

## **CHAPTER 19**

### **SITE PLAN REVIEW**

**SECTION 19.01 PURPOSE.** The purposes of Site Plan Review are to determine compliance with the provisions of this Ordinance, to promote the orderly development of the Township, to prevent the depreciation of land values through uses or structures which do not give proper attention to site design and layout and to provide consultation and cooperation between the applicant and Township Zoning Officials so that applicants may accomplish their objectives in the utilization of their land within the regulations of this Zoning Ordinance.

**SECTION 19.02 SCOPE.** A site plan as defined in Chapter 3 and described herein shall be submitted for review according to the standards and procedures of this chapter for all proposed land uses except the following:

- (a) Single family and two family dwelling units on individual lots, unless regulated as a Special Land Use.
- (b) Residential and agricultural accessory buildings, not classified as Special Land Uses.
- (c) Construction on or remodeling of an existing permitted use or structure that does not involve a site change or an exterior structural modification or a new driveway access.
- (d) A detached commercial or industrial accessory building or structure which does not exceed 768 square feet of gross floor area and which does not require or involve a principal use approved as a Special Land Use.
- (e) New parking lots with fewer than six (6) car spaces or 1,800 square feet of surface and no additional curb cuts.

**SECTION 19.03 REVIEW PROCEDURE AND AUTHORIZATION.** All site plans required under this Chapter shall be subject to review as follows:

- (a) Site Plan Review Authority: The Zoning Administrator shall have the power to approve, deny, modify or approve with conditions all site plans submitted to it under this Ordinance. A building permit shall not be permitted until a site plan has been approved as required herein.
- (b) Review Period: The Zoning Administrator shall render a decision on a site plan within sixty five (65) days of initial review of the site plan, unless an extension of time is agreed to by the applicant.
- (d) Review Criteria: The Zoning Administrator shall review each site plan according to the standards for site plan review as contained in Section 19.07 of this chapter and any other applicable regulations of this Ordinance. In addition, the Zoning administrator is empowered to seek the review and recommendation of appropriate county, state or federal agencies, the Township Planner, consulting engineer or other professionals, consultants, or agencies as deemed necessary to assist it in its review.

- (e) Approval: Upon approval of a site plan, three copies of the plan shall be signed and dated by the Zoning Administrator. One copy of the plan shall be retained by the applicant, one by the Zoning Administrator and one shall be forwarded by the Zoning Administrator to the building official as part of the building permit review process.
- (f) Effect of Approval: Approval of a final site plan represents an official determination of zoning compliance and authorizes the commencement of all permitted activities and/or the issuance of a building permit, provided all conditions of the site plan and all other requirements for the activity and/or building permit have been met as determined by the Zoning Administrator.

**SECTION 19.04 REFERRAL TO FULL PLANNING COMMISSION.** Notwithstanding any other provision of this Chapter, The Zoning Administrator may, in his or her discretion, decline to approve or disapprove any site plan and refer the site plan to the full Planning Commission for review and decision. In such case the full Planning Commission shall perform all duties of the Zoning Administrator set forth in this Chapter.

**SECTION 19.05 OPTIONAL SKETCH PLAN REVIEW.** Preliminary sketches of proposed site and development plans may be submitted for informal review to the Zoning Administrator and Planning Commission prior to an application for a formal site plan review and decision. The purpose of this procedure is to allow discussion between a developer and Township officials to better inform the developer of the acceptability of his proposed plans prior to incurring extensive engineering and other costs which might be necessary for formal Site Plan approval. Such sketch plans shall include as a minimum the following:

- (a) The name and address of the applicant or developer, including the names and addresses of any officers of a corporation or the partners of a partnership, and the name and address of the titleholder of the property.
- (b) A legal description of the property.
- (c) Sketch or tentative site and development drawings showing approximate dimensions and the relationships between uses and general descriptions of other pertinent site features and improvements .

The Zoning Administrator or Planning Commission shall not be bound by any affirmative response given at this time.

**SECTION 19.06 APPLICATION AND SITE PLAN CONTENT.** Applications for Final Site Plan Review shall be made by filing with the Township Clerk the following:

- (a) A review fee as determined by resolution of the Township Board based upon the cost of processing the review and as shall be on file with the Township Clerk for public information.
- (b) Six (6) copies of the completed application form for Site Plan Review which shall contain, the following information unless such information has been expressly waived by the Zoning Administrator using the discretionary authority granted to him or her under in sub-section 19.06(d):

