

ARTICLE XIX SITE PLAN

Sec. 20-1900 Site Plan Review Procedure - Intent

The site plan review procedures are instituted to provide an opportunity for the Township Planning Commission to review the proposed use of a site in relation to adjacent land uses, environmental factors, drainage, pedestrian and vehicular circulation, off-street parking, structural relationships, public services and facilities, landscaping, accessibility, and other site design elements which may have an adverse effect on the public health, safety, morals, and general welfare, as well as to provide for the interest of the property owner.

Sec. 20-1901 Developments Requiring Site Plan

Site plan review procedures shall apply to all proposed uses, except one- and two-family dwellings. Condominium projects, including those involving one- and two-family dwellings shall require site plan review. Site plan review for mobile home parks shall be in accordance with the standards promulgated by the Mobile Home Parks Commission.

Any commercial district that abuts a residential area may require additional set backs and buffers for the health safety and welfare of the residentially zoned area.

Sec. 20-1902 Site Plan Review Requirements

Before any building permit shall be issued, a site plan drawn to a scale of one (1) inch equals twenty (20) feet, and at least two (2) copies of this site plan shall be submitted to the township clerk. Such site plan shall contain the following information:

- (a) Statistical data including: number of dwelling units, size of dwelling units (e.g., one-bedroom, two-bedroom, and three-bedroom), if any, and total gross acreage involved. In all other cases, the location, type, horsepower, fuel, dimensions and other data of all machinery to be used on the proposed site.
- (b) The location of principal and accessory buildings on the lot and the relationship of each structure to the other.
- (c) Vehicular traffic and pedestrian circulation features within and without the site.
- (d) The location and dimensions of all off-street parking areas including maneuvering lanes, service lanes, off-street loading spaces and other service areas within the development.
- (e) The location, dimensions and proposed use of all on-site recreation areas, if any.
- (f) The location of all proposed landscaping, fences or walls.
- (g) The height and dimensions of all structures.

- (h) Front, rear and side elevations of any typical structure proposed for development.
- (i) The location and capacity of private or public water and sanitary services and solid waste disposal facilities servicing the site.
- (j) The locations, dimensions and lighting of all signs.
- (k) The location, intensity and orientation of all lighting.
- (l) A location map indicating the relationship of the site to the surrounding land use for an area of not less than one (1) square mile.
- (m) A physiographic map showing the natural topography, the soil types, and suitability for intended use, natural features such as wood lots, lakes, drains, streams, and ditches, and surface coverage data (such as paved areas and structures) related to storm water runoff characteristics.
- (n) The site plan shall be sealed by a professional engineer, architect, landscape architect or community planner.
- (o) Location and size of interior and exterior areas and structures to be used for storage use, loading/unloading, recycling, or disposal of hazardous substances.
- (p) Location of all underground and above ground storage tanks for such uses as fuel storage, waste oil holding tanks, chemical storage, hazardous waste storage, collection of contaminated storm water or wash water, and all similar uses.
- (q) Location of exterior drains, dry wells, catch basins, retention/detention areas, sumps and other facilities designed to collect, store to transport storm water or waste water. The point of discharge for all drains and pipes shall be specified on the site plan.
- (r) Delineation of areas on the site which are known or suspected to be contaminated, together with a report on the status of site cleanup.
- (s) Submission of the "Hazardous Substances Reporting Form for Site Plan Review."
- (t) Submission of the "State/County Environmental Permits Checklist."
- (u) 100 year floodplain.
- (v) Topographic lines at 1' intervals.
- (w) Proposed and existing utilities including water, sewer, storm sewer and lighting.
- (x) Driveway location.

(y) Current zoning of parcel and if the proposed use is not permitted in the district the parcel is zoned, an indication as to the proposed zoning. (Amended by adoption July 25, 2002)

(z) Statement on the plan as to whether wetlands exist on the site. (Added by adoption July 25, 2002)

Sec. 20-1903 Site Plan Review Procedures

Amended by adoption July 25, 2002

The site plan review process is intended to allow the Township the opportunity to review a proposed development prior to its construction, to determine compliance with the requirements of this Ordinance.

