

ARTICLE 17

SITE PLAN APPROVAL

Section 17.01 Purpose.

The purpose of this Article is to establish procedures and standards that provide a consistent method of review of site plans, and to ensure full compliance with the standards contained in this Ordinance and other applicable Codes and Ordinances. Three types of site plans (site plan, sketch plan and administrative review) have been established to ensure that the type and intensity of review and amount of required information is directly proportional to the scale of the project and the intensity of the use. It is the further purpose of this Article to protect natural, cultural and civic resources, minimize adverse impacts on adjoining or nearby properties, encourage cooperation and consultation between the Township and the applicant, and facilitate development in accordance with the Township's land use goals, objectives and design guidelines, as stated in the Master Plan.

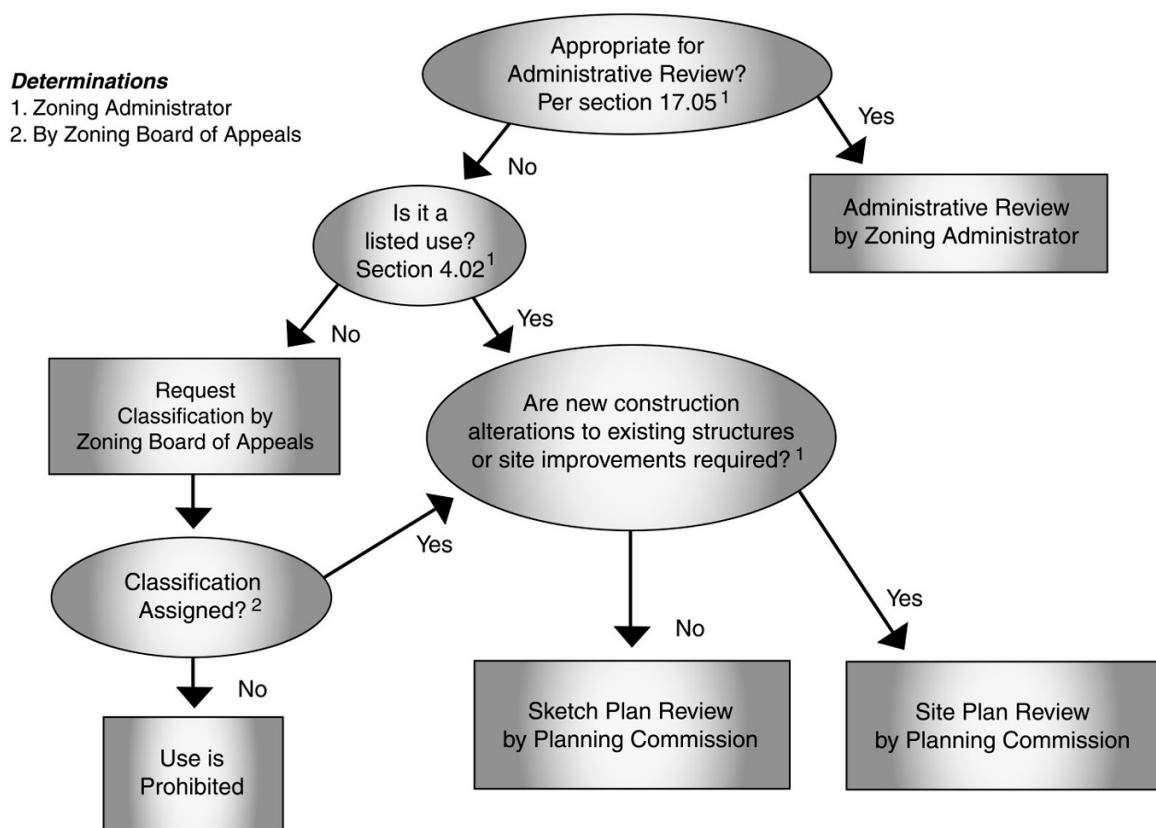
Section 17.02 Type of Site Plan Review Required.

