

CHAPTER 19

300.1900 SITE PLAN APPLICATION AND REVIEW PROCEDURES

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- (a) *Statement of purpose.* The purpose of site plan review is to provide for consultation and cooperation between the land developer and the Village 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 Village 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.

Further purposes of site plan approval shall include: privacy, efficiency for the public and local government servicing, preservation of the natural landscape, emergency access, effective drainage, vehicular and pedestrian safety and conveniences; prevention of air, water and noise pollution; and limitation of obnoxious odors, glare, and exposure to toxic substances and wastes.

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

- (b) *Approval by Planning Commission required.*
1. *Site plan required.* Submission of a site plan shall be required for any of the following:
 - a. Any development or use for which submission of a site plan is required by provisions of this Ordinance.
 - b. 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 location of the exterior walls and/or the area of the building. This shall include alterations to construct or relocate pedestrian entrances or windows.
 - c. 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.
 - d. All condominium developments, except condominium developments of fewer than three units.

- e. 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.
 - f. Any other change in use or development that could affect compliance with the standards set forth in this Ordinance.
 - g. Any proposal to create, expand or alter a use or structure which involves using, storing, or generating hazardous substances.
2. *Site plan not required.* Submission of a site plan shall not be required in the following circumstances:
- 1. Single and two-family dwelling units on individual lots.
 - 2. Residential and agricultural accessory buildings.
 - 3. Nonresidential accessory buildings less than 600 square feet in area.

In addition, uses with approved site plans or existing buildings which propose a change constituting ten percent or less of the building floor area or ten percent or less of the required parking spaces may be reviewed, approved and administrated by the Village Manager or duly appointed Zoning Administrator.

- (c) *Application submittal.* Application for site plan review shall be made to the Village by filing of not less than ten copies of an application form and detailed site plan with the office of the Zoning Administrator at least 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 within the fee schedule in effect as established by the Council at time application is made.

The 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 generally complete and appears to comply with the Zoning Ordinance, it shall be processed in accordance with this ordinance.

1. *Application form.* Each submittal for Site Plan Review shall be accompanied by a completed application form furnished by the Village and include the following information:
- a. The applicant's name, address, and phone number.
 - b. The address and parcel number of the property.
 - c. 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).

- d. 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).
 - e. 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.
 - f. The gross and net acreage of all lots or parcels in the project.
 - g. Existing zoning classification, land uses, and structures on the subject parcel.
 - h. Name and address of developer (if different from the applicant), engineer, architect and/or land surveyor.
 - i. Project completion schedule/development phases.
 - j. 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. Indication of whether any formal impact statements are required.
2. *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 150 feet of the site. The scale of the site plan shall be not less than one inch equals 100 feet. 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 Village, the Zoning Administrator may waive the requirement for a site plan. The following information shall be included:
- a. Name of development and general location sketch.
 - b. Name, address and phone number of owner(s), developer, and designer.
 - c. North arrow, scale, and date of original drawing and revisions.
 - d. 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 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 existing structures may be prepared by the builder or contractor.
 - e. A legal description and address of the property in question.

- f. The area of the site in square feet and acres excluding all existing and proposed public rights-of-way.
- g. 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.
- h. 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.
- i. The location and elevations of existing water courses and water bodies, including county drains and man-made surface drainage ways, flood plains, and wetlands.
- j. Location and type of significant existing vegetation, including location of all existing trees over five inches in diameter.
- k. Any significant site amenities and unique features.
- l. Existing land uses and zoning classification of the subject parcels and adjacent parcels.
- m. All required minimum setbacks from the existing or proposed right-of-way and from adjacent lots.
- n. The location and dimensions (length, width, height) of all existing and proposed structures on the subject property and all existing structures within 100 feet of the subject property.
- o. 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.
- p. 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.
- q. With non-residential proposals, the number of offices, number of employees, the number of floors and typical floor plans and cross sections.
- r. 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.

- s. 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.
- t. 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.
- u. Proposed finish grade of buildings, driveways, walkways, and parking lots.
- v. 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.
- w. 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.
- x. Proposed sanitary sewer facilities and location of all existing utilities, easements, vacations and the general placement of lines, manholes, tap ins, pump stations, and lift stations.
- y. 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.
- z. Locations of existing and proposed fire hydrants with reasonable access thereto for fire fighting, police and other emergency equipment.
- aa. Location of all other utilities on the site including but not limited to natural gas, electric, cable TV, telephone and steam.
- bb. Soil erosion and sedimentation control measures.
- cc. Detailed landscaping plan indicating location, types and sizes of material.
- dd. All proposed screening and free standing architectural walls, including typical cross-sections and the height above ground on both sides.

