

## CHAPTER 18

### SITE PLAN REVIEW AND APPROVAL PROCEDURES

#### SECTION 18.01 PURPOSE

The purpose of site plan review is to provide for consultation and cooperation between the land developer and the Township in order to accomplish the developer's objectives in harmony with the existing and prospective use and development of adjacent properties. It shall be the further purpose of this section to insure that each proposed development and its components, appearance, and function is in compliance with this ordinance, other Township ordinances, and State and Federal laws. These purposes apply to development of previously unimproved sites; to the redevelopment, expansion, contraction or alteration of existing sites; and to the alteration or replacement of existing uses.

The site plan review procedures and standards in this section are intended to provide a consistent and uniform method of review for proposed development plans. Through the application of the following provisions, the attainment of the Decatur Township Master Plan will be assured, and the Township will develop in an orderly fashion.

#### SECTION 18.02 WHEN A SITE PLAN AND REVIEW BY THE PLANNING COMMISSION IS REQUIRED.

- A. **Site Plan Required.** Submission of a site plan shall be required for any of the following:
1. Any development or use for which submission of a site plan is required by provisions of this Ordinance.
  2. Any proposal to construct, move, relocate, convert or structurally alter a building, including accessory buildings. A structural alteration shall be defined as one that changes the supporting members of a building or structure as well as any change in the width or number of exits or change in the roof. This requirement shall in no way permit the expansion of a nonconforming structure so as to become more nonconforming or increase the area already in violation of the provisions of this Zoning Ordinance.
  3. Any proposal to change, replace with a different use, add or recommence a use on an existing site, including expansions in area, volume or intensity of an existing use unless otherwise permitted by this ordinance.

4. All condominium developments (including “site condominium” developments).
5. Any proposal to build, expand or decrease an off-street parking lot; or to resurface an off-street parking lot when construction includes resurfacing, drainage alterations, or addition or replacement of base or sub-grade.
6. Any other change in use or development that could affect compliance with the standards set forth in this Ordinance.
7. Any proposal to create, expand or alter a use or structure which involves using, storing, or generating hazardous substances.
8. Wireless communication facilities.

**B. Site Plan Not Required.** Submission of a site plan shall not be required in the following circumstances. However, documentation will still need to be submitted as necessary for a Zoning Compliance Permit (See paragraph C below).

1. Single and two-family dwelling units on individual lots.
2. Residential accessory buildings (for personal use) less than 1,200 sq. ft. in area in residential or agricultural zoning districts.
3. Agricultural accessory buildings located in agricultural zoning districts.
4. Uses requiring a Conditional Use Permit unless determined by the Zoning Administrator that review by the Planning Commission is required.

**C. Site Plan Review Not Required by the Planning Commission.** Uses with approved site plans or existing buildings which propose a change constituting ten percent (10%) or less of the building floor area or ten percent (10%) or less of the required parking spaces may be reviewed, approved and administrated by the Township Zoning Administrator. Such review and approval by the Township Zoning Administrator shall be duly reported to the Planning Commission at the next regularly scheduled meeting.

Uses or activities not requiring site plan review before the Planning Commission shall include a sketch plan with accurate dimensions and submitted to the Township Zoning Administrator for review for a Zoning Compliance Permit showing the following information:

1. The parcel in question with dimensions and legal description
2. Plan view of existing and proposed buildings and structures
3. Existing and proposed building elevations.
4. Location of drives, public or private roadways, sidewalks, easements, and parking areas.
5. Copy of Driveway Tube approval from the Van Buren County Road Commission. If such approval is not available at the time of application, the Zoning Compliance Permit may be approved conditional on submittal of such permit within a specified time period.
6. Location of existing or proposed utilities, water, and sewage systems.
7. Description of adjacent land uses.
8. Location of existing natural and man-made site features including wood lots, wetlands, streams, lakes, ponds, and similar environmental conditions.
9. A description of any change in grade or drainage system, except those changes to accommodate basement and driveway grading. All excavation and grade changes shall have been reviewed and approved by the Van Buren County Drain Commissioner's office when located within 500 ft. of a watercourse (drain, creek, stream, river, pond or lake).
10. Any other information required by the Township Supervisor necessary to establish compliance with this and other ordinances of Decatur Township.