- (1) The name and address of the applicant and the title holder of the property.
  - (2) The legal description of the subject parcel of land.
  - (3) The area of the subject parcel of land stated in acres or, if less than one acre, in square feet.
  - (4) The present zoning classification of the subject parcel.
  - (5) A general description of the proposed development.
- (c) Six (6) copies of the proposed site plan which shall include - the following:
- (1) The plan shall be drawn to a scale of not greater than one inch equals twenty feet for a development of not more than three acres and a scale of not less than one inch equals one hundred feet for a development in excess of three acres.
  - (2) The plan shall show an appropriate descriptive legend, north arrow, scale, date of preparation and the name and address of the individual or firm preparing the same.
  - (3) The subject property shall be identified by lot lines and general location, together with dimensions, angles and size correlated with the legal description of the property.
  - (4) The topography of the site with at least 2-foot contour intervals and all natural features such as wood lots, streams, rivers, lakes, wetlands, unstable soils and similar features being shown.
  - (5) Existing man-made features upon the site and within 100 feet of the same shall be disclosed.
  - (6) The location, proposed finished floor and grade line elevations, size of proposed main and accessory buildings, the relationship of buildings to one another and to any existing structures on the site, the height of all buildings and square footage of floor space therein shall be disclosed. Site plans for multiple family residential development shall also include a density schedule showing the number of dwelling units per net acre, including a dwelling schedule showing the unit type and number of each such units.
  - (7) All proposed and existing streets, driveways, sidewalks and other vehicle or pedestrian circulation features upon and adjacent to the site shall be shown, together with the location, size and number of parking spaces in off-street parking areas, service lanes thereto and service parking and delivery or loading areas.
  - (8) The location, use and size of open spaces, together with landscaping, screening, fencing, walls and proposed alterations of topography or other natural features shall be indicated.
  - (9) The proposed operations on the site shall be described in sufficient detail to indicate the effect, if any, upon adjoining lands and its occupants, together with any special features which are proposed to relieve any adverse effects caused by the operations. Any potential demands for future community services will also be

described, together with any special features which will assist in satisfying such demands.

- (10) Any earth-change plans required by state law shall also be submitted with the application.
- (11) On-site lighting, surface water drainage for the site and proposed sanitary sewage disposal and water supply shall be included in the plans.
- (12) Other information as may be determined to be necessary by the Zoning Administrator as reasonably necessary to evaluate the site plan may be requested including, but not be limited to:
  - a. The proposed locations and approximate dimensions and duration of temporary soil stockpiles and the proposed location of temporary access drives, and staging areas for use in the construction phase.
  - b. Proposed temporary and permanent soil erosion and sedimentation controls
  - c. An exterior lighting plan including a photometric grid showing illumination levels from all exterior light sources on the site including but not limited to parking lot fixtures, signs and building lighting
- (d) At the time of initial review the Zoning Administrator shall have, with proper justification, the discretion to waive the inclusion of any of the information required by this Section, to reject a site plan on the basis of inadequate information, or to withhold a decision on a site plan pending submittal of more detailed information.

**SECTION 19.07 CRITERIA FOR REVIEW.** A site plan shall be approved if it is determined by the official or body charged with making such determination that:

- (a) There is a proper relationship between the existing streets and highways within the vicinity and proposed deceleration lanes, service drives, entrance and exit driveways and parking areas to insure the safety and convenience of pedestrian and vehicular traffic. Special attention shall be given to location and number of access points, general interior circulation, separation of pedestrian and vehicular traffic and arrangement of parking areas that insofar as practical, do not detract from the design of the proposed buildings and structures and the neighboring properties.
- (b) That the buildings and structures proposed to be located upon the premises are so situated as to minimize adverse effects upon owners and occupants of adjacent properties and the environment.
- (c) That as many natural features of the landscape shall be retained as possible where they furnish a barrier or buffer between the project and adjoining properties used for dissimilar purposes, and where they assist in preserving the general appearance of the neighborhood.
- (d) That any adverse effects of the proposed development and activities emanating from the development upon adjoining residents or owners shall be minimized by appropriate

screening, fencing, landscaping, setbacks; and by the location of buildings, structures and entryways.

- (e) The height and location of all portions of the building and structures are accessible to available emergency vehicles and equipment.
- (f) That the plan gives special attention to proper site surface drainage. Storm water shall be drained away from all roofs, canopies and paved areas by means of a suitable on-site stormwater management system so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Surface water in all parking and driveway areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic and will not create puddles in gravel or paved areas.
- (g) That any utility installations remaining above ground shall be located so as to have a harmonious relationship to neighboring properties and the site.
- (h) That the size, location and lighting of all signs shall be consistent with the requirements of this Ordinance and shall be compatible with adjoining properties.
- (i) That outdoor storage areas, exposed machinery installations, service areas, truck loading areas, utility buildings and structures, and similar accessory areas are appropriately authorized under this ordinance and located having appropriate setbacks and are reasonably screened with screen plantings or other screening methods.
- (j) That all applicable provisions of the Township Zoning Ordinance are complied with unless an appropriate variance from the applicable provision has been granted by the Zoning Board of Appeals.

