

CHAPTER 25

Site Plan Review

Section 25.1 Intent and Purpose

The purpose of this Chapter is to establish a consistent process and uniform standards for reviewing and approving or rejecting proposed plans for development or use. The site plan review process is intended to:

- A. Promote high quality site design.
- B. Conserve natural amenities and resources.
- C. Minimize negative effects on adjacent properties.
- D. Achieve safe and convenient traffic and pedestrian movement.
- E. Ensure compliance with the provisions of the Master Plan and this Ordinance and all other applicable Township, state, and federal laws.

Section 25.2 Applicability

- A. The site plan review and approval process shall apply to all of the following:
 - 1. All commercial uses.
 - 2. All office uses.
 - 3. All industrial uses.
 - 4. All multiple-family residential uses
 - 5. All nonresidential uses in any residential or agricultural district, except agriculture and Agricultural Marketing or Rural Enterprise businesses.
 - 6. All Special Uses in any district.
 - 7. Site Condominium Developments in any district.
 - 8. Planned Unit Developments.
 - 9. Rural Open Space Community Developments in any district.
 - 10. Platted Subdivisions.
 - 11. Where otherwise required by this Ordinance.
 - 12. Any expansion, alteration, or changes in or to any of the above-mentioned uses.
- B. **New Buildings and Additions to Buildings or Parking Areas:** Site plan review and approval is also required for:

1. All buildings except 1 and 2 family residential dwellings and accessory buildings, agricultural buildings, and buildings associated with Agricultural Marketing or Rural Enterprise Businesses.
2. Additions to existing buildings that are greater than 2500 square feet or that are greater than 25% of the original building area, whichever is less.
3. A new parking area or an addition to a parking area of more than 10 spaces.

The Township Planner, Engineer, and Fire Inspector or their appointed designees are responsible for the review of building additions or parking area expansions that do not exceed the threshold in subsection B, above. They can attach conditions to the approval of the addition if they are needed to meet the standards of this Ordinance and other applicable Township development regulations.

- C. **Change in Uses:** Staff approval (utilizing the standards contained in Section 25.5) is needed for a change in the type of use operating on a property or in a building after a site plan has been approved.

Section 25.3 Site Plan - Submittal Requirements

- A. **Submittal requirements:** An applicant shall submit the following with their site plan application:
1. A fully completed application, signed and dated by the owner(s) of the property.
 2. Three full size and complete Site Plans for the preliminary staff review. Six copies are required for the Site Plan Review Committee's review.
 3. Three full size and complete Landscape Plans for the preliminary staff review. Six copies are required for the Site Plan Review Committee's review.
 4. Three full size and complete Photometric Plans for the preliminary staff review. See Section 18.3(B) for exceptions to this requirement. Six copies are required for the Site Plan Review Committee's review.
 5. Additional documents as required.
 6. Building elevations.
 7. A reduced size copy of the site and landscape plan (maximum size 11" by 17").
 8. Development Impact Statement, if required.
 9. All application and Zoning Escrow fees.
- B. **Required Information:** The required submittal items must include the following information. The Township Planner (or appointed designee) may waive specific item(s) if he or she finds that they are unnecessary because of the characteristics of the site.

1. **Site Plan(s):** Site plans shall be drawn to scale such that all features required to be shown are readily discernible. The following information for both proposed and existing items, as applicable, is required to be on all site plans:
 - a. **General Information**
 - General plan information, including name of applicant (and owner, if different than the applicant), name of development, north arrow, scale, and revision date and legal description for the property.
 - A location map
 - The zoning of the site and adjacent properties, including zoning district lines where applicable.
 - b. **Building and Structure Details**
 - The location and dimensions of all buildings, structures, and freestanding signs on the lot as well as the distances all buildings, structures, and freestanding signs are set back from property lines and street right-of-way lines.
 - Outside storage areas, with a description of the materials or equipment to be stored and height of stored materials.
 - Dumpsters, including an elevation of the proposed screening.
 - c. **Site Plan Details**
 - Lot dimensions.
 - Berms, fences, walls, buffers, and other screening provisions, with a description of type and character.
 - Access, utility, and all other easements.
 - Location of traffic regulatory and directional signs.
 - Areas intended to remain as open space.
 - Outdoor illumination with lighting fixtures sufficiently identified to demonstrate compliance with this Ordinance.
 - d. **Access and Circulation**
 - Streets, labeled by street name. Private roads shall also be shown and clearly labeled as such.
 - Vehicle accommodation areas (including parking areas, handicapped parking areas, loading areas, and circulation areas), all designated by surface material and showing the dimensions and layouts of proposed parking spaces and the dimensions and direction of travel for lanes, aisles, and driveways.