- ee. The dimensions and location of all signs, both wall signs and free-standing signs and of lighting structures and shielding.
 - ff. Location, size and specifications for screening of all trash receptacles and other solid waste disposal facilities.
 - gg. 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.
 - hh. Easements for proposed public rights-of-way, utilities, access, shared access, and drainage.
 - ii. Notation of any variances which have been or must be secured.
 - jj. Notation of performance guarantees to be provided including amounts, types, and terms.
 - kk. Statement that applicant will comply with State, Local and Federal laws, as applicable to the site or intended use.
 - ll. Information and special data which may be critical to the adequate review of the proposed use and its impacts on the site or Village. 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 Village's tax base and adjacent property values.
 - mm. Other data which the Village may reasonably deem necessary for adequate review.
 - nn. The site plan shall indicate 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.
 - oo. Delineation of areas on the site which are known or suspected to be contaminated, together with a report on the status of the cleanup.
3. *Phased development.* 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 Zoning 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.

4. *Pre-application conference.* A pre-application conference may take place to review a generalized site plan presented by a prospective applicant for consideration of the overall idea of the development. The purpose of the conference is to discuss basic questions regarding use, density, integration with existing development in the area and impacts on and the availability of public infrastructure. Also, the applicant may be presented with the applicable procedures required by the Ordinance for approval of the proposed development and with any special problems or steps that might have to be followed, such as requests to the Board of Appeals for a variance. The conference may be scheduled by a prospective applicant with the Zoning Officer and such other Village representatives, as appropriate, including one member of the Planning Commission.
- (d) *Criteria for granting site plan approval.* Each site plan shall conform to all applicable provisions of this Zoning Ordinance. The following criteria shall be used by the Planning Commission as a basis upon which site plans will be reviewed and approved. The Village shall adhere to sound planning principles, yet may allow for design flexibility in the administration of the following standards:
1. 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.
 2. The site plan shall comply with the district requirements for minimum floor space, height of building, lot size, open space, density and all other requirements as set forth in this Ordinance.
 3. 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.
 4. 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.

5. All buildings or groups of buildings shall be so arranged as to permit convenient and direct emergency vehicle access.
6. 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.
7. All streets shall be developed in accordance with the Village Subdivision Regulations and the County Road Commission 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 Village recognized source of reference. The applicant may be required to dedicate adequate land and improvements to the Village in order to achieve access which is safe and convenient.
8. 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. 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. Final grades may be required to conform to existing or future grades of adjacent properties.
9. 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 or landscaping of effective height.
10. Exterior lighting shall be so arranged and limited in intensity and height so that it is deflected away from adjacent lots and so that it does

not impede vision of drivers along adjacent streets. All exterior light fixtures shall be of a "shoe box" recessed design and shall be orientated directly downward toward the ground or parking area.

11. 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.
12. 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, flood plains, wetlands, and requirements of the local or state Fire Marshall. 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.
13. 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.
14. 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 Village and with the Village Master Plan.
15. A major objective shall be to retain, enhance and protect the quality, value and privacy of single family land uses.
16. 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.

17. All sites shall be designed to comply with State and local barrier-free requirements and to reasonably accommodate the handicapped and elderly.
- (e) *Review and approval.* Site Plans shall be reviewed in accordance with the following procedures:
1. *Department review.* The Zoning Administrator shall secure comments from the Village Police and Fire Departments, the Utility and Street Departments, and the Village Engineer and 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 the Engineer, Planning Consultant and other County or State agencies, groups or persons, as appropriate.
 2. *Site plan approval.* The Village 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 Commission approves a site plan with conditions from the applicant, the Zoning Administrator shall require a revised site plan with a revision date, indicating said conditions on the site plan.
 3. *Record of action.* Each action taken with reference to site plan review and approval shall be duly recorded in minutes of the Planning Commission.
 4. *Final site plan.* When a site plan approval is required, no Zoning 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 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: Clerk, Zoning Administrator and the Applicant.
- (f) *Issuance of zoning permit.* Complete construction plans including component phases, shall be submitted for review by the Zoning Administrator and, as applicable, the Village Engineer. Upon review and finding that the construction plans meet with the requirements of site plan approval and other applicable ordinances of the Village, the Zoning Administrator shall issue a Zoning Permit for said construction.

Site plan approval hereunder shall be valid for one year from the date of approval. If an applicant does not obtain a Zoning Permit within one year after site plan approval, the site plan approval expires and is of no force or

effect, unless extended by the Planning Commission. Revocation of an approved site plan shall be communicated in writing by certified mail to the property owner.

- (g) *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. Failure to do so is a violation of this ordinance and subject to the sanctions of Chapter 24.

Upon completion of the installation of required improvements as shown on the approved site plan, the property owner shall submit to the Zoning Administrator 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 Zoning Administrator 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 Zoning Administrator, and shall be reported within 30 days to the Planning Commission after the issuance of Certificate of Occupancy.