(a) Step One – preliminary site plan review – The applicant shall submit a complete site plan to the Zoning Administrator at least fifteen (15) days prior to the Planning Commission meeting. The Zoning Administrator shall submit one copy to any Township or State official as determined by the Planning Commission. In those instances where the Zoning Administrator or Planning Commission determines it necessary, the Township will submit a site plan for review by professional consultants. The applicant shall be responsible for reimbursing the Township for the cost of this review. Fees charged to the applicant must be paid prior to the issuance of a building permit for the site. The Planning Commission shall review the site plan to determine whether all required information is included, as well as identify any issues or concerns associated with the preliminary site plan. The Planning Commission shall then direct the applicant to submit a site plan which considers the Planning Commission preliminary review comments for final review.

(b) Step Two – final site plan review

(1) The Planning Commission shall review the site plan to determine its compliance with the requirements of this Ordinance, any conditions attached during preliminary review and proof of approval from all county, state and federal departments or agencies. Following their review of the site plan, the Planning Commission shall do one of the the following:

- (a) Approve the site plan.
- (b) Approve the site plan with conditions.
- (c) Postpone the decision on the site plan pending required additional information.
- (d) Deny the site plan.

(2) Record of review – A record of the decision shall be filed with the Township Clerk, including:

- (a) A copy of the submitted site plan, signed by both the applicant and the Zoning Administrator.
- (b) A copy of any meeting minutes related to the site plan.
- (c) A copy of any other relevant records related to the site plan.

(c) Construction observation – During the installation of all public utilities and township approved private infrastructure such as private roads and retention/detention basins, construction observation services will be provided by the Township Engineer or other appropriate owners representative such as the Genesee County Road Commission or Water and Waste Services. All costs will be paid by the applicant. The improvements that are to have construction observation services provided will be identified during final site plan approval.

(d) As-Builts – As-built drawings shall be provided to the township of all improvements requiring construction observation, unless determined unnecessary by the Planning Commission. A Certificate of Occupancy shall not be issued on a development until as-builts have been provided as required.

(e) Any disapproval of a site plan by the Planning Commission may be appealed to the Township Board of Zoning Appeals under provisions of Section 20-2209.

Sec. 20-1903 Approval

Site plans that contain the information required by the foregoing subsections and are in compliance with the ordinance standards and with modifications imposed by the Planning Commission as well as other applicable ordinances and state and federal statutes and agencies shall be approved. Site plans designed or constructed in non-compliance with requirements of other local, county, state or federal agencies are a violation of the approved site plan and the Township reserves the right to take enforcement action where such action is not preempted by state or federal law. Mobile home site plans meeting the criteria in Section 20-40 and the requirements of the Michigan Mobile Home Commission shall be approved.

Sec. 20-1904 Conditions

The modifications imposed by the commission may include those conditions necessary to ensure the public services and facilities affected by a proposed planned use or activity will be capable of accommodating increased service and facility loads used by the land use or activity, to protect the natural environment and conserve natural resources and energy, to ensure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner. The Planning Commission shall not have the authority to impose conditions upon mobile home park plans. These modifications and conditions imposed shall meet all of the following requirements:

- (a) Be designed to protect the 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.
- (b) Be related to the valid exercise of the police power and purposes which are affected by the proposed use or activity.
- (c) Be necessary to meet the intent and purpose of the zoning ordinance, be related to the standards established in the ordinance for the land use or activity under consideration, and be necessary to ensure compliance with those standards.

Sec. 20-1905 Performance Guarantee

To ensure compliance with this zoning ordinance and any conditions imposed thereunder, the commission may require that a cash deposit, certified check, irrevocable bank letter of credit, or surety bond acceptable to the township, covering the estimated costs of improvements associated with the project for which site plan approval is sought be deposited with the clerk of the township to ensure faithful completion of the improvements. The performance guarantee shall be deposited at the time of the issuance of the permit authorizing the activity or project. When a performance guarantee of this kind is required, the Planning Commission shall at the time of the imposition of this condition, establish procedures whereby a rebate of any portion of the deposit is made in reasonable proportion to the ratio of work completed on the required improvements as work progresses. The Planning Commission shall not require a cash deposit, certified check, irrevocable bank letter of credit, or surety bond as part of the review of a mobile home park site plan.