The following activities are exempt from site plan review due to their relatively low level of impact on adjacent land uses, or because compliance with applicable building, fire and zoning regulations can be addressed by other means:

- A. A single-family dwelling and accessory structures on a single lot, in the A, R-1 and R-2 Districts and State Licensed Residential Facilities providing care to 6 persons or fewer for a period of 24 hours a day. (Amended 2007)
- B. Accessory farm buildings (such as barns and silos) used in the agricultural operations on a bona-fide farm with farm and agricultural uses less than 50 animal unit equivalent (see Section 6.101 for description of animal unit equivalent). Farm and agricultural uses involving more than 50 animal unit equivalent shall be subject to site plan review.
- C. Other accessory structures in the MHP, C-1, C-2, and I Districts, up to one hundred twenty (120) square-feet in area. Accessory structures over one hundred twenty (120) square-feet in area in these Districts shall be subject to sketch plan review.
- D. Utility system improvements, and modifications to upgrade a building to improve barrier-free design or comply with the Americans with Disabilities Act or similar regulations.

For all other uses and activities, submission of a site plan shall be required in accordance with the following chart: (see next page)

Type of Site Plan Review Required



E. **Types of plan review:**

1. **Site plans.** The most involved process for larger and more intense projects, including most new developments and major expansions.
2. **Sketch plans.** Smaller scale projects and expansions or changes in use to existing sites are permitted to provide less detailed information than a full site plan. The level of information is intended to be proportionate to the extent of the change, and adequate to verify compliance with applicable Ordinance standards.
3. **Administrative review.** Certain smaller scale projects shall be subject to administrative review and approval in accordance with Section 17.05 (Administrative Review).

Section 17.03 Informal Review of Conceptual Plans.

Applicants are encouraged to meet with the Planning Commission for informal review of conceptual site plans. The purpose of this informal review is to discuss applicable standards and technical issues, comment on the project's compliance with the standards of this Ordinance, and determine the appropriate type of review process. The applicant or Planning Commission may also request input from the County Building Inspector and other Township officials or consultants. Conceptual plans should include, at minimum, the proposed use, building footprint, existing conditions, general site layout and conceptual grading. Conceptual plan review comments are non-binding, and should be considered by the applicant to be suggestions and recommendations only. A review fee may be required for conceptual plan review, as determined by Township Board resolution.

Section 17.04 Site Plan and Sketch Plan Review Procedure.

Site plans and sketch plans shall be reviewed in accordance with the following:

- A. **Application.** The owner of an interest in land for which site plan approval is sought, or the owner's designated agent, shall submit a completed application form and sufficient copies of a site plan or sketch plan to the Township. Such application shall be submitted at least thirty (30) days prior to the Planning Commission meeting at which review is sought. The site plan or sketch plan shall be prepared in accordance with the provisions of this Article, including all appropriate information required by Sections 17.09 – 17.12 (Required Information). A site plan or sketch plan that does not meet the stipulated requirements shall be considered incomplete and shall not be eligible for consideration by the Planning Commission.
 1. **Technical review.** Prior to Planning Commission consideration, the site or sketch plan and application shall be distributed to appropriate Township officials and staff for review and comment. If deemed necessary by the Planning Commission, the plans shall also be submitted to applicable outside agencies and designated Township consultants for review and comment.
 2. **Planning Commission consideration of the site or sketch plan.** The Planning Commission shall review the site plan or sketch plan, together with any reports and recommendations from staff, consultants and other reviewing agencies and any public comments. The Planning Commission shall then make a determination based on the requirements of this Ordinance and the standards of Section 17.13 (Standards for Site Plan Approval). The Planning Commission is authorized to postpone, approve, approve subject to conditions or deny the site plan as follows:

- a. **Postponement.** Upon determination by the Planning Commission that a site plan or sketch plan is not sufficiently complete for approval or denial, or upon a request by the applicant, the Planning Commission may postpone consideration until a later meeting.
- b. **Denial.** Upon determination that a site plan or sketch plan does not comply with the standards and regulations set forth in this Ordinance, or would require extensive revisions to comply with said standards and regulations, the site or sketch plan shall be denied. If a plan is denied, a written record shall be provided to the applicant listing the reasons for such denial. Failure of the applicant, or the applicant's designated representative, to attend two or more meetings shall be grounds for the Planning Commission to deny approval of the site or sketch plan.
- c. **Approval.** Upon determination that a site plan or sketch plan is in compliance with the requirements of this Ordinance and other applicable ordinances and laws, the site plan or sketch plan shall be approved.
- d. **Approval subject to conditions.** The Planning Commission may approve a site plan or sketch plan, subject to one or more conditions necessary to address minor modifications to the plan, ensure that public services and facilities can accommodate the proposed use, protect significant natural features, ensure compatibility with adjacent land uses, or otherwise meet the intent and purpose of this Ordinance. Such conditions may include the need to obtain variances or approvals from other agencies.

3. **Recording of site plan action.** Planning Commission action on the site plan or sketch plan shall be recorded in the Commission meeting minutes, stating the name and location of the project, the proposed use, the most recent plan revision date, and the conditions or grounds for the Commission's action. The Secretary shall mark and sign two (2) copies of the site plan "APPROVED" or "DENIED" as appropriate, with the date that action was taken and any conditions of approval. One (1) copy shall be kept on file in the Township, and one (1) shall be returned to the applicant.

B. **Outside agency permits or approvals.** The applicant shall be responsible for obtaining all necessary permits or approvals from applicable outside agencies.

- a. The site design shown on the construction plans is consistent with the approved site plan, except for changes that do not materially alter the approved site design or address site plan or special approval use conditions of approval.
- b. All local, county and state requirements that apply to the site or proposed use have been satisfied, and all necessary outside agency permits or approvals have been obtained by the applicant.

Section 17.05 Administrative Review.

The following shall apply to all site plans eligible for administrative review:

A. **Eligible activities.** The following activities shall be eligible for administrative plan review in accordance with this Article:

1. Minor changes during construction due to unanticipated site constraints, or to improve safety, protect natural features or comply with unanticipated requirements of outside agencies.
2. Landscape changes to similar species consistent with the standards of Article 11(Landscaping, Buffering, and Screening) that do not reduce the total amount of landscaping on the site.
3. Changes to a structure or site required by the County Building Inspector for safety considerations.
4. Establishment of home occupations specifically listed as a permitted use in Section 6.205 (Home Occupations) of this Ordinance.
5. Bike path, pathway or sidewalk construction or relocation.
6. Grading, excavation, filling, soil removal, creation of ponds or clearing of trees within an area up to one hundred (100) square-feet on a lot occupied by a residential dwelling.
7. Waste receptacle relocation to a more inconspicuous location or installation of screening around the waste receptacle.

B. **Application requirements and procedures.** The application requirements and procedures for administrative review shall be the same as for Planning Commission site plan or sketch plan review, as outlined in Section 17.04 (Site Plan and Sketch Plan Review Procedure), except that the Zoning Administrator shall have the authority to approve, approve subject to conditions, or deny the site plan.

C. **Appeals to the Planning Commission.** The Zoning Administrator or the applicant shall have the option to request Planning Commission consideration of site plans or sketch plans eligible for administrative review. All appeals of administrative review determinations shall be made to the Planning Commission. In such cases, the Planning Commission shall review the site or sketch plan in accordance with the procedures outlined in Section 17.04 (Site Plan Review Procedure).

D. **Reports to the Planning Commission.** The Zoning Administrator shall periodically make a report to the Planning Commission of all administrative site plan review actions.

Section 17.06 Approval of Phased Developments.

