

## Chapter 4

### **SITE PLAN REVIEW**

#### **SECTION 4 PURPOSE**

The purpose of this Chapter is to ensure that an applicant's planned objectives in the utilization of land is within the regulations of this Zoning Ordinance. This is accomplished through a review of a site plan and site plan application prepared, submitted and processed according to the requirements of this Chapter and this Ordinance.

#### **SECTION 4.1 USES SUBJECT TO SITE PLAN REVIEW**

A Zoning and/or Building Permit for any proposed use or building requiring a site plan shall not be issued until a Final Site Plan has been reviewed and approved in accordance with the requirements of this Chapter.

- A. The following uses shall be subject to Final Site Plan Review by the Planning Commission:
  - 1. Platted subdivisions as required by the Michigan Land Division Act 288 of 1967 as amended.
  - 2. Condominium developments as required by the Michigan Condominium Act 59 of 1978 as amended.
  - 3. Special Land Uses within any Zoning District.
  - 4. Planned Unit Developments.
  - 5. Commercial and Industrial developments in excess of four acres.
- B. All site plans not subject to review by the Planning Commission shall be subject to site plan review and approval by the Zoning Administrator. Such review is required to ensure Zoning Ordinance compliance.

#### **SECTION 4.2 APPLICATION AND REVIEW PROCEDURES FOR SITE PLANS REVIEWED BY THE PLANNING COMMISSION**

- A. Application Procedures (Preliminary and Final Site Plans) – All site plans subject to review by the Planning Commission shall involve a three-step process:
  - Step 1: Review by the Zoning Administrator (Preliminary Site Plan Review)
  - Step 2: Public Hearing by the Planning Commission
  - Step 3: Final Review by the Planning Commission (Final Site Plan Review)
- B. Preliminary Site Plan Review (Step 1) Application Requirements  
An application for Preliminary Site Plan Review shall:

1. Be submitted not less than 30 days prior to the next regularly-scheduled Planning Commission meeting.
2. Be submitted on a completed application form as provided by the Township.
3. Include payment of a fee in accordance with a Fee Schedule as determined by Township Board Resolution.
4. Include three copies of a site plan. The site plan shall be prepared at a scale not to exceed one inch = 30 feet or as determined necessary by the Zoning Administrator. In all cases, the scale shall be of a size adequate for making a determination of compliance with the requirements of this Ordinance.
5. Include all the information required for Preliminary Review listed in the Site Plan Checklist (4.2) unless deemed unnecessary by the Zoning Administrator.
6. Include three copies of the conceptual development plan for all contiguous land under the owner/agent's control for all known phases of the project.

C. Final Site Plan Review (Steps 2 and 3) Application Requirements

An application for Final Site Plan Review with public hearing shall:

1. Be submitted not less than 30 days prior to the next regularly-scheduled Planning Commission meeting.
2. Be submitted on a completed application form as provided by the Township.
3. Include payment of a fee in accordance with a Fee Schedule as determined by Township Board Resolution.
4. Include 10 copies of the site plan, all signed and sealed by a licensed professional engineer, architect or land surveyor. The site plan shall be prepared at a scale not to exceed one inch = 30 feet, or as determined necessary by the Zoning Administrator. In all cases, the scale shall be of a size adequate for making a determination of compliance with the requirements of this Ordinance.
5. Include all the information required for Final Review listed in the Site Plan Review Checklist (4.2) unless deemed unnecessary by the Zoning Administrator.
6. Include the requirements of the Zoning Administrator based on said Administrator's review of the preliminary site plan (Step 1).
7. Be prepared by a licensed professional engineer, architect or land surveyor. The person or agency preparing the plan shall be qualified in the subject area.
8. Include materials as may be required in this Chapter, by the Zoning Administrator or the Planning Commission.