### **SECTION 18.03 APPLICATION PROCESS**

Application for site plan review shall be made to the Township by filing of not less than ten (10) copies of an application form and detailed site plan with the office of the Township Clerk at least thirty (30) calendar days in advance of the regularly scheduled Planning Commission meeting at which the plan is to be first considered. Fees are required to be paid in accordance with the fee schedule in effect as established by the Township Board at the time the application is made.

The Township Clerk and/or Zoning Administrator shall examine the site plan to determine that it contains all the necessary information. If it is incomplete, it shall be returned to the applicant. If it is complete and appears to comply with the requirements of the Zoning Ordinance, it shall be processed in accordance with this Ordinance.

- A. **Application Form.** Each submittal for site plan review shall be accompanied by a completed application form furnished by the Township and shall include the following information:
1. The applicant's name, address, and phone number.
  2. The address and parcel number of the property.
  3. A signed statement that the applicant is the owner of the property or has a legal financial interest in the property (i.e. purchase agreement).
  4. The name and address of the owner(s) of record if the applicant is not the owner of record (or firm or corporation having a legal or equitable interest in the land), and the signature of the owner(s).
  5. Project description, including the total project title, number of structures, units, bedrooms, offices, square feet, total and usable floor area, parking spaces, carports or garages, employees by shift, amount of recreation and open space, and other pertinent information.
  6. The gross and net acreage of all lots or parcels in the project.
  7. Existing zoning classification, land uses, and structures on the subject parcel.
  8. Name and address of developer (if different from the applicant), engineer, architect and/or land surveyor.
  9. Project completion schedule/development phases.
  10. Written statements relative to project impacts on existing infrastructure (including traffic capacity of streets, schools, and existing utilities) and on the natural environment of the site and adjoining lands.
- B. **Site Plan Information.** Each submittal for site plan review shall be accompanied by a detailed site plan which shall consist of an accurate drawing, showing the

entire site and all land within 300 feet of the site. The scale of the site plan shall be not less than 1 inch = 50 feet if the subject property is less than 3 acres, and 1 inch = 100 feet if three acres or more. If multiple sheets are used, each shall be labeled and the preparer identified. If there is an accurate site plan for the lot on file with the Township, the Township Zoning Administrator may waive the requirement for a site plan. The following information shall be included:

1. Name of development and general location sketch.
2. Name, address and phone number of owner(s), developer, engineer, architect and/or designer.
3. North arrow, scale, and date of original drawing and revisions.
4. The seal of one of the following professionals registered in the State of Michigan: Registered Architect, Registered Civil Engineer, Registered Landscape Architect, Registered Land Surveyor or Registered Professional Community Planner. The architectural plans of the buildings shall be prepared by and bear the seal of a Registered Architect. A site plan for an alteration or addition to an existing structure may be prepared by the builder or contractor.
5. A legal description and address of the property in question.
6. The area of the site in square feet and acres excluding all existing and proposed public rights-of-way.
7. The dimensions of all lots and subject properties, showing the relationship of the subject property to abutting properties, including lots across rights-of-way and easements. The boundaries of the subject property shall be clearly indicated on the site plan, differentiated from other contiguous property. If the parcel is a part of a larger parcel, boundaries of total land holding shall be indicated.
8. Existing topographic elevations at two foot intervals, including ground elevations of all existing buildings, drives and/or parking lots, and any adjacent unusual surface conditions. Indicate direction of drainage flow.
9. The location and elevations of existing water courses and water bodies, including county drains and man-made surface drainage ways, floodplains, and wetlands.