Any proposed plan that includes phased development must submit a site plan to the Planning Commission. The Planning Commission may grant approval for site plans with multiple phases, subject to the following:

- A. The site design and layout for all phases and outlots be shown on the preliminary site plan to ensure proper development of the overall site.
- B. Improvements associated with each phase shall be clearly identified on the preliminary site plan, along with a timetable for development. All development phases shall be designed in logical sequence to ensure that each phase will independently function in a safe, convenient and efficient manner without being dependent upon subsequent improvements in a later phase or on other sites.

C. The Planning Commission may require changes to future phases of the development as part of site plan review in response to changes in site conditions, Master Plan recommendations, or amended Zoning Ordinance provisions that affect the character, design or use of the site.

Section 17.07 Site Plan or Sketch Plan Resubmission, Appeals, Expiration or Revocation.

A. **Resubmission.** A plan that has been denied may be revised by the applicant to address the reasons for the denial and then resubmitted for further consideration. The resubmitted plan shall be subject to the same requirements and review procedures as a new site plan submitted in accordance with this Article.

B. **Appeals.** The Zoning Board of Appeals shall not have the authority to consider appeals of plan determinations, except as follows:

1. The Zoning Board of Appeals shall have the authority to consider appeals of determinations related to the type of review required under Section 17.02 of this Article (Type of Plan Review Required).
2. When the Planning Commission approves a plan contingent upon approval of one or more variances from specific requirements of this Ordinance, the applicant shall initiate such a request to the Zoning Board of Appeals. The Secretary shall provide copies of the site or sketch plan, application materials and Planning Commission meeting minutes to the Zoning Board of Appeals. Zoning Board of Appeals consideration shall be limited to the specific variances identified as conditions of site plan or sketch plan approval by the Planning Commission.

C. **Expiration of site and sketch plans.**

1. **Plan approval.** Site plans and sketch plans shall expire three-hundred sixty-five (365) days after the date of approval.
2. **Extension of approval.** Upon written request received by the Township prior to the expiration date, the Planning Commission may grant one (1) extension of up to one hundred eighty (180) days, provided that site conditions have not changed in a way that would affect the character, design or use of the site, and that the approved site plan or sketch plan remains in conformance with all applicable provisions of this Ordinance.

D. **Rescinding approval of plans.** Approval of a site plan or sketch plan may be rescinded by the Planning Commission upon determination that the site has not been improved, constructed or maintained in compliance with approved permits, plans, or conditions of site plan, sketch plan or special land use approval. Such action shall be subject to the following:

1. **Public hearing.** Such action may be taken only after a public hearing has been held in accordance with the procedures set forth in Section 1.11 (Public Hearing Procedures), at which time the owner of an interest in land for which plan approval was sought, or the owner's designated agent, shall be given an opportunity to present evidence in opposition to rescission.
2. **Determination.** Subsequent to the hearing, the decision of the Commission with regard to the rescission shall be made and written notification provided to said owner or designated agent.

Section 17.08 Revisions to Approved Site and Sketch Plans.

Minor revisions to an approved site plan or sketch plan may be administratively reviewed by the Zoning Administrator, provided that such changes do not materially alter the approved site design, intensity of use or demand for public services. Revisions to an approved site plan that are not considered by the Zoning Administrator to be minor, shall be reviewed by the Planning Commission as an amended plan.

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Section 17.09 Required Information for All Plans.

The following information shall be included with all applications for site plan, sketch plan and administrative review under this Article, except where the Planning Commission determines that certain information is not necessary or applicable to the review of the site plan:

Section 17.09 (Required Information for All Plans)		REQUIRED
DESCRIPTIVE DATA AND NOTES		
Name, address and telephone numbers of applicant.		●
Name and address of property owner, if different from applicant.		●
Common description of property (address, lot number, tax identification number).		●
Proposed use of land and name of proposed development.		●
Proof of property ownership or option to purchase, and a title search or other evidence of any applicable easements or deed restrictions.		●
Scale and north arrow.		●
SITE PLAN DETAILS		
Location, outside dimensions, setback distances and proposed uses of all site improvements.		●
ADDITIONAL REQUIRED INFORMATION		
Other information necessary to determine compliance with this Ordinance.		●

Section 17.10 Required Information for Sketch Plans.

