

ARTICLE 17

SITE PLAN REVIEW

17.01 INTENT AND PURPOSE

The intent of this section is to provide for consultation and cooperation between the applicant and the township planning commission so that the applicant may accomplish their objectives in the utilization of his or her land within the regulations of this zoning ordinance and with minimum adverse effect on the use of adjacent streets and highways, and on existing and future uses and environment in the immediate area and vicinity.

17.02 USES REQUIRING SITE PLAN APPROVAL

- A. A zoning permit will not be issued for any of the following until a site plan has been reviewed and approved by the planning commission:
1. Principal uses requiring more than four parking spaces.
 2. A change of use.
 3. Multifamily dwellings.
 4. Mobile home parks, preliminary only as specified by the Mobile Home Commission Act.
 5. All land uses permitted as a special land use under the zoning ordinance.
 6. Subdivisions and site condominiums.
 7. PUDs.
- B. Land Clearing: No person shall undertake activities such grading, clearing, cutting, and filling, excavating or tree removal in preparations for a use or structure which require a site plan review and approval until the proposed use or structure is authorized by a land use permit or preliminary plat approval. (added April 30, 2010)

17.03 APPLICATION PROCEDURES

An application for site plan review, plus 12 copies of the completed preliminary or final site plan, shall be submitted 30 days before the next scheduled planning commission meeting through the zoning administrator who will review the application and plans for

completeness, then transmit the application and plans to the planning commission.

17.04 PRELIMINARY PLAN REVIEW

Preliminary sketches of proposed site and development plans must be submitted for review to the planning commission before final site plan submittal. The purpose of such procedure is to allow discussion between the applicant and the planning commission to better inform the applicant of the acceptability of his or her proposed plans before incurring extensive engineering and other costs which might be necessary for final site plan approval. Such plans will include the following as deemed necessary by the zoning administrator:

- A. Names, addresses, and telephone number of the property owner, the person or firm who prepared the plans and the applicant if other than the owner of the property.
- B. Scale, north arrow, and date of preparation.
- C. Legal description of the property.
- D. Small-scale location sketch showing location of properties and relationship of subject property to the area within ½ mile.
- E. A generalized site plan showing existing and proposed arrangement of:
 1. Streets.
 2. Lots.
 3. Access points.
 4. Other motorized and pedestrian transportation facilities such as frontage roads, bus stops, internal circulation, intended direction of flow, parking areas, and loading areas.
 5. Buffer strips screening.
 6. Natural characteristics, including but not limited to: open space, stands of trees, brooks, ponds, floodplains, hills, dune classifications, dune crests, and similar natural assets. (added April 30, 2010)
 7. Signs: Location and lighting.
 8. Existing and proposed structures and building dimensions.

9. Adjacent property land uses and zoning.
 10. Dimensions, square footage, and acreage of the property.
 11. Notation of all federal, state and local permits needed.
(added April 30, 2010)
- F. A written narrative describing:
1. The overall objectives of the proposed development.
 2. Number of acres allocated to each proposed use and gross area in buildings, structures, parking, public and/or private streets and drives, and open space.
 3. Dwelling unit densities by type.
 4. Proposed method of providing sewer and water service, and other public and private utilities.
 5. Proposed method of providing storm drainage.
 6. Proposed method of re-vegetating open excavated areas, both preexisting and newly created, to a stable condition.
 7. Engineering cost estimate of all proposed improvements.

Besides the above, said applicant shall submit a fee according to the fee schedule established by the township board to cover the normal and specially incurred expenses of the planning commission. The required fee will be paid upon submission of the preliminary site plan.

17.05 PLANNING COMMISSION REVIEW OF PRELIMINARY SITE PLAN

The planning commission will review the preliminary site plan and make recommendations to the applicant at the regular planning commission meeting based on the purposes, objectives, and requirements in this ordinance, and specifically, the following considerations when applicable:

- A. Ingress and egress through the property and proposed structures thereon with particular reference to motor vehicle and pedestrian safety and convenience, traffic flow and control, and access in case of fires, catastrophe, or emergency.
- B. Off-street parking and loading areas where required, with particular attention to

noise, glare, and odor effects of each use in the plan on adjoining properties and properties in the proposed development.

