

CHAPTER 17
SITE PLAN REVIEW

Section 17.01. Review Required. Site plan review shall be required:

- (a) Prior to the creation of any new land use or erection of any new building, except single family and two-family dwellings.
- (b) Prior to any change in an existing land use or structure, except single family and two-family dwellings, but only (1) if such change is from a residential to non-residential use; or (2) is accompanied by an increase in the exterior dimensions of a building; or (3) if the use is changed to one in which the minimum parking spaces required for the use increase by more than 10 percent.

Section 17.02. Informal Preapplication Review.

- (a) If desired by the applicant, prior to submitting a site plan meeting the requirements set forth herein, an informal review of a proposed application may be submitted to the Planning Commission.
- (b) Applications for an informal preapplication review shall be made in accordance with the application procedures of this section, except that no application fee shall be charged.
- (c) A proposed application submitted for preapplication review does not need to meet the requirements for site plans set forth herein, but shall contain sufficient information to inform the Planning Commission of the nature and scope of the proposed project.
- (d) The Planning Commission shall review the proposed application solely for the purpose of providing comments and making recommendations to assist the applicant in preparing a site plan which will conform to the standards of this Ordinance. No vote shall be taken on any proposed application.

Section 17.03. Contents of Site Plan. A site plan shall include all of the following information, unless waived by the Zoning Administrator.

- (a) A site plan based on an accurate certified land survey showing:
 - (1) The date, north arrow, and scale. The scale shall be not less than 1 inch = 100 feet for those sites three acres or more.
 - (2) The name and firm address of the professional individual responsible for the preparation of the site plan.
 - (3) The name and address of the property owner or petitioner.
 - (4) A locational sketch.

- (5) Legal description of the subject property.
- (6) The size (in acres) of the subject property.
- (7) Property lines and required setbacks.
- (8) Refuse and service areas.
- (9) Loading and unloading facilities.
- (10) Exterior lighting and signs.
- (11) The location of all existing structures, driveways, and parking areas on the subject property within 300 feet of the subject property's boundaries.
- (12) The location and dimensions of all existing and proposed structures on the subject property.
- (13) The location of all existing and proposed drives, acceleration/ deceleration lanes, sidewalks and existing and proposed parking areas.
- (14) The location and right-of-way width of all abutting roads, streets, alleys or easements.
- (15) The current uses of all properties abutting the subject property.
- (16) The location and a general description of all existing vegetation, and the location, type, and size of all proposed landscaping, and the location, height and type of existing and proposed fences and walls.
- (17) Location and nature of existing and proposed water supply and sewage disposal facilities, including any proposed connections to public sewer or water supply systems.
- (18) The location and size of all existing and proposed surface water drainage facilities.
- (19) Existing and proposed topographic contours.
- (20) Recreation areas, common use areas, and areas to be conveyed for public use.
- (21) Existing and proposed lakes, streams and other bodies of water.
- (22) Flood plain areas and basement and floor elevations of all buildings.
- (23) Any deed restrictions or covenants.
- (24) Typical elevation views of the front and side of each building.
- (25) A brief narrative description of the project.

- (b) Preliminary architectural sketches and/or a general statement as to the type of construction and materials to be used in the proposed buildings or structures. Height and area of buildings and structures shall be described.
- (c) The period of time within which the project will be completed.
- (d) Proposed staging of the project, if any.
- (e) Gross areas of buildings and parking.
- (f) Delineation of the 100-year floodplain and any proposed uses therein.
- (g) Additional information which the Township may request and which is reasonably necessary to evaluate the site plan.

The application for site plan approval shall be accompanied by a fee, as established by Township Board resolution from time to time. The Planning Commission may waive any of the required contents of the site plan, if such items are deemed not necessary to a decision concerning the site plan.

Section 17.04. Standards of Review. The Planning Commission shall approve a site plan if it determines that the plan complies with the requirements of this Ordinance; is consistent with the intent and purposes of the ordinance; will be compatible with adjacent land uses, and the natural environment and capacities of public services and facilities; and will be consistent with the public health, safety and welfare. In addition, the site plan shall comply with the following standards:

- (a) **Building Permit.** Where a site plan has been approved for any use, any building permit issued shall provide that the development be completed in accordance with the approved site plan. A failure to conform with the site plan shall be a violation of this Ordinance, and if necessary the Township may issue a stop work order under Section 17.04(f).
- (b) **Traffic Circulation.** The number, location, and size of access and entry points, and internal traffic and pedestrian circulation routes shall be designed to promote safe and efficient access to and from the site, and circulation within the site. In reviewing traffic circulation features, the Planning Commission shall consider spacing and alignment with existing and probable future access points on nearby properties, and may require that provision be made for shared access with adjacent properties.
- (c) **Storm Water.** Storm water detention and drainage systems shall be designed so that the removal of surface waters will not adversely affect neighboring properties or public storm water drainage systems. All aspects of storm water control measures shall be subject to the approval of the Township Engineer and the Montcalm County Drain Commissioner.

