

CHAPTER 14 SITE PLAN REVIEW

SECTION 14.01 PURPOSE

The purpose of this Chapter is to provide for consultation and cooperation between the applicant and the Planning Commission in order that the applicant may realize planned objectives in the use of land within the regulations of this Zoning Ordinance. It is also intended to ensure that the development be completed with minimum adverse effect on the use of adjacent streets and highways, and on the existing and future uses and the environment in the general vicinity.

SECTION 14.02 SITE PLANS REVIEWED

In accordance with the provisions of this Chapter, the Planning Commission shall be furnished a Site Plan of the proposed development prior to the creation of a use or the erection of a building in the Districts and conditions cited below:

- A. All Permitted Uses within any District which includes the construction of a building addition with an enclosed floor area greater than 25 percent (25%) of the existing enclosed building floor area, and/or construction of a new building or structure with an enclosed floor area of three thousand (3,000) square feet or greater, except for single family detached dwellings (unless part of C, below), farms, including roadside stands in the AP District, state licensed residential family care facilities, family day care homes, and home occupations.
- B. Special Land Uses in all Zoning Districts.
- C. Developments or land divisions including site condominiums containing six (6) or more lots in any district.

SECTION 14.03 APPLICATION

- A. Site plans, a completed application form, and an application fee shall be submitted to the Zoning Administrator by the petitioner or his designated agent at least fourteen (14) days prior to the next regular Planning Commission meeting. The Zoning Administrator shall cause the submittal to be placed on the agenda of the next regular Planning Commission meeting.
- B. An application for either a Preliminary or Final Site Plan Review shall consist of the following:

1. Ten (10) copies of the Preliminary or Final Site Plan.
2. A completed application form, as provided by the Township.
3. Payment of a fee, in accordance with a fee schedule, as determined by the Township Board from time to time. Such fee shall be for the purpose of payment for the administrative costs and services expended by the Township in the implementation of this Chapter and the processing and review of the application. Such fee may be used to reimburse another party retained by the Township to provide expert consultation and advice regarding the application. No part of such fee shall be returnable.
4. A legal description, including permanent parcel number, of the entire property which is the subject of the Site Plan Review.
5. Other materials as required in this Chapter.

SECTION 14.04 SITE PLAN REVIEW REQUIREMENTS

A. Preliminary Site Plan Review

1. If desired by the applicant, a preliminary site plan may be submitted for review by the Planning Commission prior to final site plan submittal. The purpose of such 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 plans shall include the following, unless deemed unnecessary by the Zoning Administrator.
 - a. Small scale sketch of properties, streets and use of land within one half (1/2) mile of the area, including the zoning of surrounding property.
 - b. Ten (10) copies of a site plan at a scale not to exceed one (1) inch equals one hundred (100) feet (1" = 100'). The following items shall be shown on the plan:
 - (1) Existing adjacent streets and proposed streets.
 - (2) Lot lines and approximate dimensions.
 - (3) Parking lots and access points.
 - (4) Proposed buffer strips or screening.
 - (5) Significant natural features; and other natural



characteristics, including but not limited to open space, stands of trees, brooks, ponds, floodplains, hills, and similar natural assets.

- (6) Areas of active agricultural activity.
 - (7) Location of any signs not attached to the building.
 - (8) Existing and proposed buildings.
 - (9) General topographical features including contour intervals no greater than ten (10) feet.
 - (10) All buildings and driveways within one hundred (100) feet of all property lines.
- c. A narrative (shown on the site plan or submitted separately) describing in general terms:
- (1) The overall objectives of the proposed development.
 - (2) Approximate number of acres allocated to each proposed use and gross area in building, structures, parking, public and/or private streets and drives, and open space.
 - (3) Dwelling unit densities by type, if applicable.
 - (4) Proposed method of providing sewer and water service, as well as other public and private utilities
 - (5) Proposed method of providing storm drainage.
3. The Planning Commission shall review the preliminary site plan and make such recommendations to the applicant that will cause the plan to be in conformance with the review standards required by this article. 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

If desired by the applicant, ten (10) copies of a final site plan prepared by a professional competent in such matters may be submitted for review without first receiving approval of a preliminary site plan. Applications for final site plan reviews shall include the following information, unless deemed unnecessary by the Zoning Administrator:

- 1. The date, north arrow, and scale. The scale shall be not less than 1"=20' for property under three (3) acres and at least 1"=100' for those three (3) acres or more.