D. Site Plan Review Procedures

- A. Step 1 – review by the Zoning Administrator (Preliminary Site Plan Review) and Establish Public Hearing Date
  - a. A Preliminary Site Plan shall be submitted to the Zoning Administrator for initial review.
  - b. The Zoning Administrator 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 Chapter and this Ordinance. For purposes of this review, the standards of Section 4.2 shall be used by the Zoning Administrator.
- B. Step 2 – Set Public Hearing
  - a. Upon determination by the Zoning Administrator that the application and site plan meet the Preliminary Site Plan Review standards of this Ordinance, said Administrator shall establish a Planning Commission public hearing date for the receipt of public comment on the application and site plan.
  - b. Notice of the public hearing shall be given in accordance with the following requirements:
    - 1. A written notice of the public hearing shall be sent by mail or personal delivery to the applicant, the owners of property for which approval is being considered and to all occupants and persons to whom real property is assessed within 300 feet of the boundary of the subject property. Multiple family complexes need only be sent a single copy with directions for posting the notice in a conspicuous location in the complex.
    - 2. A notice of the public hearing shall be published in a newspaper of general circulation in the Township.
    - 3. The above notices shall be given not less than five days or more than 15 days prior to the public hearing. The publication notice shall be published not less than five days or more than 15 days prior to the public hearing.
    - 4. The above notices shall:
      - a. Describe the nature of the site plan review request;
      - b. Indicate the location of the subject property;
      - c. State the date, time and place at which the site plan review request will be considered; and
      - d. State where and when written comments will be received concerning the request.
- E. Site Plan Review Standards: All proposed final site plans reviewed by the Planning Commission shall be approved, approved with conditions or denied based on the purposes, objectives and requirements of this Ordinance, and specifically the following considerations when applicable:
  - 1. The proposed final site plan will not adversely affect the public health, safety or welfare. The relationship of proposed uses and structures located on the site shall be planned to take into account topography, size

of the property, the uses of 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.

2. Safe, convenient, uncongested 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. The use of common drives and roads between adjacent properties, service drives or roads and cross drives linking adjacent properties and developments shall be provided unless deemed not feasible by the Planning Commission.
3. The arrangement of public or private vehicular and pedestrian connections to existing or planned streets in the area shall be required to provide a safe and efficient circulation system for traffic in Eureka Charter Township unless deemed not feasible by the Planning Commission.
4. Removal or alteration of significant natural features shall be restricted to those areas that are reasonably necessary to develop the site in accordance with the requirements of this Ordinance. The Planning Commission or Zoning Administrator 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.
5. Satisfactory assurance shall be provided that the requirements of all other applicable Ordinances, codes and requirements of Eureka Charter Township are met.
6. The general purposes and spirit of this Ordinance and the Master Plan shall be maintained.
7. Any other permits required by County, State or Federal agencies shall be issued. In the event a required County, State or Federal permit is pending, the Planning Commission may approve the proposed final site plan conditioned on the receipt of said pending permit(s).

F. SITE PLAN REVIEW CHECKLIST – PRELIMINARY AND FINAL

No.	Item	Preliminary	Final
<b>ALL PLANS SHALL BE FULLY DIMENSIONED AND LABELED.</b>			
1	Small scale sketch of properties, streets and use of land within ¼ mile of the subject site.	Full Detail	Full Detail
2	Adjacent streets and existing and proposed curb cuts and existing curb cuts within 100 feet of the subject site.	Full Detail	Full Detail
3	Lot lines of the subject site with dimensions.	Full Detail	Full Detail
4	Parking lots and access points, including number of spaces, typical space size, barrier-free spaces and aisles. Method (formula) for computation of parking shall be provided.	Preliminary	Full Detail