- (d) **Landscaping.** The landscape shall be preserved in its natural state, insofar as practicable, by minimizing unnecessary tree and soil removal, and any grade changes shall be in keeping with the general appearance of neighboring developed areas. The Planning Commission may require that landscaping, buffers, or greenbelts be preserved or provided, to ensure the proposed uses will be adequately buffered from one another and from surrounding property.
- (e) **Screening.** Where commercial uses abut residential uses, appropriate screening consisting of attractively designed, fencing or screening, or equivalent landscaping, shall be provided so as to shield residential properties from noise, headlights, and glare, and from the view of trash receptacles, dumpsters and similar outdoor, utilitarian uses, common to commercial activities.
- (f) **Lighting.** Outdoor lighting shall be designed so as to minimize glare on adjacent properties and public streets.
- (g) **Exterior Uses.** Exposed storage areas, machinery, heating and cooling units, service areas, loading areas, utility buildings and structures, and similar accessory areas shall be located so as to have only a minimum negative effect on adjacent properties, and shall be screened if reasonably required to ensure compatibility with surrounding properties.
- (h) **Utilities.** Water supply and sewage disposal facilities shall comply with all Township and County requirements.
- (i) **Signs.** Signs shall comply with the sign provisions of this Ordinance.
- (j) **Parking and Loading.** Off-street parking and loading facilities shall comply with Chapter 19.

Section 17.05. Conditions. The Planning Commission may impose reasonable conditions on the approval of a site plan. Such conditions may include but need not be limited to conditions necessary to insure compatibility with adjacent land uses, to promote the use of land in a socially and economically desirable manner, to protect the natural environment and conserve natural resources and to insure that public services and facilities affected by a proposed land use or activity will be capable of handling increased service and facility demands caused by the land use or activity.

Section 17.06. Improvements; Financial Guarantees. To insure compliance with the Zoning Ordinance and any conditions imposed thereunder, the Planning Commission may require that a cash deposit, certified check, irrevocable bank letter of credit, or surety bond acceptable to the Township covering the estimated cost of the improvements proposed in the site plan, be deposited with the Township Clerk to insure timely and faithful completion of the improvements.

Section 17.07. Procedures.

- (a) Twelve copies of a site plan and a completed application form, and the application fee shall be submitted to the zoning administrator. After the zoning administrator determines that a proposed land use complies with the Zoning Ordinance, the Building Code and other ordinances of the Township, the site plan shall be placed on the agenda of a Planning Commission meeting.
- (b) The Planning Commission may approve the site plan, disapprove it, or approve it with conditions.
- (c) Any conditions or modifications approved or required by the Planning Commission shall be recorded in the minutes of the Planning Commission meeting.
- (d) Decisions on a site plan shall be made by a majority vote of those present.
- (e) Upon approval of a site plan, the site plan as approved shall become part of the record of approval of the land use. All subsequent actions relating to the land use shall be consistent with the approved site plan, unless changes therein are approved by the Planning Commission. Failure to conform to an approved site plan shall be a violation of this Ordinance.
- (f) In the event of construction work or other activity that does not comply with an approved site plan, the Township may issue a stop work order, whereupon all work in violation of or inconsistent with the approved site plan shall cease, until the stop work order is withdrawn by the Township.
- (g) Upon approval of a site plan, the plan shall be signed by the chairperson of the Planning Commission; with one copy to the Zoning Administrator, one copy to the Township Clerk, one copy shall be submitted to the Building Inspector and one copy shall be returned to the applicant.

Section 17.08. Changes in Approved Site Plans.

- (a) The holder of an approved site plan shall notify the Zoning Administrator of any proposed change in the approved site plan.
- (b) Minor changes in an approved site plan may be approved by the Zoning Administrator, upon a determination that the proposed change will not alter the basic design of the development or any specific conditions imposed as a part of the original approval. Minor changes shall include the following:
 - (1) Change in building size, up to 5 percent in total floor area.
 - (2) Change in location of buildings or other structures by no more than ten feet.
 - (3) Replacement of plant material specified in the landscape plan, with comparable material.