2. The seal, name, and firm address of the professional individual responsible for the preparation of the site plan, if required by the Planning Commission.
3. The name and address of the property owner or petitioner.
4. A location sketch.
5. Legal description of the subject property.
6. The 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 and/or private streets and drives, and open space.
7. Property lines and required setbacks shown and dimensioned.
8. The location of all existing structures, driveways, and parking areas within one hundred (100) feet of the subject property's boundary.
9. The location and dimensions of all existing and proposed structures on the subject property including dwelling unit densities by type, if applicable.

10. The location of 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), and unloading areas.
11. The location, pavement width and right-of-way width of all roads, streets, and access easements within one hundred (100) feet of the subject property.
12. The existing zoning and use of all properties abutting the subject property.
13. The location, type, and size of all proposed landscaping or buffer areas, and the location, height and type of existing and proposed fences and walls.
14. Significant natural features; and other natural characteristics, including but not limited to open space, stands of trees, brooks, ponds, floodplains, hills, and similar natural assets.
15. Areas of active agricultural activity within one-hundred (100) feet of the subject property.
16. Size and location of existing and proposed utilities, including any proposed connections to public, or private community sewer or water supply systems.
17. The location and size of all surface water drainage facilities.



18. Existing and proposed topographic contours at a minimum of five (5) foot intervals.
19. Recreation areas, common use areas, flood plain areas and areas to be conveyed for public use and purpose.

SECTION 14.05 FINAL SITE PLAN REVIEW PROCEDURES

A. Public Information Meeting

1. Upon receipt of a valid application for a Final Site Plan Review, the Planning Commission shall hold a public information meeting for the purpose of receiving comments relative to the Site Plan Review application.
2. Notice of the public information meeting for the Final Site Plan Review shall be given in accordance with the following requirements:
 - a. A written notice of the public information meeting shall be sent by mail or personal delivery to the owners of property for which approval is being considered and to all persons to whom real property is assessed within three-hundred (300) feet of the boundary of the property in question.
 - b. Such notice shall be given not less than five (5) and not more than fifteen (15) days before the application will be considered.
 - c. The notice shall describe the nature of the site plan review request, indicate the property which is the subject of the site plan review request, state when and where the site plan review request will be considered, and indicate where and when written comments will be received concerning the request.

- B.** The Planning Commission, prior to granting approval of a Final Site Plan, may request from the applicant any additional graphics or written materials, prepared by a qualified person or persons, to assist in determining the appropriateness of the site plan. Such material may include, but need not be limited to, aerial photography, photographs;

traffic impacts; impact on significant natural features and drainage; soil tests; and other pertinent information.

- C. The Planning Commission shall have the responsibility and authorization to approve, disapprove, or approve subject to conditions, the site plan, in accordance with the provisions of this Chapter and the purposes of this Ordinance. Where a site plan for a Special Land Use is under consideration, the Planning Commission shall recommend approval, denial, or approval with conditions of the Final Site Plan to the Township Board. The Township Board shall review the Final Site Plan and approve, approve with conditions, or deny the Final Site Plan based on the purposes, objectives and requirements of this Ordinance, and specifically, the standards of Section 14.08.
- D. Any conditions or modifications desired by the Planning Commission or the Township Board shall be recorded in the minutes.
- E. Three (3) copies of the final approved site plan shall be signed and dated by the Secretary of the Planning Commission or Township Board and the applicant. One (1) of these approved copies shall be kept on file by the Township Clerk, one (1) shall be kept on file by the Zoning Administrator, and one (1) shall be returned to the petitioner or his designated representative.
- F. Each development shall be 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 one (1) six (6) month extension of such time period, provided the applicant requests, in writing, an extension prior to the date of the expiration of the site plan.
 - 2. The extension shall be approved if the applicant presents reasonable evidence to the effect that said 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 six (6) month extension has expired prior to construction, the site plan approval shall be null and void.

