Sec. 32.02. - Site plan review procedures and standards.

A. Site plan review.

1. Site plan required. Except as provided in subsection (2), the development of any new use, the construction of any new structures, any change of an existing use of land or structure that impacts any requirement of these regulations, and all other building or development activities shall require site plan approval prior to construction and/or occupancy pursuant to this Article. The city plan commission shall have jurisdiction regarding site plans for use of land for Multiple Family Development, Cluster Residential Development, and in the OS, Business-Office District. All other land uses and zoning districts where site plans are required shall be submitted for review and approval to the city planner. For example, site plan review is required for any of the following activities:

   (a) Erection, moving, relocation, conversion or structural alteration to a building or structure to create additional floor space, other than a single-family dwelling.

   (b) Any development that would, if approved, provide for the establishment of more than one (1) principal use on a parcel, such as a single-family site condominium or similar project where a single parcel is developed to include two (2) or more sites for detached single-family dwellings.

   (c) Development of nonsingle-family residential uses in single-family districts.

   (d) Any change in land use or change in the use of a structure that potentially affects compliance with the standards set forth within these regulations.

   (e) The development or construction of any accessory uses or structures, except for uses or structures that are accessory to a single-family dwelling.

   (f) Any use or construction for which submission of a site plan is required by any provision of these regulations.

   (g) Establishment of any regulated use.

2. Site plan not required. Notwithstanding the preceding subsection (1), site plan approval is not required for the following activities:

   (a) Construction, moving, relocating or structurally altering a single- or two-family home, including any customarily incidental accessory structures.

   (b) Excavating, filling, or otherwise removing soil, provided that such activity is normally and customarily incidental to single family uses described in this Section for which site plan approval is not required.

   (c) A change in the ownership of land or a structure.

   (d) A change in the use of a structure to a similar use allowed by right in the zoning district in which it is located, provided that no modification to the site is proposed or required by the standards of the regulations and that the site maintains full and continuing compliance with these regulations.

B. Site plan applications.

1. Submission of site plan for review by Plan Commission and/or the City Planner. In order to initiate formal review by the plan commission and/or the city planner, the applicant is required to submit the following materials to the City Planner:

   (a) Three (3) completed and signed copies of an application for site plan review,

   (b) Fifteen (15) individually folded copies of the site plan,

   (c) Evidence that the plan has been submitted for review to affected county, state, and federal agencies, including but not limited to the Wayne County Department of Roads, Wayne
County Drain Commissioner, Wayne County Health Department, and Michigan Department of Transportation, and

(d) The required review fee.

These materials must be submitted to the city planner in sufficient time to allow review by City staff and consultants prior to the plan commission workshop at which the review will occur. The city planner shall determine what is "sufficient time", based on the scope and complexity of the proposal.

2. Distribution of plans. Upon submission of all required application materials and following completion of all items required by the adopted Site Plan Review Manual, the proposed site plan shall be placed on the next open Plan Commission workshop agenda. The site plan and application shall be distributed by the city planner to appropriate city officials for review. If deemed necessary by the city planner, the plans may also be submitted to the city engineer for review.

C. Review and action.

1. Request for revisions. Upon review of the site plan proposal, the plan commission or city planner may require the applicant to revise the plans or supply additional information. The applicant shall submit any requested information or revised plans for review prior to formal action being taken. If a traffic study is requested, it shall be prepared by the City's traffic consultant, at the applicant's expense. All review fees must be paid prior to any review. It shall be the applicant's responsibility to consult with City staff and consultants during this revision process. Action on the site plan shall remain tabled until the next regular plan commission meeting following review of a substantially complete plan at a commission workshop.

2. Public hearing. A site plan involving use(s) subject to special land use approval or PUD, Planned Unit Development shall require a public hearing. After payment of appropriate fees, the city planner may set the date of the public hearing for a regular or special meeting of the plan commission. No hearing may be held before the plan commission has had an opportunity to review the plan at a workshop session.