**SECTION 19.08 CONFORMITY TO APPROVED SITE PLAN.** Property which is the subject of site plan approval must be developed in strict compliance with the approved site plan and any amendments thereto which have received the approval of the Zoning Administrator. If construction and development does not conform with the approved plan, the approval shall be revoked by the Zoning Administrator. Written notice of the revocation shall be posted upon the premises involved and mailed to the developer at his last known address. Upon revocation of an approval, all construction activities shall cease upon the site until such time as the violation has been corrected or upon proper application of the developer, the Township Zoning Administrator has approved a modification of the site plan to coincide with the developer's construction or accepted the plans for construction as being in compliance with the criteria contained in the site plan approval provisions and with the spirit, purpose and intent of the Township Zoning Ordinance.

**SECTION 19.09 EXPIRATION AND VALIDITY OF APPROVED SITE PLAN** Approval of the site plan shall be valid for a period of three (3) years, with the possibility of a single three-year extension approved by the planning commission. If a building permit has not been obtained and on-site development actually commenced within the three year period, the site plan approval shall be come void, a new application for site plan approval shall be required and new approval obtained before any construction or earth change is commenced upon the site.

**SECTION 19.10 AMENDMENT TO SITE PLAN.** A site plan may be amended upon application and in accordance with the procedures and requirements provided in Section 19.06. Changes to an approved site plan shall be illustrated on a revised site plan drawing(s) submitted to the Zoning Administrator for purposes of record. The Zoning Administrator or as the case may be, the Planning Commission shall record its determinations and reasons for allowing amendment in the file, or as applicable, in the minutes of the meeting at which the action is taken.

**SECTION 19.11 MODIFICATION OF PLAN DURING CONSTRUCTION.** All site improvements shall conform to the approved site plan. If the applicant makes any changes during construction in the development in relation to the approved site plan, such changes shall be made at the applicant's risk, without any assurances that the Township Officials will approve the changes. It shall be the responsibility of the applicant to notify the Zoning Administrator of any changes. The Zoning Administrator may require the applicant to correct the changes so as to conform to the approved site plan.

**SECTION 19.12 AS-BUILT DRAWINGS.**

- (a) The applicant shall provide as-built drawings of all sanitary sewer, water, and storm sewer lines and all appurtenances which were installed on a site for which a site plan was approved. The drawings shall be submitted to the Zoning Administrator.
- (b) The as-built drawings shall show, but shall not be limited to, such information as the exact size, type and location of pipes; location and size of manholes and catch basins; location and size of valves, fire hydrants, tees and crosses; depth and slopes of retention basins; and location and type of other utility installations. The drawings shall show plan and profile views of all sanitary and storm sewer lines and plan views of all water lines.
- (c) The as-built drawings shall show all work as actually installed and as field verified by a professional engineer or a representative thereof. The drawings shall be identified as "As-Built Drawings" in the title block of each drawing and shall be signed and dated by the owner of the development or the owner's legal representative and shall bear the seal of a professional engineer.

**SECTION 19.13 PHASING OF DEVELOPMENT.** The applicant may divide the proposed development into two or more phases. In such case, the site plan shall show the entire property involved and shall clearly indicate the location, size, and character of each phase. However, complete site plans for all phases of a project need not be provided at once. Subsequent site plans may be submitted for review and approval for each phase as the project proceeds. Each phase of a project shall stand on its own; no phase shall rely on the completion of any subsequent phases of the project for parking, utilities, landscaping or any other element required by this Ordinance.

**SECTION 19.14 PERFORMANCE GUARANTEE.** To ensure faithful completion of the improvements indicated on the approved site plan the Zoning Administrator or Planning Commission may require a performance bond, letter of credit, or certified check in an amount equal to the estimated cost of road, lighting, utility, sidewalk, landscaping, drainage, and other required improvements associated with the project. The estimated amount shall be determined by

the applicant and approved by the Zoning Administrator. The performance guarantee shall be deposited with the Township Clerk at the time of the issuance of the permit authorizing the activity or project. In cases where one or more of the required improvements have not been completed, an appropriate amount of the aforementioned performance guarantee shall be used by the Township to complete the required improvements and the balance, if any, shall be returned to the applicant. Prior to full completion, the Township may rebate a proportional amount of a cash deposit 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.

**SECTION 19.15 FEES.** Fees for the review of site plans and inspections as required by this Chapter shall be established and may be amended by resolution of the Township Board.