

ARTICLE 12 SITE PLAN REVIEW

12.01 INTENT AND PURPOSE

This article establishes standards and requirements for the review and approval, by the Planning Commission, of site plans. As used in this article, a site plan includes the documents and drawings, as specified by this article, that are necessary as a part of the land development review process to ensure that a proposed land use or activity is in compliance with applicable local ordinances and state statutes and is compatible with the character of the surrounding area; the adjacent uses of land; the natural environment; the capacities of public services and facilities; and the public health, safety, and welfare.

The standards and requirements provided by this article shall be in addition to those required elsewhere in this ordinance that are applicable to the use or activity under consideration.

The intent of this article is to provide for consultation and cooperation between the applicant and the Planning Commission in order that the applicant may accomplish their objectives in the utilization of his/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.

12.02 USES REQUIRING SITE PLAN APPROVAL

The construction, reconstruction, extension, enlargement, or movement of the following buildings, structures, and uses shall require site plan approval by the Planning Commission. Site plan review will not be required if no structural or exterior modifications are made to an existing building. The Zoning Administrator shall not issue a zoning permit for any land uses requiring a special land use permit under the Zoning Ordinance, or as required in this ordinance until a site plan has been reviewed and approved by the Planning Commission.

1. Commercial buildings/structures/uses.
2. Industrial buildings/structures/uses.
3. Essential services.
4. Multifamily dwellings (including conversions of single-family dwellings to multi-family).
5. Parking areas containing six or more parking spaces. Any expansion of existing parking areas containing six or more spaces shall require a site plan review, if the

parking area is within 100 feet of any residential district or if the ingress/egress or any other traffic circulation modifications are made.

6. Site condominium subdivisions, platted subdivisions, and land division developments.
7. Special land uses.

If an existing permitted land use is changed to another permitted land use that requires additional parking according to the “Schedule of Parking Requirements,” such additional parking shall be required, and site plan approval from the Planning Commission shall also be required.

12.03 APPLICATION PROCEDURES

An application for site plan review, and either a preliminary or final site plan, shall be submitted 21 days prior to 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. Incomplete applications will not be forwarded for consideration.

12.04 PRELIMINARY PLAN REVIEW

Preliminary plan review is voluntary and not mandatory. Preliminary sketches of proposed site and development plans may be submitted for review prior to final site plan submittal. The purpose of such procedure is to allow discussion between the applicant and the Village to better inform the applicant of the acceptability of the proposed plan prior to incurring extensive engineering and other costs which might be necessary for final site plan approval. Such plans shall include the following as deemed necessary by the Zoning Administrator:

1. Legal description of the property.
2. A small-scale sketch of properties, streets, and use of land within ½ mile of the area.
3. A generalized map showing any existing or proposed arrangement of:
 - a. Streets.
 - b. Lots.
 - c. Access points.

- d. Other transportation arrangement.
- e. Buffer strips screening.
- f. Natural characteristics, including but not limited to, open space, stands of trees, brooks, ponds, flood plains, hills, dune classifications, dune crests, and similar natural assets.
- g. Signs - location and lighting.
- h. Buildings.

A narrative describing:

- a. The overall objectives of the proposed development.
- b. 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.
- c. Dwelling unit densities by type.
- d. Proposed method of providing sewer and water service, as well as other public and private utilities. For septic systems also indicate location of reserve drain field.
- e. Proposed method of providing storm drainage.
- f. Proposed method of re-vegetating open sand areas, both preexisting and newly created, to a stable condition.

In addition to the above, the applicant shall submit the required site plan review fee as established by the Village Council.

12.05 REVIEW OF PRELIMINARY SITE PLAN

The Zoning Administrator will review the preliminary site plan and make recommendations to the Planning Commission. The Zoning Administrator may request review comments from other Village officials such as police chief, fire chief, Village engineer, and assessor, and base his recommendations on their comments as well as the purposes, objectives, and requirements in this Ordinance, and specifically, the following considerations when applicable:

1. 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.
2. 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.
3. Sewer, water, and storm drainage with reference to locations, availability, and compatibility.
4. Screening and buffering with reference to type, dimensions, and character.
5. Signs, if any and their proposed lighting relative to glare, traffic safety, economic effect, and compatibility and harmony with adjoining properties.
6. Required yards.
7. General compatibility with adjacent properties.
8. The general purposes and spirit of this ordinance and the Village Master Plan.

12.06 FINAL SITE PLAN REVIEW

Final site plan review is mandatory. Preliminary sketches of proposed site and development plans may be submitted for review prior to final site plan submittal as provided above. Final site plans shall contain the following information:

1. The date, north arrow, and scale. The scale shall be at least 1 inch=20 feet for property less than 3 acres, and 1 inch=100 feet for those properties that are 3 acres or more.
2. The name and address of the individual or firm responsible for the preparation of the site plan.
3. The name and address of the property owner or petitioner.
4. A location sketch drawn to scale.
5. Existing information as required in Article 12.07.
6. Proposed information as required in Article 12.08.