3. Submission of plans for final review. Eighteen (18) individually folded copies of the revised plan shall be submitted for final review at least ten (10) days prior to the plan commission meeting at which review is scheduled. The revised plan shall be distributed to the appropriate reviewing parties by the city planner.

4. Final action. The plan commission and/or the city planner is authorized to take the following final action on a site plan, subject to guidelines in the Zoning Ordinance:

- Approval,
- Approval with conditions,
- Denial, or
- Table the site plan.

(a) Approval. Upon determination that a site plan is in full compliance with the standards and requirements of these regulations and other applicable City regulations and laws, approval shall be granted.

(b) Approval with conditions. Upon determination that a site plan is in compliance except for minor modifications, the conditions for approval shall be identified and the applicant shall be given the opportunity to correct the site plan. Conditions may include the requirement to obtain variances or obtain approvals from other agencies. For example, as a condition of approval, the plan commission may delegate the responsibility for final approval of engineering and other technical issues to the city engineer or other appropriate staff. If a plan is approved subject to conditions, the applicant shall submit a revised plan with a revision date, indicating full compliance with the required conditions.
The plan commission and/or the city planner may require that the applicant resubmit the site plan for final approval by the plan commission after conditions have been met. The plan commission may waive its right to review the revised plan, and delegate authority to the city planner to review and approve a revised site plan on the commission's behalf after required conditions have been addressed. The plan commission may require that the city planner secure a favorable recommendation from city engineer prior to final approval of the revised plan.

(c) **Denial.** Upon determination by the plan commission and/or the city planner that a site plan does not comply with the standards and regulations set forth in these regulations, or that the submittal requires extensive revision to comply with standards and regulations, approval of the site plan shall be denied.

(d) **Tabling.** Upon determination by the plan commission and/or the city planner that a site plan is not sufficiently complete for approval or rejection, or upon a request by the applicant, the plan commission may table or the city planner may delay consideration of a site plan until a later meeting and/or until the necessary information is provided by the applicant.

5. **Recording of site plan review action.** Each action taken with reference to a site plan review shall be duly recorded in the minutes of the plan commission or in the files of the city plan department. The grounds for action taken upon each site plan shall also be recorded.

   After the plan commission has taken final action on a site plan, the plan commission secretary shall clearly mark three (3) copies of the application and final site plans APPROVED or DENIED, as appropriate, with the date that action was taken. One (1) marked copy will be returned to the applicant and the other two (2) copies will be kept on file by the City. In the case of review and approval by the city planner, a similar procedure shall be followed.

6. **Procedure after site plan approval.**

   (a) **Building permit.** Following final approval of the site plan by the plan commission and/or the city planner, the applicant may apply to the City for a building permit. The issuance of a building permit shall be subject to the review of construction plans by the building and safety department, and, if deemed necessary by the building official, the city engineer. It shall be the responsibility of the applicant to obtain all applicable City, county, or state permits prior to issuance of a building permit.

   (b) **Approval expiration.** Site plan approval becomes null and void if substantial improvement has not commenced within twelve (12) months following the final approval of the site plan following the issuance of a building permit. In such a case, the applicant shall file a new application. Review by the plan commission and/or the city planner of the new application and site plan shall be required.

   (c) **Approval extensions.** Upon written request of the applicant, prior to the expiration of a previously granted approval, the city planner may review the circumstances surrounding a failure to meet the required deadlines. The city planner may grant an extension of up to twelve (12) months to an approval, if he finds that the approved site plan continues to adequately represent current conditions on and surrounding the site and that the site plan conforms to the standards of the City regulations in effect at the time of the applicant's request for an extension.