- C. Sewer, water and storm drainage with reference to locations, availability, and compatibility. To the maximum extent feasible, storm water shall be recharged rather than piped to surface water. Low impact development techniques should be utilized to manage rainfall at the source using decentralized micro-scale controls. Guidance on low impact development techniques can be found in the Michigan State Manual called Impact Development Manual for Michigan: A Design Guide for Implementers and Reviewers, SEMCOG 2008. (added April 30, 2010)
- D. Screening and buffering with reference to type, dimensions, and character.
- E. Signs, if any, and their proposed lighting relative to glare, traffic safety, economic effect, and compatibility and harmony with adjoining properties.
- F. Required setbacks.
- G. General compatibility with adjacent properties.
- H. The general purpose and spirit of this ordinance and the General Development Plan of the township.
- I. Engineering cost estimate of all proposed improvements.

Following their review and consideration, the planning commission will authorize the applicant to proceed with final site plan preparation according to the application procedures above.

17.06 FINAL SITE PLAN REVIEW

Twelve copies of the final site plan shall include the following information and such items as may be requested by the planning commission from its review of the preliminary site plan:

- A. All information required for preliminary site plan review.
- B. Site plans must be at a scale not to exceed 1 inch equals 100 feet for parcels greater than 5 acres, and a scale not to exceed 1 inch equals 50 feet for parcels less than 5 acres. The following items shall be shown on the map:
 - 1. Date the site plan was prepared.
 - 2. Name and address of the preparer.

3. Existing manmade features.
 4. Contours sufficient to determine runoff with a maximum 2 foot intervals for projects of less than 5 acres, and 5-foot intervals for projects greater than 5 acres.
 5. Dimensions of setbacks, locations, heights, and size of buildings and structures.
 6. Street rights-of-ways, indicating proposed access routes, internal circulation, and a relationship to existing rights-of-ways.
 7. Proposed grading.
 8. Location and type of drainage, sanitary sewers, storm sewers, and other utilities.
 9. Location and type of fences, landscaping, buffer strips, and screening.
 10. Location and type of signs and onsite lighting.
 11. Proposed parking areas and drives. Parking areas shall be designated by lines showing individual spaces and shall conform with the provisions of this ordinance.
 12. Easements, if any.
 13. Dimensions and number of proposed lots.
- C. All plans and drawings shall be scaled by a registered engineer, landscape architect, architect, or land surveyor; however, a site plan for any development of less than 2 acres of land area or less than 4,000 square feet of floor area may be exempted from this requirement provided that the Planning Commission, by a majority vote, determines that, due to the small scale or minor impact of the proposed project, no public interest would be served by requiring scaled plans.
(amended February 6, 2009)

17.07 PLANNING COMMISSION REVIEW OF FINAL SITE PLAN

The planning commission shall review the final site plan and either approve, deny, or approve with conditions, the final site plan based on the purposes, objectives, and requirements of this ordinance.

- A. In its review of applications, the planning commission is empowered to request review and comment from the Allegan County Drain Commissioner, road

commission, health department, or other agencies or professionals to assist in its determination associated with a project for which site plan approval is sought. This assistance is intended to insure satisfactory completion of the proposed improvements for the activity or project.

- B. Standards for Granting Site Plan Approval. Each site plan shall conform to the applicable provisions of this Ordinance and the standards listed below: (added April 30, 2010)
1. Arrangement of Structures: Site plans shall demonstrate that buildings, parking areas, signs, walls, fences, and the like are designed to minimize adverse affects on development users and the occupants of adjacent properties.
 2. Natural Features: Site plans shall demonstrate that as many natural features as possible have been retained, particularly where such features provide a buffer between adjoining properties or assist in preserving the general appearance of the neighborhood or help control soil erosion or assist with the infiltration of storm water.
 3. Topography: The proposed development preserves the natural topography to the maximum extent possible by minimizing the amount of cutting, filling, and grading required and reducing the potential for soil erosion or sedimentation.
 4. Landscaping: Landscaping, including trees, shrubs and other vegetative material, is provided to maintain, improve, and/or restore the aesthetic quality of the site.
 5. Vehicular and Pedestrian Traffic: Site plans shall fully conform to the driveway and traffic standards of the Michigan Department of Transportation and the Allegan County Road Commission. Further, the site plan shall demonstrate that there is a proper relationship between existing and proposed roadways, parking areas, and that the safety and convenience of pedestrian and vehicular traffic has been assured. For all uses other than one and two family dwellings, shared access between properties is required unless the applicant can provide evidence that the shared access is not feasible or reasonable.
 6. Public Safety: Site plans shall fully conform with the applicable fire safety and emergency vehicle access requirements of both the Township and the County.