In addition to the information required by Section 17.09 (Required Information for All Plans), the following information shall be included with all applications for sketch plan review under this Article, except where the Planning Commission determines that certain information is not necessary or applicable to the review of the sketch plan:

Section 17.10 (Additional Required Information for Sketch Plans)		REQUIRED
DESCRIPTIVE DATA AND NOTES		
Name, address, telephone and facsimile numbers of firm or individual preparing the site plan, if different from the applicant.		●
Sketch plans shall be drawn to an engineer's scale of not less than 1" = 50' for property up to three (3) acres in size, and 1" = 100' for property more than three (3) acres in size, with a location map and north-arrow. Sheet size shall be at least twenty-four by thirty-six inches (24" X 36"). If a large development is shown in sections on multiple sheets, then one overall composite sheet shall be provided.		●
Written project description and detailed description of the proposed use.		●
Size and dimensions of proposed buildings, including gross and usable floor area, number of stories, overall height and number of units in each building, if applicable.		●
EXISTING CONDITIONS		
Dimensions of all lots and property lines, showing the relationship of the site to abutting properties. If the site is part of a larger parcel, the plan should indicate the boundaries of total land holding.		●
The zoning classification, current land use designation and location of existing structures on the site and all abutting parcels (including across the street).		●
Driveways, sidewalks, paths, public transit routes, streets and curb cuts on the applicant's parcel and all abutting parcels (including across street rights-of-way).		●
SITE PLAN DETAILS		
Existing and proposed easements and rights-of-way (locations and descriptions) for utilities, streets, access and drainage.		●
Identification of areas involved in each separate phase, if applicable.		●
Waste receptacle locations and methods of screening.		●
Outdoor sales, display or storage locations and method of screening, if applicable.		●
Locations, sizes, heights, types, methods of illumination and elevation drawings of all proposed signs.		●
ACCESS AND CIRCULATION		
Locations and dimensions of proposed sidewalks and driveways within the site and along public rights-of-way.		●

Section 17.11 Additional Required Information for Site Plans.

In addition to the information required by Section 17.09 (Information Required for All Plans) and Section 17.10 (Information Required for Sketch Plans) the following information shall be included with all applications for site plan review under this Article, except where the Planning Commission determines that certain information is not necessary or applicable to the review:

Section 17.11 (Additional Required Information for Site Plans)		REQUIRED
EXISTING CONDITIONS		
Existing site features, including significant natural, historical, cultural and architectural features, buildings and structures, driveway openings, fences, walls, signs and other improvements, with notes indicating which features will be removed, altered or preserved and details about the method of preservation or alteration.		●
SITE PLAN DETAILS		
Proposed lighting locations, heights, specifications and methods of shielding, along with elevation drawings of all freestanding pole lighting with overall height from grade.		●
BUILDING AND ARCHITECTURE DETAILS		
Building façade elevations, where changes are proposed, indicating type and color of building materials, roof design, projections, awnings, windows, entrance features and other architectural features.		●
ACCESS AND CIRCULATION		
Designation of fire lanes, where required by the Township.		●
Location and dimension of loading and unloading areas, where required.		●
LANDSCAPING AND SCREENING		
Landscape plan and planting list, including location, size, quantity method of installation and type (botanical and common names) of proposed shrubs, trees, ground cover (including grass) and other live plant materials, and the location, size and type of any existing plant materials that will be preserved.		●
UTILITIES, DRAINAGE AND THE ENVIRONMENT		
Grading plan, with existing and proposed topography at a minimum of two-foot (2') contour levels, finished grades of all buildings, driveways, walkways, and parking lots, drainage patterns and a general description of grades within one-hundred feet (100') of the site to indicate stormwater runoff.		●
Soil erosion and sedimentation control measures.		●
ADDITIONAL REQUIRED INFORMATION		
Other information necessary to determine compliance with this Ordinance		●

Section 17.12 Additional Information for Large-Scale and Residential Site Plans.