- (4) Changes in building materials to a comparable or higher quality.
 - (5) Changes in floor plans which do not alter the character of the use.
 - (6) Internal rearrangement of a parking lot which does not affect the number of parking spaces or alter access locations or design.
 - (7) Changes required or requested by the Township for safety reasons.
 - (8) Changes which will preserve the natural features of the site without changing the basic site layout.
 - (9) Other similar changes of a minor nature which are deemed by the Zoning Administrator to be not material or significant in relation to the entire site, and which the administrator determines would not have a significant adverse effect upon adjacent or nearby lands or the public interest.
- (c) The Zoning Administrator may refer any decision regarding any proposed site plan change to the Planning Commission for review and approval (regardless of whether the change may or may not qualify as a minor change).
 - (d) Should the Zoning Administrator determine that the requested change to the approved site plan is not a minor change, then the site plan shall be resubmitted to the Planning Commission, for consideration of an amendment in the site plan, under the same procedures as are required for original approval of a site plan.

Section 17.09. Appeal.

- (a) A person aggrieved by the action of the Planning Commission with regard to a site plan may appeal in writing to the Township Board within seven days after the date of the Planning Commission's action. The Township Board shall determine a date, time and place when it will consider such appeal and shall notify the applicant thereof.
- (b) All interested parties may be heard at the meeting at which the Township Board considers the appeal. After hearing the matter, the Township Board shall affirm, modify or reverse, in whole or in part, the action of the Planning Commission with regard to the site plan. Such action by the Township Board shall be based upon the standards set forth in Section 17.04.

Section 17.10. Principal-Use Solar Energy System Site Plan Requirements

Site Plans and supporting application materials for a Principal-Use SES shall include a detailed site plan including all applicable requirements found in Chapter 16A of this ordinance, except that site plans for principal-use SES shall be submitted at a scale of 1" = 50' feet, plus the following site plan requirements:

- (a) The location of all solar arrays, including setbacks, the width of arrays and distance between arrays plus total height and height to the lowest edge above grade, ancillary

structures and electric equipment, utility connections, and dwellings on the property and within one-hundred (100) feet of the property lines, participating and non-participating lots, existing and proposed structures, buried or above ground wiring, temporary and permanent access drives, fencing detail, screening/landscape detail, berm detail, and signs

- (b) Plans for land clearing and/or grading required for the installation and operation of the system and plans for ground cover establishment and management.
- (c) A decommissioning plan including the following:
 - (1) a description of which above-grade and below-grade improvements will be removed, retained, or restored for viable reuse of the property consistent with the zoning district,
 - (2) the projected decommissioning costs for SES removal (salvage value shall not be deducted) and soil stabilization, less the amount of the surety bond posted with the State of Michigan for decommissioning of panels installed on PA 116 lands, and
 - (3) the method of ensuring that funds will be available for site decommissioning and stabilization (in the form of surety bond, irrevocable letter of credit, cash deposit).
- (d) Completed copy of Michigan Pollinator Habitat Planning Scorecard for Solar Sites (when applicable).
- (e) Additional studies may be required by the Planning Commission if reasonably related to the standards of this ordinance as applied to the application site, including but not limited to the following:
 - (1) **Visual Impact Assessment:** A technical analysis by a third party qualified professional of the visual impacts of the proposed project, including a description of the project, the existing visual landscape, and important scenic resources, plus visual simulations that show what the project will look like (including proposed landscape and other screening measures) a description of potential project impacts, and mitigation measures that would help to reduce the visual impacts created by the project and documented on the site plan.
 - (2) **Environmental Analysis:** An analysis by a third-party qualified professional to identify and assess any potential impacts on the natural environment including, but not limited to wetlands and other fragile ecosystems, wildlife,

endangered and threatened species, historical and cultural sites, and antiquities. If required, the analysis shall identify all appropriate measures to minimize, eliminate or mitigate adverse impacts identified and show those measures on the site plan, where applicable.

- (3) **Stormwater Study:** An analysis by a third-party qualified professional that considers the proposed layout of the SES and how the spacing, row separation, and slope affects stormwater infiltration, including calculations for a 100-year rain event (storm). Percolation tests or site-specific soil information shall be provided to demonstrate infiltration on-site without the use of engineered solutions.
- (4) **Glare Study:** An analysis by a third-party qualified professional to determine if glare from the SES will be visible from nearby residents and roadways. If required, the analysis shall consider the changing position of the sun throughout the day and year, and its influence on the SES.