7. Drainage: Site plans shall fully conform to the Allegan County Drain Commission standards and evidence of such shall be provided. Further the storm water system shall be designed to protect public health and the environment from flooding, siltation, and pollutants by utilizing decentralized Low Impact Development methodologies such as pervious pavements, bio-retention cells, rain gardens, infiltration trenches, rainwater collection cisterns and other design methods that maximize the use of landscaped areas for storm water control and promote the re-use of runoff.
8. Erosion: Site plans shall fully conform to the Allegan County Soil Erosion and Sedimentation Control Ordinance and evidence of such shall be provided.
9. Hazardous Waste Management: Site plans shall demonstrate that reasonable precautions will be taken to prevent hazardous materials from entering the environment.
10. Public Health: Site plans shall fully conform to the requirements of the Michigan Department of Public Health and the Allegan County Health Department.
11. Statutory Compliance: Site plans shall fully conform with all applicable State and Federal statutes.
12. Agricultural Buffer Strip: Prior to the commencement of construction of any residence or residential structure or accessory building where such property abuts, adjoins, or is adjacent to existing agricultural operations, a buffer strip shall be established. The buffer strip shall be an adequate width depending on the site plan and the site characteristics; shall be completed within six (6) months from the date of final inspection; shall thereafter be maintained with permanent native plant materials indigenous to this area; shall be at least four (4) feet in height if evergreens, ten (10) feet in height if deciduous and shall be supplemented with interspaced shrubbery at least two (2) feet in height so a sight screening effect can be expected within three (3) years.

- C. Further, the planning commission is empowered to require a security deposit, certified check, irrevocable bank letter of credit, or surety bond covering the estimated costs of improvements associated with a project for which site plan approval is sought. The security deposit, certified check, irrevocable bank letter of credit, or surety bonds shall be deposited with the Clerk of the township to ensure faithful completion of the improvements and shall be deposited at the time of the issuance of the permit authorizing the activity or project. The security

deposit must be received before the approval of the final site plan.

- D. In this ordinance, “improvements” means those features and actions associated with projects which are considered necessary by the planning commission to protect natural resources, or the health, safety, and welfare of residents of the township and future users or inhabitants of the proposed project or project area, including roadways, lighting, utilities, sidewalks, screening, and drainage. “Improvements” does not include the entire project which is the subject of zoning approval.
- E. If the improvements for which a security was deposited with the clerk of the township shall not be completed as indicated in the approved site plan, said security shall be forfeited. The township 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. The amount of the aforementioned performance guarantee shall be used by the township to return the property to a safe and healthy condition. The balance, if any, will be returned to the applicant.
- F. Each development shall be under construction within one year after the date of final approval by the planning commission. If said applicant does not fulfill this provision, the Commission may grant a 60-day extension provided the applicant presents reasonable evidence to the effect that said development has had problems but is then ready to proceed. Should neither of the aforementioned provisions be fulfilled or a 60-day extension has expired without construction underway, the site development plan shall be null and void.
- G. The planning commission will review and approve, disapprove or approve with modification all site plans. Upon approval of said plans, the Chairman of the planning commission will sign three copies thereof. One signed copy will be made a part of the Commission's files and one signed copy will be forwarded to the building inspector for issuance of a building permit. The third copy will be returned to the applicant.

17.08 **SITE CHANGE** *(added May 9, 2007)*

Except as otherwise set forth herein, any structure, use or field change added subsequent to the initial site plan approval must be approved by the Planning Commission. The following minor changes to an approved final site plan may be authorized by the Zoning Administrator without Planning Commission review:

- a. Increases or decreases of residential or non-residential floor areas by ten (10) percent or less.

- b. Relocation of any surface or subsurface structure or improvement by less than twenty (20) feet from its planned location.
- c. Increases or decreases in planned elevations of finished grades or changes in the area or materials of paved areas, which affect less than five hundred (500) square feet or five (5) percent of the total lot area, whichever is less.
- d. Increases or decreases or changes in type, height or length of walks, fencing, berms, or screened plantings.
- e. Additions or deletions of permitted accessory uses to the principal uses permitted by the approved site plan.
- f. Changes in the location of essential public utilities and services from those approved on the site plan in order to accommodate their installation.
- g. Increases in off-street parking areas or loading/unloading areas in commercial and industrial zoning districts.