10. Location and type of existing vegetation, including location of all existing trees over five (5) inches in diameter.
11. Any significant site amenities and unique features.
12. Existing land uses and zoning classification of the subject parcels and adjacent parcels.
13. All required minimum setbacks from the existing or proposed right-of-way and from adjacent lots.
14. The location and dimensions (length, width, height) of all existing and proposed structures on the subject property and all existing structures within 300 feet of the subject property.
15. The location and width of all existing public roads, rights-of-way or private easements of record, abutting streets, alleys, and driveway locations to abutting streets.
16. Copy of Driveway Tube approval from the Van Buren County Road Commission. If such approval is not available at time of application, the site plan may be approved conditional on submittal of such permit within a specified time period.
17. With residential proposals, a site summary indicating the number and location of one bedroom units, two bedroom units, etc., typical floor plans with the square feet on floor areas; density computation, recreation facilities, open spaces, street names, and lot coverage.
18. With non-residential proposals, the number of offices, number of employees, the number of floors and typical floor plans and cross sections.
19. Proposed parking lots including layout and typical dimensions of parking spaces, number of spaces provided (including how computed per ordinance requirements) and type of surfacing.
20. Location of and dimensions of proposed streets, drives, curb cuts, and access easements, as well as acceleration, deceleration and passing lanes (if any) serving the development.

21. Proposed traffic and pedestrian circulation patterns, both within the site and on the public streets adjacent to the site and the proposed location and dimensions of any required pedestrian sidewalks. Designate loading and unloading areas, barrier free access, any fire lanes, and carports.
22. Proposed finish grade of buildings, driveways, walkways, and parking lots.
23. Proposed type of building materials, roof design, projections, canopies and overhangs, roof-located mechanical equipment, such as: air conditioning, heating units and transformers that will be visible from the exterior.
24. Proposed water service including any proposed tap ins, main extensions or extensions for adequate fire hydrant spacing, and/or considerations for extensions to loop other public water mains.
25. Proposed sanitary sewer facilities and the location of all existing utilities, easements and the general placement of lines, manholes, tap-ins, pump stations, and lift stations.
26. Proposed storm water management plan including design of sewers, outlets (enclosed or open ditches), and retention or detention ponds. Sufficient data regarding site run-off estimates and off-site drainage patterns shall be provided to permit review of feasibility and permanency of drainage detention and/or retention as well as the impact on local surface and groundwater. The plan shall indicate location and status of any floor drains in structures on the site. The point of discharge for all drains and pipes should be specified on the site plan.
27. Locations of existing and proposed fire hydrants with reasonable access thereto for fire fighting, police and other emergency equipment.
28. Location of all other utilities on the site including but not limited to natural gas, electric, cable TV, telephone and steam.
29. Soil erosion and sedimentation control measures.
30. Detailed landscaping plan indicating location, types and sizes of material.
31. All proposed screening and free standing architectural walls, including typical cross-sections and the height above ground on both sides.

32. The dimensions and location of all signs, both wall signs and free-standing signs and of lighting structures and shielding.
33. Location, size and specifications for screening of all trash receptacles and other solid waste disposal facilities.
34. Location and specifications for any existing or proposed outdoor or below ground storage facilities as well as any screening or containment structures or clear zones required by government authorities.
35. Easements for proposed public rights-of-way, utilities, access, shared access, and drainage.
36. Notation of any variances which have been or must be secured.
37. Notation of performance guarantees to be provided including amounts, types, and terms.
38. Statement that applicant will comply with State, Local and Federal laws, as applicable to the site or intended use.
39. Information and special data which may be critical to the adequate review of the proposed use and its impacts on the site or Township. Such data requirements may include traffic studies, market analysis, environmental assessments (including inventory and impact data on flora, fauna, natural resources, hazardous materials, erosion control and pollution), demands on public facilities and services, impact on historical or cultural resources, displacement of people or other uses as a result of the proposed development, alterations of the character of the surrounding area, effect on the Township 's tax base and adjacent property values, or other data which the Township may reasonably deem necessary for adequate review.
40. The size, location and description of any proposed interior or exterior areas or structures for storing, using, loading or unloading of hazardous substances. A listing of types and quantities of hazardous substances which will be used or stored on-site in quantities of hazardous substances which will be used or stored on-site in quantities greater than 100 kilograms or 25 gallons per month.



41. Delineation of areas on the site which are known or suspected to be contaminated, together with a report on the status of the cleanup.
42. Plans depicting existing and proposed building elevations.
43. For developments that are of a scale to warrant phased development, the phasing of construction shall be indicated. A detailed site plan need be submitted only for that portion of the property for which a building permit will be applied for; a general site plan which clearly indicates the overall project intent may be submitted for the remainder of the site.
44. Building elevations of the proposed structure(s) from each direction shall be shown.