SECTION 14.06 REVIEW STANDARDS

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 judgment concerning them. These standards shall not be regarded as inflexible requirements. They are not intended to discourage creativity, invention, or innovation.



- A. The uses proposed will not adversely affect the public health, safety, or welfare. 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.
- B. Safe, convenient, uncontested, 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.
- C. 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 Pine Township.
- D. 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. In addition, The Planning Commission may require that landscaping, buffers, and/or greenbelts be preserved and/or provided to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property.
- E. The uses proposed shall be sensitive to the activities of agricultural production in the Township. The Planning Commission may require that landscaping, buffers, and/or greenbelts be preserved and/or provided to ensure that proposed uses will be adequately buffered from agricultural activities.
- F. 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.
- G. The site plan shall provide reasonable visual and sound privacy for all dwelling units located therein, and adjacent thereto. Fences, walls, barriers, and landscaping shall be used, as appropriate, to accomplish these purposes.

- H. All buildings and groups of buildings shall be arranged so as to permit necessary emergency vehicle access.
- I. All streets and driveways shall be developed in accordance with the Township Subdivision Control Ordinance, the Montcalm County Road Commission, or Michigan Department of Transportation specifications, as appropriate, unless developed as a private road in accordance with the requirements for private roads in this Ordinance. The Planning Commission may impose more stringent requirements than those for the Road Commission or Department of Transportation with respect to driveway location and spacing. In addition, sidewalks may be required if determined to be necessary or appropriate for pedestrians and non-motorized vehicles.
- J. Appropriate measures shall be taken to ensure that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Provisions shall be made to accommodate stormwater, prevent erosion and the formation of dust. The use of detention/retention ponds may be required. 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. Catch basins may be required to contain oil filters or traps to prevent contaminants from being discharged to the natural drainage system.
- K. 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 and preserve the rural character of the Township.
- L. 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 by a vertical screen consisting of structural or plant materials no less than six (6) feet in height. The finished side of any wall, fence, or other screen shall face adjacent properties.
- M. 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 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.

- N. Site plans shall conform to all applicable requirements of County, State, Federal, and Township statutes and ordinances. Approval may be conditioned on the applicant receiving necessary County, State, Federal, and Township permits before final site plan approval or an occupancy permit is granted.

- O. 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.

- P. The general purposes and spirit of this Ordinance and the Master Plan of Pine Township shall be maintained.

SECTION 14.07 CONDITIONS OF APPROVAL

- A. As part of an approval to any site plan, the Planning Commission or in the case of a Special Land Use, the Township Board, as applicable, may impose any additional conditions or limitations as in their judgment may be necessary for protection of the public interest.

- B. Such conditions shall be related to and ensure that the review standards of this Chapter are met.

- 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.

- D. 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.

- E. A record of the decision of the Planning Commission or the Township Board, the reason for the decision reached, and any conditions attached to such decision shall be kept and made a part of the minutes of the Planning Commission and the Township Board.

- F. The Zoning Administrator may make periodic investigations of developments for which site plans have been approved. Non-compliance with the requirements and conditions of the approved

site plan shall be considered violations of this Ordinance.