5	Existing natural features including open spaces, stands of trees, water features, floodplains, hills and other such features.	Full Detail	Full Detail
6.	Proposed landscape (e.g. type, size, location, irrigation, etc.)	Preliminary	Full Detail
7.	Existing and proposed signs including location, type, size and method of illumination.	Preliminary	Full Detail
8.	Existing and proposed buildings and structures on the subject site and existing buildings and structures within 100 feet of the boundaries of the subject site.	Preliminary	Full Detail
9.	Building elevations.	Not Applicable	Full Detail
10.	Existing site topography at the following contour levels: a. Sites/parcels of five or less acres – five feet b. Sites/parcels greater than five acres – 10 feet	Full Detail	Full Detail
11.	Acres and square feet allocated to each use and gross area devoted to buildings and structures, parking, public and/or private streets and drives and open spaces.	Preliminary	Full Detail
12.	Type(s) of residential units (e.g. ownership status, number of units, size and number of bedrooms per unit type).	Preliminary	Full Detail
13.	Site density (number of housing/dwelling units per acre).	Full Detail	Full Detail
14.	Proposed method for providing water and sewer service including location of well(s), septic field(s) and/or public utilities.	Preliminary	Full Detail
15.	Location, size and type of other public and private utilities.	Preliminary	Full Detail
16.	Fire hydrant location/fire suppression methods.	Preliminary	Full Detail
17.	Proposed method for handling surface water drainage including on-site retention and detention systems, storm drains, etc.	Preliminary	Full Detail
18.	Public and private easements, detailing location, size and purpose.	Preliminary	Full Detail
19.	Date/revision date, name, address and telephone number of applicant. Site address, legal description and permanent parcel number.	Full Detail	Full Detail
20.	Name, address, telephone number, fax number and seal of professional engineer, architect or surveyor preparing plan.	Full Detail	Full Detail
21.	Special studies including, but not limited to, traffic studies, environmental impact studies, market/fiscal impact studies, public facilities/services need/impact studies, drainage studies and school impact studies.	As required by Planning Commission	As required by Planning Commission
22.	Special informational needs including, but not limited to, site photographs, soil tests, certifications from permanent local, State and Federal agencies regarding compliance relative to the requirements of said agencies.	As required by Planning Commission	As required by Planning Commission
23.	Owner's/agent's conceptual development plan and all future phases of owner's/agent's contiguous lands.	Preliminary	Preliminary

In addition to the above checklist, the applicant shall submit three copies each of all correspondence and tentative and final approvals from these four agencies:

- |                                                 |           |          |
|-------------------------------------------------|-----------|----------|
| 1. Health Department                            | Submittal | Approval |
| 2. Road Commission                              | Submittal | Approval |
| 3. Michigan Department of Transportation (MDOT) | Submittal | Approval |
| 4. Drain Commission                             | Submittal | Approval |

With the final site plan review, submittal of the following:

1. Three copies of proof of service to the local school district(s)
2. Proposed Master Deed (site condominium only)

### **SECTION 4.3                      APPROVED PLANS AND AMENDMENTS**

- A. Upon approval of the proposed final site plan by the Commission, and after the applicant has provided/fulfilled all contingencies/conditions for approval, the Commission's Chairperson and Township's Zoning Administrator shall sign three copies thereof. One signed copy shall be made a part of the Township's files; one copy shall be forwarded to the Zoning Administrator for issuance of required permits and one copy shall be returned to the applicant.
- B. The entire infrastructure of each approved phase must be completed within two years after final Planning Commission approval.
  - 1. The Planning Commission may grant one 12-month extension if the applicant applies, in writing, for such extension prior to the date of the expiration of the Final Site Plan by the Commission, and provided:
    - a. The applicant presents reasonable evidence that said development has encountered unforeseen difficulties beyond the control of the applicant; and
    - b. The site plan requirements and standards, including those of the Zoning Ordinance and Master Plan that are reasonably related to the development, have not changed.
  - 2. Should the provisions of this Chapter not be fulfilled, or a 12-month extension has expired without construction underway, the Final Site Plan approval shall be null and void.
  - 3. Amendments to an approved Final Site Plan may occur only under the following circumstances:
    - a. The holder of a valid Final Site Plan approval shall notify the Zoning Administrator of any proposed amendment to such approved site plan.
    - b. Minor changes may be approved by the Zoning Administrator upon certification in writing to the Planning Commission that the proposed revision does not alter the basic design nor any specified conditions of the plan as agreed upon by the Planning Commission. In considering such a determination, the Zoning Administrator shall consider the following to be a minor change:
      - 1. Reduction of the size of any building and/or sign.
      - 2. Movement of buildings and/or signs by no more than 10 feet.
      - 3. Landscaping approved in the site plan that is replaced by similar landscaping to an equal or greater extent.
      - 4. Changes in floor plans that do not alter the character of the use or increase the amount of required parking.
      - 5. Internal rearrangement of a parking lot that does not affect the number of parking spaces or alter access locations or design.
      - 6. Changes required or requested by the Township for safety reasons.
    - c. Should the Zoning Administrator determine that the requested modification to the approved site plan is not minor, a new site plan shall be submitted, application fees shall be paid and the preliminary and final review steps must proceed in accordance with this Chapter.