- Sidewalks and walkways, showing widths and surface material.
 - Designation of fire lanes.
- e. **Utilities and Stormwater Drainage**
- Curbs and gutters, curb inlets and curb cuts, and drainage grates.
 - Storm water or drainage facilities with proposed sizes and materials, including manholes, pipes, drainage ditches, retention ponds, and detention ponds.
 - Indication of site grading drainage patterns, and stormwater management measures.
 - Location of sanitary sewers and septic systems.
 - Location and size of water mains, wells, water service and fire hydrants.
 - Location of gas, electric, and telephone lines, both above and below ground.
- f. **Natural Features**
- New and existing contour lines resulting from earth movement with no larger than two-foot contour intervals.
 - Existing natural features, including wooded areas, streams, ponds, drainage ditches, wetlands, and boundaries of floodways and floodplains, and other natural features.
2. **Landscape Plan** – See Section 16.3 “Approval Process” in the “Landscaping” Chapter of this Ordinance for required information.
3. **Photometric Plan** – See Section 18.5 “Submittal Requirements” in the “Lighting Regulations” Chapter of this Ordinance for required information.
4. **Building Elevations** – Building façade elevations for all sides, including a description of the materials and colors to be used on the building(s).
5. **Documents and Written Information in Addition to Plans** – The following documents are required, if applicable:
- a. Project description including proposed use, floor area by use, existing and proposed building area, area of impervious surfaces, number of dwelling units, and estimated number of employees.
 - b. Documentation confirming that the applicant has a legally sufficient interest in the property proposed for development to use it in the manner requested, or is the duly appointed agent of such a person.
 - c. Calculations for drainage and stormwater detention/retention.

- d. Calculations for determining required number of parking spaces.
 - e. Time schedules for the completion of phases in staged development.
6. **Development Impact Statement:** The Site Plan Review Committee or Planning Commission may require the applicant to prepare and submit a developmental impact statement. It must describe in detail the effects that the proposed development may have and how those effects can be mitigated. Staff can recommend that the applicant prepare a Development Impact Statement as a part of the preliminary review. The Site Plan Review Committee or Planning Commission can require that the development impact statement address any or all of the following:
- a. Environmental factors, such as streams, wildlife, rivers, air pollution, wetlands, and the quality of surface and ground waters.
 - b. Traffic congestion.
 - c. Lighting, including a photometric grid overlaid on the proposed site plan indicating the overall light intensity throughout the site (in foot candles).
 - d. Local school systems.
 - e. Additional costs to governmental units and school districts.
 - f. Aesthetic qualities and blighting influences, upon surrounding properties.
 - g. Noise, vibration, dust and dirt, litter, gas smoke, odor, and glare.
 - h. Public safety services.
 - i. Drainage.
 - j. Surrounding property values.
 - k. Sanitation, including water supply and sewage disposal.
 - l. Historical structures and places.
 - m. Such other matters as the Site Plan Review Committee or Planning Commission may request to be included.

The developmental impact statement shall, if requested by the Site Plan Review Committee or Planning Commission, include statements and comments from the public agencies or officials concerning any aspects of the proposed land use within their respective responsibilities and jurisdictions.

- 7. Additional information as the Planning Commission or Site Plan Review Committee may request that is reasonably necessary to evaluate the proposed development of the site.

Section 25.4 Process

- A. **Committees:** The following committees are involved in certain site plan reviews as provided herein:
1. **Staff Review Team:** The Staff Review Team consists of the Township Planner, Township Engineer, and Fire Inspector or their appointed designees. The Staff Review Team may consult with other Township staff members, consultants, or other agencies if needed
 2. **Site Plan Review Committee:** The Planning Commission shall appoint 3 of its members to a Site Plan Review Committee, and one alternate.
- B. **The Committee or Body Involved in Reviewing Certain Types of Site Plans:**
1. **Planned Unit Developments and Special Use Requests:** While the Staff Review Team and/or the Site Plan Review Committee may make recommendations to the Planning Commission regarding a site plan pursuant to a Planned Unit Development or a special use, the Planning Commission shall be responsible for reviewing and approving, approving with conditions, or disapproving a site plan where a special use is involved and the Planning Commission shall make the formal recommendation regarding approval, approval with conditions, or denial of a site plan to the Township Board where a Planned Unit Development is involved.
 2. **Other Site Plans:** Where the proposed use is a permitted use within the zoning district where the property is involved and the proposed use does not require approval of a special use or Planned Unit Development, the Staff Review Team and the Site Plan Review Committee shall proceed with the site plan review process pursuant to subsection D, below.
- C. **Planned Unit Developments and Special Uses:** The site plan review and approval process shall be undertaken by the Planning Commission with regard to special uses and by the Planning Commission and Township Board where a Planned Unit Development is involved pursuant to the special use and Planned Unit Development provisions of this Ordinance. Furthermore, this Chapter shall also apply to such site plan review and approval process for special uses and planned developments except as otherwise expressly provided in this Chapter.
- D. **Approval Process Where the Staff Review Team and Site Plan Review Committee are Involved:** The site plan review process involving the Staff Review Team and Site Plan Review Committee involves a three-step process as follows:
1. **Step 1 – Staff Review Team Preliminary Review:** Following the filing of a proposed site plan, the Staff Review Team shall review the plan with other appropriate Township departments, consultants, and/or applicable governmental agencies for design sufficiency. Following the review, the Staff Review Team shall submit a report to the applicant informing them of any site plan deficiencies and/or recommended changes. If required by staff, the applicant must submit a revised plan in response to staff's comments before the Planning Commission or Site Plan Review Committee reviews the plan. If no deficiencies are found, the