SECTION 14.08 APPROVED SITE PLANS

- A. Upon approval of the Preliminary and Final Site Plans, the Chairman of the Planning Commission shall sign two (2) copies thereof. One (1) signed copy shall be made a part of the Commission's files and one (1) copy shall be returned to the applicant. Upon approval of the Final Site Plan by the Township Board, the Township Supervisor, or the Township Board member acting as Chairman for the meeting, shall sign three (3) copies thereof. One (1) signed copy shall be made a part of the Township's files; one (1) shall be forwarded to the Building Inspector for issuance of a building permit; and one (1) copy shall be returned to the applicant. (10-19-93)
- B. Each development shall be under construction within one (1) year after the date of approval of the Final Site Plan by the Township Board, except as noted below.
1. The Planning Commission may grant one (1) six (6) month extension provided the applicant applies for such extension prior to the date of the expiration of the Final Site Plan.
 2. The extension shall be approved if the applicant presents reasonable evidence to the effect that said development has encountered unforeseen difficulties beyond the control of the applicant, but is then ready to proceed.
 3. Should neither of the aforementioned provisions be fulfilled or a six (6) month extension has expired without construction underway, the Final Site Plan approval shall be null and void.
- C. Amendments to an approved Final Site Plan may occur only under the following circumstances:
1. The holder of a valid Final Site Plan shall notify the Zoning Administrator of any proposed amendment to such approved site plan.
 2. Minor changes may be approved by the Zoning Administrator upon certification in writing to the Township Board that the proposed revision does not alter the basic design nor any specified conditions of the plan as agreed upon by the Township Board. In considering such a determination, the Zoning Administrator shall consider the following to be a minor change:



- a. Reduction of the size of any building and/or sign.
 - b. Movement of buildings and/or signs by no more than ten (10) feet.
 - c. Plantings approved in the site plan landscape plan may be replaced by similar types of landscaping on a one-to-one or greater basis.
 - d. Changes of building materials to a higher quality, as determined by the Zoning Administrator.
 - e. Changes in floor plans which do not alter the character of the use.
 - f. Internal rearrangement of a parking lot which does not affect the number of parking spaces or alter access locations or design.
 - g. Changes required or requested by the Township for safety reasons shall be considered a minor change.
3. Should the Zoning Administrator determine that the requested modification to the approved site plan is not minor, resubmission to the Planning Commission for an amendment shall be required and conducted in the same manner as an original application.

SECTION 14.09 CHANGES IN THE APPROVED SITE PLAN

Changes to the approved site plan shall be permitted only under the following circumstances:

- A. The holder of an approved site plan shall notify the Zoning Administrator of any proposed change to an approved site plan.
- B. Minor changes may be approved by the Zoning Administrator upon determining that the proposed revision(s) will not alter the basic design nor any specified conditions imposed as part of the original approval. Minor changes shall include the following:
 1. Change in the building size, up to five percent (5%) in total floor area.
 2. Movement of buildings or other structures by no more than ten (10) feet.
 3. Replacement of plant material specified in the landscape plan with comparable materials of an equal or greater size.
 4. Changes in building materials to a comparable or higher quality.
 5. Changes in floor plans which do not alter the character of the



use.

6. Changes required or requested by the Township, the Montcalm County Road Commission, or other County, State, or Federal regulatory agency in order to conform to other laws or regulations.
- 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.

SECTION 14.10 PLAT REQUIREMENTS

In those instances in which Act 87 of 1997, including any amendments thereto, the Land Division Act (also referred to as the Subdivision Control Act), is involved, the owner shall, after Site Plan approval, submit the preliminary and final plats to the proper officer in conformance with Act 87, and in accordance with all other applicable codes, acts and ordinances. Such plats shall remain in conformance with the approved Site Plan.

SECTION 14.11 APPEAL

If any person shall be aggrieved by an action of the Planning Commission or Township Board, appeal in writing to the Township Board of Appeals may be taken within twenty-one (21) days after the date of such action. The Board of Appeals shall fix a time and place for a public hearing to be published in a newspaper prior to the hearing. All interested parties shall be afforded the opportunity to be heard thereat. After such hearing, the Board of Appeals shall affirm or reverse the action of the Planning Commission, stating its findings and the reasons for its action and a written copy of such findings, reasons, and action shall be given to the appellant.