In addition to information required for All Plans (Section 17.09), Sketch Plans (Section 17.10), and Site Plans (Section 17.11); the following information may be required by the Planning Commission with all applications for large-scale projects (twenty-acres or more in gross area, or 40,000 square-feet or more in gross floor area) and residential developments subject to site plan review (site condominium, planned development, multiple-family, etc.):

Section 17.12 (Information that may be Required for Large-Scale and Residential Site Plans)		REQUIRED
DESCRIPTIVE DATA AND NOTES		
Notation of required variances or use approvals that must be or have been approved for the site.	●	
Detailed parking calculations, in accordance with the standards of Article 9.	●	
EXISTING CONDITIONS		
An aerial photograph of the entire development area (at least twenty-four by thirty-six inch (24" x 36") sheet size), with environmental features labeled on the photo in a "bubbled" fashion, including woodlands, wetlands, groundwater recharge areas, drains, creeks, surface water, severe changes in topography, viewsheds and floodplains. Photos are available from the Branch County Planning Department.	●	
Zoning districts and land uses for surrounding land within three hundred feet (300') of the site boundaries.	●	
Driveways, sidewalks, paths, streets and curb cuts within three hundred feet (300') of the site boundaries.	●	
SITE PLAN DETAILS		
Two (2) site cross-sections, drawn to an appropriate scale.	●	
A photometric grid overlaid on the site plan indicating light intensity throughout the site in foot-candles.	●	
BUILDING AND ARCHITECTURAL DETAILS		
Building floor plans and accessory structure details.	●	
ACCESS AND CIRCULATION		
Dimensions and centerlines of existing and proposed rights-of-way, including those abutting the site, and names of abutting streets.	●	
Indication of width, depth, type and curbing for all streets, parking lots, sidewalks and other paved surfaces, with appropriate cross-sections and curve radii.	●	
Locations and dimensions of access points, including deceleration or passing lanes and distances between adjacent or opposing driveways and street intersections.	●	
Dimensions of parking spaces and maneuvering aisles, with pavement markings and traffic control signage.	●	

Section 17.12 (Information that may be Required for Large-Scale and Residential Site Plans)		REQUIRED
LANDSCAPING AND SCREENING		
Landscape maintenance plan.		●
Proposed fences and walls, including typical cross-section, materials and height above the ground on both sides, and method of mechanical equipment and transformer pad screening, where applicable.		●
UTILITIES, DRAINAGE AND THE ENVIRONMENT		
Schematic layout of existing and proposed sanitary sewers, water lines, fire hydrants, storm sewers, detention or retention ponds and other drainage facilities, gas, electric, and telephone lines and other utilities serving the site.		●
General description and location of stormwater management system, including pre- and post-site development runoff calculations used for determination of stormwater management, and location and design (slope) of retention/detention ponds, and including any required MDEQ permits.		●
Location of any MDEQ regulated wetlands, submission of a wetland delineation by a qualified wetland consultant, and indication of the status of application for a MDEQ wetland permit or copy of a permit received including description of any wetland mitigation required; and location of other significant non-regulated wetland areas over two (2) contiguous acres.		●
Delineation of areas on the site that are known or suspected to be contaminated, together with a report on the status of site cleanup.		●
RESIDENTIAL PROJECTS		
The number and location of each type of residential unit, and any mailbox cluster locations.		●
Method and location of trash removal.		●
Garage and carport locations and details, if proposed.		●
Location and names of roads and internal drives and the pedestrian circulation system.		●
Location, dimensions, floor plans, and facade elevations of community buildings and facilities, if applicable.		●
Locations, sizes and details of facilities for all parks, recreation areas and dedicated open spaces.		●

Section 17.13 Standards for Site Plan and Sketch Plan Approval.