Planning Department shall forward the site plan to the Site Plan Review Committee. The applicant must provide an additional three copies of the plan at this time.

2. **Step 2 – Site Plan Review Committee Review:** Upon receipt of a revised site plan or if none is required, the Staff Review Team shall submit the site plan with their recommendation to the Site Plan Review Committee. The Site Plan Review Committee shall approve, approve with conditions, deny the site plan, or table for further revisions or information. The Site Plan Review Committee can choose to refer any site plan to the full Planning Commission for the Planning Commission to make the decision on the application. If the decision of the Site Plan Review Committee is not unanimous, the site plan shall automatically be referred to the full Planning Commission. The Township Planner, in consultation with the Planning Commission Chair, can require that a major site plan be reviewed by the Planning Commission without first going to the Site Plan Review Committee.
3. **Step 3 – Submittal of “As Approved” Plans:** After approval, the applicant must submit 3 copies of a revised site plan modified to reflect any conditions attached to the approval and any required performance guarantees before they will be able to obtain a building permit. The Planning Department shall stamp the revised Site Plan as “approved” if it accurately reflects the approved site plan and the conditions of approval and transmit a copy to the Building Department, transmit a copy to the applicant, and retain a copy for their records.

Section 25.5 Site Plan Review Standards

The following are the review standards for site plan review. No site plan shall be approved unless all of the following standards are met:

- A. **Adequacy of Information:** Whether the required information has been furnished in sufficiently complete and understandable form to allow an accurate description of the proposed use(s) and structure(s) in terms of density, location, area, height, bulk, placement, setbacks, performance characteristics, parking, and traffic circulation.
- B. **Compliance with Township Master Plan:** The site plan must comply with the Township Master Plan and its goals and objectives and any secondary plans that may have been adopted for the area containing the site.
- C. **Compliance with all Township Ordinances:** The site plan must comply with the standards of this Ordinance and all other applicable Township ordinances.
- D. **Configuration of Uses:** Whether there are ways in which the configuration of uses and structures could be changed that would improve the effect of the development on adjoining and nearby properties, persons, activities, and on the community, while allowing reasonable use of the property within the scope of district regulations and other regulations of this Ordinance that are applicable to the property and proposed use and structures.

- E. **Preservation of Natural Features:** The landscape and topography shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, and any grade changes shall be in keeping with the general appearance of neighboring developed areas.
- F. **Privacy:** The site design must provide reasonable visual and sound privacy for dwelling units on the site and on adjacent properties using fences, buffers, berms, and other measures, as appropriate.
- G. **Safety:** Buildings shall be arranged to provide emergency vehicle access. Site plans shall conform to all applicable fire codes.
- H. **Vehicular Circulation:** The site design shall provide safe, convenient, and well defined vehicular and pedestrian circulation within and to the site. Access to the site shall be designed to minimize conflicts with traffic on adjacent streets. Shared curb cuts and service drives shall be utilized as necessary to reduce traffic conflicts and improve the functionality of the site.
- I. **Pedestrian Circulation:** The site plan shall provide a pedestrian circulation system that is insulated as completely as is reasonably possible from the vehicular circulation system for safety.
- J. **Drainage:** Site plans shall conform with the Kent County Drain Commission’s surface water drainage standards and to the Township Stormwater Ordinance with special attention given to proper site drainage so that removal of storm water will not adversely affect neighboring property owners. Stormwater management system and facilities shall preserve the natural drainage characteristics and enhance the aesthetics of the site to the maximum extent possible.
- K. **Traffic Impact:** Measures should taken to reduce any adverse effects on existing roads, circulation patterns on the roads, or access to the site from the expected volume of traffic to be generated by the proposed use.
- L. **Hazardous Materials:** Sites which include storage of hazardous materials or waste, fuels, salt, or chemicals shall be designed to prevent spills and discharges of polluting materials to the surface of the ground, groundwater or nearby surface water bodies. The sites shall be designed to meet all applicable state and federal regulations.
- M. **Public Health, Safety, or Welfare:** The site plan must be adequate to provide for the health, safety, and general welfare of the persons and property on this site and in the neighboring community. All elements of the site plan shall be designed to take into account the site’s topography, the size and type of plot, the character of adjoining property, and the type and size of buildings. 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. The site plan must be harmonious with and not injurious to existing and projected uses in the immediate area.