12.07 EXISTING INFORMATION

The following existing information must be shown and properly dimensioned:

1. All lot and/or property lines, including building setback lines on corner lots.
2. The location and height of all existing structures on and within 100 feet of the subject property's boundary.
3. The location and dimensions of all existing drives, sidewalks, curb openings, signs, exterior lighting, curbing, parking areas (show dimensions of a typical parking space), unloading areas, recreational areas, common use areas, and areas for public use and purpose.
4. The location, pavement width, and right-of-way width of all abutting roads, streets, alleys, or easements.
5. The location, height, and types of fences, walls, and landscaping.
6. The location, extent, and character of all utilities, including connections to public sewer, water, or storm drainage systems.
7. The location, extent, and character of all surface water drainage facilities.
8. Where elevation changes are proposed, contour intervals shall be shown at 2-foot intervals for slopes 10 percent and under and 5-foot intervals for slopes more than 10 percent. Topography, however, may be required on all site plans at the discretion of the Planning Commission.

12.08 PROPOSED INFORMATION

The following proposed information must be shown and properly dimensioned:

1. The location and height of all proposed structures on and within 100 feet of the subject property's boundary.
2. The location and dimensions of all proposed drives, sidewalks, curb openings, signs, exterior lighting, curbing, parking areas (show dimensions of a typical parking space), unloading areas, recreational areas, common use areas, and areas to be conveyed for public use and purpose.
3. The location, pavement width, and right-of-way width of all proposed roads, streets, alleys, or easements.
4. Proposed zoning changes for the subject property or abutting properties.

5. The proposed location, height, and types of fences, walls, and landscaping.
6. The proposed location, extent, and character of all utilities, including proposed connections to public sewer or water systems.
7. All proposed surface water drainage facilities.
8. Proposed contour intervals shall be shown at 2-foot intervals for slopes 10 percent or less and 5-foot intervals for slopes more than 10 percent.

12.09 REVIEW PROCEDURE

The proposed site plan shall be submitted in six (6) copies to the Zoning Administrator, who shall keep one copy and deliver five (5) copies to the secretary of the Planning Commission.

Within sixty (60) days of its submittal to the Zoning Administrator, the Planning Commission shall review the site plan and shall either approve, approve with conditions, or disapprove the proposed site plan in accordance with this article and applicable provisions of this ordinance. The basis for the decision and any conditions imposed relating to an affirmative decision shall be specified in the resolution of the Planning Commission approving or denying the site plan. If approved or approved with conditions, the site plan, as approved, shall become a part of the record of approval. After a decision of either approval or denial, the Planning Commission shall submit its action in writing to the applicant indicating either approval with any changes that were agreed upon by the Planning Commission, or denial with reasons for denial.

Upon approval of a site plan, at least two copies of the site plan, as finally approved, shall be signed and dated by the secretary of the Planning Commission. One copy of the signed site plan shall be kept on file with the zoning administrator, and the other shall be returned to the applicant.

For all site plans prepared on a computer, a single copy in digital format (i.e. diskette, CD, DVD, Flash) shall be provided to the zoning administrator.

12.10 STANDARDS FOR SITE PLAN REVIEW

The Planning Commission shall review the site plan based on the purposes, objectives, and requirements of this ordinance and on the standards provided by this Section. As a part of its review, the Planning Commission may distribute copies of the plan to other governmental departments or officials. Their review and comment would be on matters related to the plan that would fall under their jurisdiction or involve the discharge of their duties. In reviewing the site plan, the Planning Commission shall specifically consider the following standards, as applicable:

1. **Dimensional Requirements:** The dimensional arrangement of buildings and structures shall conform to the required yards, setbacks, and height restrictions of this ordinance.
2. **Building Arrangement:** The proposed buildings and structures shall have a harmonious relationship to the site terrain, landscaping, open space, and other buildings and structures, existing and proposed. The bulk, location, and height of proposed buildings and structures, as well as the general character of the development, shall minimize any adverse effect on other uses of property in the surrounding area and shall not place demands on public services or facilities in excess of capacity.
3. **Drainage of Surface Water:** Proper site surface drainage shall be provided so that the removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. If practical, storm water shall be removed from all roof areas, canopies, and paved areas and carried away in an underground drainage system. The peak rate of storm water runoff from the site shall not increase as a result of the proposed development, and temporary onsite storage to reduce peak runoff from the site is encouraged. Surface water in all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic and so that it will not create ponding.
4. **Public Services and Utilities:** The location, availability, and compatibility of sewer, water, and storm drainage facilities shall be considered to determine whether the use will be adequately served by necessary improvements. Utility distribution lines or associated utility installations shall be located so as to avoid adverse impacts both to neighboring properties and to the site.
5. **Vehicular Access and Parking:** The provisions for vehicular loading and unloading and parking and for vehicular and pedestrian circulation on the site and onto adjacent public streets and ways shall not create hazards to safety and shall not place demands on public services or facilities in excess of capacity. All buildings and structures shall be accessible by emergency vehicles.
6. **Exterior Lighting:** All lighting shall be installed and maintained in such a manner as to confine the illumination source or divert glare to the property upon which the use is located and to prevent glare or illumination from adversely affecting the safety or welfare of adjacent property or streets.
7. **Signs:** The size, location, design, and lighting of signs shall be considered in relation to signs on adjacent sites, glare, traffic safety, and compatibility with adjoining properties, consistent with all applicable sign regulations. Signs shall be located and designed to avoid creating distraction or clutter.