Sec. 20-1906 Approval

The site plan contains information required by the foregoing subsection is in compliance with the ordinance standards and complies with the modifications imposed by the commission, as well as other applicable ordinances, and state and federal statutes, shall be approved. Mobile home park site plans meeting the criteria in Section 20-40 and the requirements of the Michigan Mobile Home Parks Commission shall be approved.

Sec. 20-1907 Standards for Approval

All site plan reviews shall use the following set of standards to judge whether the plan should be approved or denied.

(a) Off Site Improvements. No off site improvements can be required as a condition for site approval, unless the applicant has volunteered to construct such improvements as documented by their site plan drawing. However, if the lack of such off site improvements will create unacceptable conditions, said lack is sufficient justification for denial of a site plan.

(b) District Regulations The project must comply with the applicable district regulation regarding use, dimensions, off street parking and any other aspects of development.

(c) Special Use Standards If the site plan review is being conducted for a proposed Special Land Use Permit, any Special Use Standards relating to the use must also be satisfied.

(d) Transportation Transportation facilities serving the parcel must be sufficient to provide safe and efficient access to the parcel and circulation within it. Consideration shall be given to roads rights of way, surface type, number of lanes, driveway design and location, vehicular circulation within the parcel, parking, snow removal from transportation facilities, pedestrian circulation, emergency vehicle access, and accessibility for handicapped persons. When the adequacy of public road service to the parcel is questioned, the input of the Genesee County Road Commission shall be

sought. All parking areas shall be adequately screened to minimize headlight glare from shining onto adjacent property.

(e) Utilities Public utilities, including water, sewer and storm drainage facilities, must be adequate to serve the proposed use or sufficient provisions shall be made to provide these services on site. Private utility services, including electricity, telephone and natural gas, must be sufficient to serve the needs of the project. When the adequacy of any public utility service to the site is in question, the input of the appropriate public utility provider shall be sought.

(f) Fire Protection The proposed project must comply with applicable fire safety regulations. Also, current fire department personnel and equipment must be sufficient to serve the project or sufficient provisions shall be made to provide these services. Finally, location number and capacity of fire hydrants, if applicable, must be adequate to serve fire suppression needs.

(g) Environment Natural features of the landscape should be retained whenever practicable to serve as a buffer between the project and adjoining properties or help to control erosion, contain storm water runoff, absorb noise, deflect wind currents, reduce glare or otherwise benefit the general health, safety or appearance of the neighborhood. Any buildings, fences, lighting, vegetation or other features that are introduced into the landscape should be designed to complement the site's surrounding environment and enhance the positive features of the project. The site will be developed with the goal of controlling any negative impacts the project might have, such as noise, smoke, vibration, odor, glare, heat or dust so that they will not be discernible beyond the property boundaries. Further, projects shall fully adhere to applicable environmental regulations promulgated by the Michigan Department of Natural Resources, Genesee County Health Department or other agencies. In addition:

- (1) Sites at which hazardous substances are stored, used or generated shall be designed to prevent spills and discharges to the air, surface of the ground, ground water, lakes, streams, rivers or wetlands.
- (2) Secondary containment for above ground areas where hazardous substances are stored or used shall be provided. Secondary containment shall be sufficient to store the substance for the maximum anticipated period of time necessary for the recovery of any released substance.
- (3) General purpose floor drains shall only be allowed if they are approved by the responsible agency for connection to a public sewer system, an on-site closed holding tank (not a septic system), or regulated through a State of Michigan ground water discharge permit.
- (4) State and federal agency requirements for storage, spill prevention, record keeping, emergency response, transport and disposal of hazardous substances shall be met. No discharges to ground water, including direct and indirect discharges, shall be allowed without required permits and approvals.

(h) Consistency With Ordinance Intent. The site plan should be generally consistent with the purpose and objectives of this ordinance and with the purpose of the Zoning District in which the subject parcel is located.