, and access easements within 100 feet of the subject property. Private Road cross-sections, as appropriate.
Location and size of all surface water drainage facilities.
Snow storage areas
Location of all solid waste disposal facilities, including recycling, and screening.
Location and specifications for existing or proposed outside, above or below ground storage facilities for hazardous materials.
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.
Recreation areas, common use areas, flood plain areas and areas to be conveyed for public use and purpose.
Exterior lighting showing area of illumination and indicating the type and height of fixture to be used.

**B. Additional Information**

1. The Planning Commission, prior to granting approval of a site plan, may request from the applicant any additional graphics or written materials, prepared by a qualified person or person(s) to assist in determining the appropriateness of the site plan. Such material may include, but need not be limited to, aerial photography, photographs, impacts on significant natural features and drainage, soil tests, and other pertinent information.
2. The Zoning Administrator or Planning Commission may require a Traffic Impact Assessment or Traffic Impact Study pursuant to Institute for Transportation Engineers standards as part of final site plan review. The level of detail required for either a Traffic Impact Assessment or Study is based upon the expected amount of traffic to be generated by the proposed use, as noted below.
  - a. Traffic Impact Assessment: A traffic impact assessment shall be required for projects expected to generate either between 50 - 99 direction trips during the peak hour or 500 - 750 directional trips during a typical day. The assessment shall evaluate current and future inbound and outbound traffic operations at site access points and shall include proposed access design and other mitigation measures that will positively affect traffic operations at these points.

- b. Traffic Impact Study: A traffic impact study shall be required for projects expected to generate either 100 or more directional trips in the peak hour or over 750 trips on an average day. The study shall evaluate pedestrian access, circulation and safety, and current, background and future traffic operations at site access points and major signalized or non-signalized intersections in proximity to the site. The study must also include proposed access design and other mitigation measures that will positively affect traffic operations at the site and nearby intersections. The study must take into account the Master Plan in analyzing future traffic developments.

#### **SECTION 13.04 APPLICATION AND REVIEW**

- A. A completed site plan review packet including nine (9) site plans, a completed application form, the application fee, and escrow deposit (if applicable), shall be submitted to the Zoning Administrator prior to the deadline for the next regular Planning Commission meeting. The Zoning Administrator shall review the packet for completeness. If deemed complete the Zoning Administrator shall put the request on the agenda of the next regular Planning Commission meeting. Applications shall not be accepted unless all required materials and fees are submitted and are declared complete by the Zoning Administrator.
- B. The Planning Commission shall approve, deny, or approve subject to conditions, the site plan, in accordance with the provisions of this Chapter.
- C. Any conditions or modifications recommended by the Planning Commission shall be recorded in the minutes or in a separate approval document.
- D. Two (2) copies of the final approved site plan shall be signed and dated by the Planning Commission Chairperson or designee and the applicant. The Township shall keep one (1) of these approved copies on file, one (1) shall be returned to the applicant or his designated representative.
- E. Each development subject to site plan review shall be substantially 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 a single one (1) year extension of the time period, provided the applicant requests, in writing, an extension prior to the date of the expiration of the site plan. The Planning Commission may require a performance guarantee as part of the extension.
  - 2. The extension shall be approved if the applicant presents reasonable evidence to the effect that the 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 one (1) year extension of site plan approval shall be null and void and any performance guarantees may be exercised to finalize required improvements.

## **SECTION 13.05      CHANGES IN THE APPROVED SITE PLAN**

- A. The holder of an approved site plan shall notify the Zoning Administrator of any proposed change to the site plan.
- B. Minor changes may be approved by the Zoning Administrator upon determining that the proposed revision(s) meet the standards of the Ordinance and the intent of the design and will not alter the basic design or any specified conditions imposed as part of the original approval. A revised site plan shall be submitted which reflects the approved changes. Minor changes shall include the following:
  - 1. For residential buildings, the square footage of structures may be reduced or increased by ten percent (10%) of the originally approved area, provided the overall density of units does not increase, the minimum square footage and parking requirements are met, and the building(s) do not extend outside a designated building envelop, or into any required open space or required setback.
  - 2. Gross floor area of non-residential buildings may be decreased or increased by up to ten percent (10%) or two thousand (2,000) square feet, whichever is smaller, of the originally approved area, provided parking requirements are met and the building does not extend into any required open space or required setback.
  - 3. Floor plans may be changed if consistent with the character of the use.
  - 4. Relocation of a building by up to five (5) feet, if consistent with required setbacks, open space and other requirements.
  - 5. Height of buildings may be lowered.
  - 6. Designated woodlands or areas not to be disturbed may be increased.
  - 7. Plantings on the approved landscape plan may be replaced by similar types of landscaping on an equal or greater basis; any trees shown as preserved on the final site plan and subsequently lost during construction shall be replaced on a caliper-per-caliper basis on the site.
  - 8. Improvements or slight redesign of site access or circulation, such as inclusion of deceleration lanes, boulevards, curbing or pedestrian/bicycle paths, where appropriate.
  - 9. Changes of building materials to another of higher quality, or a slight change in exterior material, as determined by the Building Official.
  - 10. Grade change of up to one (1) foot, after review by the Township Engineer.
  - 11. Modification of entry design, sign placement or reduction in size of signs, which is consistent with the intent of an approved Planned Unit Development plan.