The following criteria shall be used as a basis upon which site plans and sketch plans will be reviewed and approved, approved with conditions, or denied:

- A. **Adequacy of information and compliance with Ordinance requirements.** The site plan includes all required information in a complete and understandable form that provides an accurate description of the proposed uses, structures and site improvements. The site plan complies with all applicable Ordinance requirements, including but not limited to minimum floor space, height of building, lot size, yard space and density.
- B. **Site design characteristics.** All elements of the site design are harmoniously and efficiently organized in relation to topography, parcel configuration, adjacent properties, traffic operations, adjacent streets and driveways, pedestrian access, and the type and size of buildings. The site is designed in a manner that promotes the normal and orderly development of surrounding property for uses permitted by this Ordinance.
- C. **Site appearance and coordination.** Site elements are designed and located so that the proposed development is aesthetically pleasing and harmonious with adjacent existing or future developments. All site features, including vehicle and pedestrian circulation, building orientation, landscaping, lighting, utilities, recreation facilities, and open space are harmonious and coordinated with adjacent properties.
- D. **Preservation of site features.** The site design preserves and conserves natural, cultural, historical and architectural site features, including but not limited to architecturally or historically significant buildings, archeological sites, wetlands, topography, tree-rows and hedgerows, wooded areas and significant individual trees.
- E. **Pedestrian access and circulation.** The arrangement of public or common ways for pedestrian circulation connects to existing or planned sidewalks or bicycle pathways in the area, and is insulated as completely as possible from the vehicular circulation system. The site design complies with applicable federal, state, and local laws and regulations regarding barrier-free access.
- F. **Vehicular access and circulation.** Drives, streets, parking, site access and other vehicle-related elements are designed to minimize traffic conflicts on adjacent streets and promote safe and efficient traffic circulation within the site.
- G. **Building design and architecture.** Building design and architecture relate to and are harmonious with the surrounding neighborhood with regard to texture, scale, mass, proportion, materials and color.
- H. **Parking and loading.** Off-street parking lots and loading zones are arranged, located and designed to accommodate the intensity of proposed uses, minimize conflicts with adjacent uses, enhance the character of the neighborhood, and promote shared-use of common facilities by adjoining properties.
- I. **Landscaping and screening.** Landscaping and screening are provided in a manner that adequately buffers adjacent land uses and screens off-street parking, mechanical equipment,

loading and unloading areas and storage areas from adjacent residential areas and public rights-of-way.

- J. **Exterior lighting.** All exterior lighting fixtures are designed, arranged and shielded to minimize glare and light trespass, prevent night blindness and vision impairments, and maximize security.
- K. **Impact upon public services.** The impact upon public services will not exceed the existing or planned capacity of such services, and adequate public services (including but not limited to utilities (water, sanitary & storm sewers, county drains, natural gas, electricity and telephone), streets, police and fire protection, public schools and sidewalks/bicycle paths) are available or provided to the site, and are designed with sufficient capacity and durability to properly serve the development.
- L. **Drainage and soil erosion.** Drainage systems, stormwater facilities, and soil erosion, sedimentation and dust control measures are arranged, located and designed to promote shared-use of common facilities by adjoining properties. Adjoining properties, public rights-of-way and the capacity of the public storm drainage system will not be adversely affected by stormwater runoff and sedimentation.
- M. **Emergency access and vulnerability to hazards.** All sites and buildings are designed to allow convenient and direct emergency access, and the level of vulnerability to injury or loss from incidents involving hazardous materials or processes will not exceed the Township's emergency response capabilities.

Section 17.14 Development and Maintenance in Accordance with an Approved Site Plan.

It shall be the responsibility of the owner of the property for which site plan approval has been granted to develop, improve and maintain the site, including the use, buildings and all site elements in accordance with the approved plan and all conditions of approval, until the property is razed or a new plan is approved. Failure to comply with the provisions of this Section shall be a violation of this Ordinance and shall be subject to the same penalties appropriate for a use violation.

The Zoning Administrator shall make periodic investigations of developments for which plans have been approved. Noncompliance with the requirements and conditions of the approved plan shall constitute grounds for the Planning Commission to rescind plan approval.