   (d) **Application for Certificate of Occupancy.** Following building construction and completion of site work, the applicant may apply to the City for a Certificate of Occupancy or a Temporary Certificate of Occupancy from the building official in accordance with the procedures set forth in Section 32.07. It shall be the applicant's responsibility to obtain the required certificates prior to any occupancy of the property.
(e) **Site maintenance after approval.** It shall be the responsibility of the owner of a property for which site plan approval has been granted to maintain the property in accordance with the approved site design on a continuing basis until:

- The property is razed,
- New zoning regulations supersede the regulations upon which site plan approval was based, or
- A new site design is approved following City review.

Any property owner who fails to maintain an approved site plan in full compliance with approvals granted by the plan commission and/or the city planner according to the provisions of these regulations, shall be deemed in violation of the use provisions of these regulations and shall be subject to the penalties stated in Section 32.09.

7. **Revocation.** An approved site plan may be revoked by the plan commission and/or the city planner if construction on the site is not completed or is not progressing in a manner consistent with the approved plans. In such a case, the site plan shall be placed on the agenda of a plan commission meeting for a public hearing. The city planner shall cause written notice to be provided to the applicant at least ten (10) days prior to the meeting and shall publish notice of said hearing no later than five (5) days prior to the date and time. The notice shall reduce all alleged inconsistencies and violations to writing. The city planner, the building official, the applicant, and other interested persons shall be allowed to present information and testimony to the plan commission at the hearing. If the plan commission finds that an inconsistency or violation of the approved site plan exists at the time of the hearing, then, by a majority vote of attending members, the plan commission may revoke the approval of the site plan and order the site returned to its original condition by a date certain. Failure to comply with such an order shall be deemed a violation of the use provisions of these regulations and shall be subject to the penalties stated in Section 32.09.

8. **Modification to approved plan.** A previously approved site plan may be subsequently modified, subject to the following requirements:

(a) **Review of minor modifications.** Minor modifications to an approved site plan may be reviewed and approved by the city planner, provided that the modifications do not involve any one of the following items:

- A request for a Variance,
- A special land use,
- A discretionary decision such as a PUD, Planned Unit Development Mixed Use plan, or

(1) **Minor modification defined.** Minor modifications are changes that do not substantially affect the character or intensity of the use, vehicular or pedestrian circulation, drainage patterns, the demand for public services, or the vulnerability to hazards. Examples of minor modifications include:

- An addition to an existing building that does not increase or decrease the floor space by more than twenty-five percent (25%) or three thousand (3,000) square feet, whichever is less.
- Reoccupancy of a building by a similar use permitted by these regulations.
- Changes to building height that do not add an additional floor.
- Additions or alterations to the landscape plan or landscape materials.
- Relocation or resizing utility supply lines or service connections.
• Relocation or screening of the trash receptacle.

• Alterations to the internal parking layout of an off-street lot in which the total available spaces is unchanged.

Construction of a new building or structure, adding or deleting parking spaces, constructing additional stories or the introduction of additional curb cuts onto a public road are examples of modifications that are not considered minor.

(2) Determination of minor modification. The city planner shall determine if the proposed modifications are minor in accordance with the guidelines in this Section. In order to make a determination, the city planner may solicit comments and recommendations from the city attorney, city engineer, and public safety officials, as deemed necessary.

(b) Modifications not deemed "minor." In the case where a site plan was approved by the plan commission, and modifications are not deemed minor by the city planner, then review and approval of the changes by the plan commission shall be required. Plan commission review shall be required for all site plans that involve:

• A request for a variance,

• A Special Land Use,

• A discretionary decision such as a PUD, Planned Unit Development Mixed Use 32.04 plan, or,

(c) Recording of action. Each action related to modification of a site plan shall be duly recorded in writing on a copy of the approved plan, and shall be kept on file in the office of the city planner. The city planner shall have the authority to require a new site plan for the purposes of clarity. The plan commission shall be advised of all minor site plan modifications approved by the city planner and such modifications shall be noted on the site plan.