Section 25.6 Conditions

Reasonable conditions may be attached to the approval of a site plan. The conditions may include, but are not limited to, conditions necessary to ensure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, to protect the natural environment and conserve natural resources and energy, to ensure compatibility with adjacent uses of land, to ensure compatibility with this Ordinance and other applicable ordinances, and to promote the use of land in a socially and economically desirable manner. The conditions imposed with respect to the approval of a site plan shall be recorded in the record of the approval action, and shall remain unchanged except upon the mutual express and written consent of the Township body or committee which approved the original site plan and the landowner. The Township shall maintain a record of conditions which are changed.

Section 25.7 Time Limits on Development and General Standards

- A. Construction must begin and be proceeding substantially and meaningfully within one (1) year of approval. An amendment to the site plan does not reset this one (1) year time limit. If construction has not begun or is not proceeding meaningfully, the site plan shall be null and void and the applicant must file a new application.
- B. When an applicant receives site plan approval, the applicant must develop the site exactly as shown on the approved site plan and any conditions attached to the approval.
- C. All requirements of this Ordinance, and any other applicable Township ordinance, standard, specification or regulation shall be complied with even if not specifically included or referenced in an approved site plan.

Section 25.8 Performance and Guarantees

The Site Plan Review Committee, the Planning Commission or the Township Board, in connection with its review of any final development plan, may, as a condition of approval, require reasonable performance guarantees to assure the development of the land in accordance with the approved final plan. Such guarantees may include, but shall not be limited to, entering into written agreements with the Township and providing a letter of credit or other performance guarantee to the Township in an amount and form which are acceptable to the Township.

Section 25.9 Site Plan Amendment Process

The Planning Department may administratively approve minor changes to an approved site plan in writing provided the revised site plan complies with all applicable requirements of this Ordinance and all other Township regulations or state law. The following are considered minor changes:

- A. For buildings, a reduction or increase by not more than 5% in the size of a building or structure provided that there is no increase in the number of dwelling units.
- B. A revision in floor plans, if consistent with the character of the use.

- C. The alteration of building and structure height by no more than 5%.
- D. The minor adjustment of building footprints unless a specific setback or separation distance was imposed as a condition of final approval.
- E. An increase or expansion of areas designated on the Final Site Plan as "not to be disturbed."
- F. The substitution of plant materials included in the Final Site Plan, provided they are substituted with similar types of landscaping on a 1-to-1 or greater basis, as determined by the Zoning Administrator.
- G. Minor alterations made to access and circulation systems, such as the addition of acceleration/deceleration lanes, boulevards, curbing, or side walks/bicycle paths.
- H. Changes made to exterior materials, if the changes provide for the use of materials of equal or higher quality than those originally approved, as determined by the Zoning Administrator.
- I. A reduction in the size of signs, or an increase in sign setbacks.
- J. The internal rearrangement of parking spaces in a parking lot, if the total number of parking spaces remains sufficient and circulation hazards or congestion are not created by the redesign as determined by the Zoning Administrator.
- K. A change in the name of the approved project or in the names of streets within the project.
- L. Other similar changes of a minor nature proposed to be made to the configuration, design, layout or topography of the use which are deemed by the Zoning Administrator to be not material or significant in relation to the entire use and which the Zoning Administrator determines would not have any significant adverse effect on adjacent or nearby lands or the public health, safety or welfare.

The Planning Department may refer any decision regarding a proposed change to an approved final site plan to the Site Plan Review Committee to determine whether or not the change may qualify as a minor change. All changes other than minor changes to the approved plan shall require approval by the Site Plan Review Committee or Planning Commission as a formal amendment to the site plan.

Section 25.10 Full Compliance; No Change Unless Formally Done

- A. All uses, buildings, structures, and activities shall comply fully and completely with the approved site plan for the property involved. Any unapproved deviation from an approved site plan or violation of a site plan shall constitute a violation of this Ordinance. No use, structure, or activity which requires site plan approval shall commence, be constructed, or occur prior to formal plan approval.
- B. An approved site plan (and any conditions attached thereto) shall remain unchanged and fully binding except upon the mutual express and written consent of both the landowner

and the Township body or committee which approved the original site plan (except for those limited circumstances where the Planning Staff or the Zoning Administrator can consent to such change under this Ordinance, and both the landowner and such Township official consent to the change in writing). Any purported change to an approved site plan (and/or any conditions attached thereto) which is not in a writing executed by the appropriate Township body, committee, or official is invalid.