#### **SECTION 18.04 CRITERIA FOR GRANTING SITE PLAN APPROVAL**

Each site plan shall conform to all applicable provisions of this Ordinance. The following criteria shall be used by the Planning Commission as a basis upon which site plans will be reviewed and approved. The Township shall adhere to sound planning principles, yet may allow for design flexibility in the administration of the following standards:

- A. All elements of the site shall be harmoniously and efficiently designed in relation to the topography, size, and type of land, and the character of the adjacent properties and the proposed use. The site shall be developed so as not to impede the reasonable and orderly development or improvement of surrounding properties for uses permitted on such property.
- B. The site plan shall comply with the zoning district requirements for minimum floor space, height of building, lot size, open space, density and all other requirements as set forth in this Ordinance.
- C. The existing natural landscape shall be preserved in its natural state as much as possible, by minimizing tree and soil removal and by topographic modifications that result in maximum harmony with adjacent properties.
- D. The site plan shall provide reasonable visual and sound privacy. Fences, walls, barriers, and landscaping shall be used, as appropriate, for the protection and enhancement of property and the safety and privacy of occupants and users. Where landscaping is provided, there must be provision for maintaining all plantings through a regular program of fertilizing, irrigating, pruning, mowing and replacing all dead and diseased materials.

- E. All buildings or groups of buildings shall be so arranged as to permit convenient and direct emergency vehicle access.
- F. There shall be a pedestrian circulation system that is insulated as completely as possible from the vehicular circulation system. In order to insure public safety, pedestrian underpasses or overpasses may be required in the vicinity of schools, playgrounds, local shopping facilities, and other uses that generate considerable amounts of pedestrian movement.
- G. All streets shall be developed in accordance with Township Ordinances and the Van Buren County Road Commission design specifications. The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets or pedestrian or bicycle pathways in the vicinity of the site. Streets and drives that are a part of an existing or planned street system serving adjacent developments shall be of an appropriate width to the volume of traffic they are planned to carry and shall have a dedicated right-of-way equal to that specified in a Township recognized source of reference. The applicant may be required to dedicate adequate land and improvements to the Township in order to achieve access which is safe and convenient.
- H. Special attention shall be given to proper site drainage. Appropriate measures shall be taken to insure that the removal of surface waters will not adversely affect adjacent lots or the capacity of the public or natural storm drainage system. Provisions shall be made for a feasible storm drainage system, the construction of storm-water facilities, and the prevention of erosion and dust. In addition, special attention shall be given to the installation of appropriate fencing and other safety measures adjacent to and surrounding stormwater retention and detention areas. Surface water on all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicles or pedestrian traffic and will not create nuisance ponding in paved areas. Where possible and practical, drainage design shall recognize existing natural drainage patterns; the natural flow of water shall not be altered. Final grades may be required to conform to existing or future grades of adjacent properties.
- I. All off-street parking, loading and unloading areas and outside storage areas, including areas for storage of trash, that face or are visible from adjacent residential districts or public thoroughfares, shall be screened by walls, fencing or landscaping of effective height as required within the landscape provisions of this ordinance. Building entrances designed for vehicular access shall not access any building through the front yard of a development.