12. Internal rearrangement of parking lots which does not affect the number of parking spaces or alter access locations or design.
  13. Changes to the location of accessory buildings and structures, when the new location will be consistent with the building envelope identified on the approved plan, and when it would not extend into any required open space or required setback.
  14. Changes required or requested by the Township, County or State for safety reasons.
- 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. If the Zoning Administrator determines that a proposed minor change may have a major impact on the neighborhood or area involved, he/she may refer the plan to the Planning Commission and the plan shall be reviewed in the same manner as the original application.

#### **SECTION 13.06      REVIEW STANDARDS**

- A. 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 judgments concerning them. These standards shall not be regarded as inflexible requirements. They are not intended to discourage creativity, invention, or innovation.
- B. Site Development Standards
1. The uses proposed will not adversely affect the public health, safety, or welfare.
  2. 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.
  3. The site plan shall provide reasonable visual and sound privacy for all dwelling units located within and adjacent to it. Fences, walls, barriers, and landscaping shall be used, as appropriate, to accomplish these purposes. 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. The Planning Commission may also require road or pathway cross-connections between developments.
  4. The site shall be developed to create a pleasant, rural-paced atmosphere. Site amenities like street trees and benches may be required by the Planning Commission.
  5. All buildings and groups of buildings shall be arranged so as to permit necessary emergency vehicle access as requested by the Fire Department.

6. 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.
7. All loading and unloading areas and outside storage areas, including areas for the storage of trash, which face or are visible from Residential Districts or public streets, shall be screened in accordance with the requirements of Section 3.15.
8. Site plans shall conform to all applicable requirements of Township, County, State, Federal agencies. Approval may be conditioned on the applicant receiving necessary Township, County, State, and Federal permits before final site plan approval or an occupancy permit is granted.
9. The general purposes and spirit of this Ordinance and the Master Plan of the Township shall be maintained.

C. Vehicular and Pedestrian Standards

1. Safe, convenient, uncongested, 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.
2. The arrangement of public or private vehicular and pedestrian connections to existing or planned streets in the area shall be planned to provide a safe and efficient circulation system for traffic within the Township and to adjacent communities.
3. The minimum number of vehicular 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 vehicular entrances to and exists 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.
4. Adequate traffic control shall be provided on site and throughout developments to ensure safe vehicular and non-motorized cohabitation. The Planning Commission may require traffic calming measures, paved road shoulders, and deceleration or turn lanes when deemed necessary.
5. Sidewalks or trails appropriate for pedestrians or non-motorized vehicles shall be required within the development and between developments but may be deferred with an appropriate performance guarantee.
6. The Planning Commission may require shared driveways or the consolidation of existing driveways for traffic safety where appropriate.

D. Environmental and Natural Features Standards

1. 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 buffer strips be preserved and/or provided to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property.
2. Landmark trees and significant vegetation slated for protection shall be marked on site to prevent their damage during construction.
3. Appropriate measures shall be taken to ensure that removal of surface waters will not adversely affect storm drainage.
4. 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. Subsurface landscape islands within parking lots are encouraged. Catch basins may be required to contain oil filters or traps to prevent contaminants from being directly discharged to the natural drainage system.
5. Storm water drainage design shall recognize existing natural drainage patterns. Storm water removal shall not adversely affect neighboring properties or the public storm drainage system.
6. 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.
7. Provisions shall be made to accommodate storm water on-site wherever practical. Direct discharge of storm water into surface waters is prohibited. Where feasible, nonstructural control techniques shall be utilized which shall:
  - a. Limit land disturbance and grading.
  - b. Maintain vegetated buffers and natural vegetation.
  - c. Minimize impervious surfaces.
  - d. Use terraces, contoured landscapes, runoff spreaders, grass, or rock-lined swales.
  - e. Use infiltration devices.
  - f. Prevent the need to use large detention basins.

#### **SECTION 13.07      SITE PLAN APPROVALS**

- A. As part of an approval to any site plan, the Planning Commission may impose any additional conditions or limitations as in its judgment may be necessary for protection of the public interest and to meet ordinance standards. A record of conditions shall be

maintained. The conditions shall remain unchanged unless an amendment to the site plan is approved in accordance with this Ordinance.

- B. Conditions imposed shall be related to and ensure that the review standards of this Chapter are met and shall meet the requirements of the Zoning Act.
- C. Approval of a site plan, including conditions made as part of the approval, shall apply to the property described as part of the application and to all subsequent owners and occupants.
- D. A record of the decision of the Planning Commission, the reason for the decision reached, and any conditions attached to the decision shall be kept and made a part of the minutes or other records of the Planning Commission.
- E. The Zoning Administrator shall make periodic investigations of developments for which site plans have been approved. Failure to maintain or comply with the requirements and conditions of the approved site plan shall be considered violations of this Ordinance.
- F. Any site plan review approval may be voided by the Zoning Administrator or Planning Commission if it has been determined that a material error in the original approval has been discovered either because of inaccurate information supplied by the applicant or administrative error by a staff member or other agency. The voiding of an approved site plan shall be communicated in writing with reasons for revocation to the property owner. The Building Official shall also be notified to withhold permits until a new site plan is approved.

#### **SECTION 13.08      PERFORMANCE GUARANTEES**

The Planning Commission or Zoning Administrator may require a performance guarantee in accordance with Section \_\_\_\_\_ to ensure compliance with the approved site plan and other requirements of this Ordinance.