

ARTICLE XXI

SITE PLAN REVIEW

Sec. 21.01 Purpose:

It is the purpose of this Section to require site plan review approval for certain buildings, structures and uses that can be expected to have a significant impact on natural resources, traffic patterns, adjacent parcels and the character of future development. The regulations contained herein are intended to provide and promote the orderly development of the Township; safe and convenient traffic movement, both within a site and in relation to access streets; the stability of land values, and investments, by preventing the impairment or depreciation of land values and development, by the erection of structures or additions or alterations thereto, without proper attention to setting or to unsightly or undesirable appearances; harmonious relationships of buildings, other structures and uses, both within a site and/or adjacent sites; and the conservation of natural amenities and resources.

Sec. 21.02 Approval Required:

Site plan review approval is required as follows:

- A. For those uses requiring Special Use Permit review, as specified.
- B. All land uses, excepting single-family detached dwellings, two-family dwellings and non-residential uses requiring less than five (5) parking spaces.

Sec. 21.03 Procedures for Site Plan Review:

- A. Application: Application for Site Plan Review shall be submitted through the Zoning Administrator to the Planning Commission on a special application form for that purpose; each application shall be accompanied by the payment of a fee in accordance with the duly adopted "Schedule of Fees" to cover the costs of processing the application. No part of any fee shall be refundable.
- B. Data Required in Application: Every application shall be accompanied by the following information and data:
 - (1) Application form supplied by the Zoning Administrator filled out in full by the applicant.
 - (2) Six (6) copies of a site plan, plot plan, or development plan, drawn to a readable scale showing:
 - (a) Property dimensions.
 - (b) Size, shape and location of existing and proposed buildings and structures.
 - (c) The location of parking areas, all parking spaces and driveways.
 - (d) Existing public rights-of-way, and/or private easements.
 - (e) Water courses and water bodies, including surface drainage ways.
 - (f) Existing vegetation.
 - (g) A landscaping plan indicating locations of proposed planting and screening, fencing, signs and advertising features.
 - (h) Zoning classification of abutting properties,
 - (i) Additional data as may be required under ARTICLE XV.

C. Planning Commission Review

- (1) The property owner shall transmit one (1) copy of the application for Site Plan Review, including all data required in Sec. 21.03(b), to each of the following agencies considered to be impacted or affected by the request for their review and comment (e.g., county drains - Montcalm County Drain Commission; curb cut access - Montcalm County Road Commission, etc.)

- (a) Montcalm County Road Commission
- (b) District Health Department
- (c) Montcalm County Drain Commissioner
- (d) Michigan Department of Transportation
- (e) School District - Superintendent of Schools
- (f) Fire Chief
- (g) County Sheriff

The property owner shall have these agencies forward their review and comments directly to the Planning Commission.

The Zoning Administrator shall transmit the remaining copies of the site plan to the Planning Commission.

- (2) The Planning Commission upon receiving the comments of the above affected agencies shall proceed with review of the site plan to determine compliance with permitted land use, density of development, general traffic and pedestrian circulation, and other provisions of this Ordinance.

The Planning Commission shall respond to the applicant within forty-five (45) days of filing as to the approval, denial or approval with modifications of the site plan. If denied, the Commission shall cite reasons for denial and if approved a Certificate of Site Plan Approval shall be issued to the applicant by the Zoning Administrator.

Sec. 21.04 Standards for Site Plan Approval:

- A. All elements of the site plan shall be harmoniously and efficiently organized in relation to topography, the size and type of lot, the character of adjoining property and the type and size of buildings. The site will be so developed as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.
- B. The landscaping shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, and by topographic modifications which result in maximum harmony with adjacent areas.
- C. Special attention shall be given to proper site surface drainage so that removal of storm waters will not adversely affect neighboring properties.
- D. The site plan shall provide reasonable, visual and sound privacy for all dwelling units located therein. Fences, walks, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.
- E. All buildings or groups of buildings shall be so arranged as to permit emergency vehicle access by some practical means to all sides.
- F. Every structure or dwelling unit shall have access to a public street, walkway or other area dedicated to common use.
- G. There shall be provided a pedestrian circulation system which is insulated as completely as reasonably possible from the vehicular circulation system.
- H. All loading and unloading areas and outside storage areas, including areas for the storage of trash, which face or are visible from residential properties or public thoroughfares, shall be screened, by a vertical screen consisting of structural (fence) or plant materials no less than six (6) feet in height.

- I. Exterior lighting shall be so arranged that it is deflected away from adjacent properties and so that it does not impede the vision of traffic along adjacent streets. Flashing or intermittent lights may be permitted by Special Use Permit.
- J. Conformance to all other applicable requirements as noted elsewhere in this ORDINANCE.

Sec. 21.05 Action by Planning Commission and Township Board:

Except in the case of a special land use application, the Planning Commission shall have the function, duty and power to approve or disapprove, or to approve subject to compliance with such modifications or conditions as it may deem necessary to carry out the purpose of these regulations, the design and site plan of all proposed buildings or structures, or the development of the entire property, the specifications of all exits, entrances, streets, highways, or other means of ingress and egress, the proposed timing of construction, the proposed manner of dedication to the public or maintenance of same and the construction of appropriate screens or buffers. A site plan disapproved by the Planning Commission may be revised and resubmitted to the Planning Commission at its next regularly scheduled meeting. In the case of a special land use application, the Planning Commission shall submit a recommendation to the Township Board regarding the adequacy of the special land use site plan and the Township Board shall take final action on such site plan.

Sec. 21.06 Modification of Approval of Site Plan:

Once site plan approval has been granted by the Planning Commission, changes to the approved site plan shall require a resubmission and payment of fees.

Sec. 21.07 Financial Guarantees:

In approving the site plan, the Planning Commission may require that a cash deposit, certified check, bond, or other financial guarantee acceptable to the Township, of ample sum be furnished by the developer to insure compliance with such requirements as drives, walks, utilities, parking, landscaping and the like. The financial guarantee shall be deposited with the Zoning Administrator at the time of issuance of the permit authorizing the project or activity. As work progresses, the Planning Commission may authorize a proportional rebate of the financial guarantee upon completion of significant phases or improvements.

Sec. 21.08 Appeals:

Any person considering himself aggrieved by the decision of the Planning Commission in granting or denial of Site Plan Approval shall have the right to appeal said decision to the Zoning Board of Appeals. The appeal shall be exclusive and must be filed with the Township Clerk within ten (10) days of the decision of the Planning Commission.

(Sec. 21.05 and 21.08 amended 8-20-12)