8. Special Features: Storage areas, mechanical areas, service areas, truck loading areas, utility buildings and structures, and similar features shall be located, buffered, and/or screened so as to be unobtrusive; so as not to interfere with access to or circulation within the site; or so as not to detract from the visual impression of the site. Trash containers shall be enclosed on at least three sides by a structure aesthetically compatible with the development and surrounding property. Waste storage areas shall be maintained free from litter and in a sanitary condition.
9. Landscaping: The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal. Grade changes made shall be in keeping with the general appearance of neighboring developed areas. Plant materials shall be used to enhance the appearance of the site; to screen unsightly or harsh elements; and to provide visual relief from large monotonous features, such as parking lots.
10. External Effects (General): Noise, odors, light, dust, dirt, smoke, or other external effects from any aspect of the proposed use shall not adversely affect adjacent and neighboring properties or uses.
11. Compliance with All Applicable Laws: The Planning Commission shall not approve a site plan that violates or that is inconsistent with local, state, or federal laws or regulations.

12.11 CONDITIONS OF APPROVAL

The Planning Commission shall make a decision to approve the request based on the following conditions:

1. The Planning Commission may impose any other regulations which it deems necessary to protect the safety, health, and general welfare of Village residents and shall have the authority to make any changes or alterations in submitted plans and modify any requirements and regulations herein prescribed, provided they are in the best public interest and such that the property may be developed in a reasonable manner; but in so doing, complying with other applicable provisions of this Ordinance.
2. The Planning Commission may impose reasonable conditions upon the approval of a site plan. The conditions may include but are not limited to conditions necessary to ensure that public services and facilities impacted by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use 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 responsible and economically

desirable manner. Conditions imposed shall meet all of the following requirements:

- a The proposed use or structure appears to be in accordance with the intent of the Zoning District in which it is located and is architecturally compatible with other conforming uses and structures in the district.
- b Be designed to protect natural resources; the health, safety, welfare, and 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; or the community as a whole.
- c Be necessary to meet the intent and purpose of the Zoning Ordinance, 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.
- d Adequate off-street parking and loading spaces in accordance with this Ordinance shall be provided within 150 feet of the proposed use or structure.

12.12 REGULATIONS

The following regulations shall apply to all land uses requiring site plan approval:

1. The site plan will not be approved by the Planning Commission until the applicant has submitted three copies of all permits that may be required by the county or the state for the construction of the use, such as but not limited to, permits for onsite wastewater disposal and permits required under the Soil Erosion and Sedimentation Act, Act 347 of the P.A. 1972; the Inland Lakes and Streams Act, Act 346 of the P.A. 1972; and the Wetland Protection Act, Act 203 of the P.A. 1979.
2. The construction of improvements shall not commence for any development that requires a site plan approval until the secretary of the Planning Commission has signed an approved site plan.
3. The Zoning Administrator shall not issue a zoning permit for any use requiring site plan approval until the secretary of the Planning Commission has signed an approved site plan.

12.13 PERFORMANCE GUARANTEES

Performance guarantees to assure compliance with the provisions of this ordinance and any conditions imposed under this ordinance may be required by the Planning Commission at the time of approval of a site plan as authorized by Act No. 207 of the Public Acts of 1921, as amended.

12.14 CHANGES TO SITE PLAN

Changes to a site plan, following approval by the Planning Commission, are prohibited. Subsequent actions altering or changing the approved site plan in any way will require approval in accordance with the procedures described above.

12.15 ENFORCEMENT

A site plan, approved by the Planning Commission, in connection with a use or activity, shall have the full force and effect of the Zoning Ordinance. Subsequent actions relating to the use or activity authorized shall be consistent with the site plan as approved. Any violation of an approved site plan shall be grounds for the Village to order that all construction be stopped and to order that zoning permits, building permits, and certificates of occupancy be withheld until the violation is removed or until an adequate guarantee of removal of the violation is provided to the Village. In addition, a violation of any approved site plan or failure to comply with any requirements of this section, including conditions of approval, shall be considered a violation of this ordinance.