- J. Adequate services and utilities including sanitary sewers, and improvements shall be available or provided, located and constructed with sufficient capacity and durability to properly serve the development.
- K. Any use permitted in any zoning district must comply with all applicable requirements of state, local, and federal statutes including health and pollution laws and regulations with respect to noise, smoke and particulate matter, vibration, noxious and odorous matter, glare and heat, fire and explosive hazards, gases, electromagnetic radiation and drifting and airborne matter, toxic and hazardous materials, erosion control, floodplains, wetlands, and requirements of the State Fire Marshal. Site plan approval may be conditioned on the applicant receiving necessary state and federal permits before final site plan approval or an occupancy permit is granted.
- L. An objective of site plan review shall be to protect and to promote public health, safety and general welfare by requiring the screening, buffering and landscaping of sites and parking lots which will serve to reduce wind and air turbulence, heat and noise, and the glare of automobile lights; to preserve underground water reservoirs and return precipitation to the ground water strata; to act as a natural drainage system and solve storm water drainage problems; to reduce the level of carbon dioxide and return oxygen to the atmosphere; to prevent soil erosion; to provide shade; to conserve and stabilize property values; to relieve the stark character of parking lots; to conserve energy, provide visual and sound privacy and to otherwise facilitate the preservation and creation of a healthful, convenient, attractive and harmonious community.
- M. It is an objective of site plan review to improve the quality of existing developments as they are expanded, contracted, redeveloped or changed in keeping with sound site development standards of the Township and with the Township Master Plan.
- N. A major objective shall be to retain, enhance and protect the quality, value and privacy of all residential land uses.
- O. All development phases shall be designed in logical sequence to insure that each phase will independently function in a safe, convenient and efficient manner without being dependent upon improvements of a subsequent development potential of lands.
- P. All sites shall be designed to comply with State and local barrier- free requirements and to reasonably accommodate the handicapped and elderly.

**SECTION 18.05 REVIEW AND APPROVAL.** Site Plans shall be reviewed in accordance with the following procedures:

- A. **Department Review.** The Township may secure comments from the Building Inspector, Van Buren County Road Commission, Sheriff's Department, and the Township's Consultant Engineer and/or Planner, and forward all comments to the Planning Commission for its review. The Planning Commission shall review the plans and may solicit further comments from an Engineer, Planning Consultant and other agencies, groups or persons, as appropriate.
- B. **Site Plan Approval.** The Township Planning Commission is hereby authorized to review and approve, with or without conditions or to review and deny approval, all site plans submitted under this Ordinance. Guidelines for consideration of each case shall follow the zoning ordinance and other applicable ordinances. When the Planning Commission approves a site plan with conditions from the applicant, the Township Zoning Administrator and/or Clerk shall require a revised site plan with a revision date, indicating said conditions on the site plan.
- C. **Record of Action.** Each action taken with reference to site plan review and approval shall be duly recorded in the minutes of the Decatur Township Planning Commission. A final copy of the approved site plan shall be so marked and placed on file with the Township Clerk's office.
- D. **Final Site Plan.** When a site plan approval is required, no building permit shall be issued until three copies of a final site plan, which includes all conditions of approval, a revision date and notation of all variances has been signed by the Planning Commission, the Township Zoning Administrator or their designees. Prior to issuance of a permit, one copy of the final signed plan shall be filed with each of the following: Township Clerk, Building Official and the Applicant.

**SECTION 18.06 ISSUANCE OF BUILDING PERMIT AFTER SITE PLAN APPROVAL.**

Complete construction plans including component phases, shall be submitted for review by the State Building Inspector. Upon review and finding that the construction plans meet with the requirements of site plan approval and other applicable ordinances of the Township, and upon receipt of the Zoning Compliance Permit from the Zoning Administrator, the Building Inspector shall issue a building permit for said construction.

Site plan approval shall be valid for one year from the date of approval. If an applicant does not obtain a building permit within one year after site plan approval, the site plan approval expires

and is of no force or effect, unless extended by a vote of the Planning Commission. Revocation of an approved site plan shall be communicated in writing by certified mail to the property owner and/or applicant.

**SECTION 18.07      MODIFICATION OF AN APPROVED SITE PLAN**

Once site plan approval has been granted by the Planning Commission, changes to the approved site plan shall require a re-submission and payment of the required application fee.

**SECTION 18.08      CONFORMITY TO APPROVED SITE PLAN REQUIRED**

Following approval of a site plan by the Planning Commission, the applicant shall construct the site plan improvements in complete conformity with the approved plan.

Upon completion of the installation of required improvements as shown on the approved site plan, the property owner/applicant shall submit to the Township Clerk two copies of an "as built" site plan, certified by an engineer or architect, at least one week prior to the anticipated occupancy of any building. A Certificate of Occupancy shall be withheld by the Building Official in any case where the site plan and major conditions as approved by the Planning Commission have not been complied with. Any minor variations may be approved by the Building Official, and shall be reported within 30 days to the Planning Commission after the issuance of Certificate of Occupancy.