D. Required information on site plans. The following information shall be included on all site plans, where applicable:

1. Application form. The application form shall contain the following information:

   (a) Applicant’s name and address.

   (b) Name and address of property owner, if different from applicant.

   (c) Common description of property and complete legal description including the parcel tax identification (Sidwell) number(s).

   (d) Total gross and net acreage of the site.

   (e) Existing zoning.

   (f) Proposed use of land and name of proposed development, if applicable.

   (g) Proposed buildings to be constructed, including square feet of gross floor area.

   (h) Proof of property ownership.

   (i) Names, addresses, and telephone numbers of engineers, attorneys, architects, and other professionals associated with the project.

   (j) Any additional information required by the Site Plan Review Manual adopted by the plan commission.

2. Descriptive and identification data. Site plans shall consist of an overall plan for the entire development, drawn to a scale of not less than one (1) inch = twenty (20) feet for property less than one (1) acre, one (1) inch = thirty (30) feet for property larger than one (1) acre but less than
three (3) acres, and one (1) inch = fifty (50) feet for property larger than three (3) acres. Sheet size shall be at least twenty-four (24) inches by thirty-six (36) inches. The following descriptive and identification information shall be included on all site plans:

(a) Applicant's name and address, and telephone number.
(b) Title block indicating the name of the development.
(c) Scale.
(d) North point.
(e) Dates of submission and revisions (month, day, year).
(f) General location map drawn to scale with north point.
(g) Legal and common description of property, including parcel identification (Sidwell) number(s).
(h) The dimensions of all lots and property lines, showing the relationship of the site to abutting properties. If the site is a part of a larger parcel, the plan should indicate the boundaries of total land holding.
(i) A schedule for completing the project, including the phasing or timing of all proposed developments, if applicable.
(j) Identification and seal of an architect, engineer, land surveyor, licensed community planner or landscape architect who prepared plan.
(k) Written description of proposed land use.
(l) Zoning classification of applicant's parcel and all abutting parcels.
(m) Proximity to driveways serving adjacent parcels.
(n) Proximity to major thoroughfare(s).
(o) Notation of any variances that have or must be secured.
(p) Net acreage (minus rights-of-way) and total acreage, to the nearest one-tenth 1/10 ) acre.
(q) Any additional information required by the Site Plan Review Manual adopted by the plan commission.

3. **Site data.**

(a) Existing lot lines, building lines, structures, parking areas, and other improvements on the site and on parcels within one hundred (100) feet of the site.
(b) Front, side, and rear setback dimensioned from minimum location(s).
(c) Topography on the site and within one hundred (100) feet of the site at two (2) foot contour intervals, referenced to a lake survey datum benchmark.
(d) Proposed site plan features, including buildings, roadway widths and names, and parking areas.
(e) Dimensions and centerline of existing and proposed roads and road rights-of-way.
(f) Acceleration, deceleration, and passing lanes, where required.
(g) Proposed location of driveway entrances and on-site driveways with dimensioned minimum and maximum widths.
(h) Typical cross-section of proposed roads and driveways, if applicable.
(i) Location of existing drainage courses and drains, open or enclosed and with elevations and/or inverts.
(j) Location of existing or proposed underground improvements such as storage tanks, culverts, and water gates.

(k) Location of sidewalks within the site and within the right-of-way.

(l) Exterior lighting locations and method of shielding.

(m) Trash receptacle locations and method of screening, if applicable.

(n) Transformer pad location(s) and method of screening, if applicable.

(o) Parking spaces, including delineated handicap spaces, typical dimensions of spaces, indication of total number of spaces, drives, and method of surfacing.

(p) Information needed to calculate required parking in accordance with Zoning Ordinance standards.

(q) The location of lawns and landscaped areas, including required landscaped greenbelts. The percentage of the site used for open space.

(r) Landscape plan, including location, size, type and quantity of proposed shrubs, trees and other live plant material. A maintenance plan for landscaping shall be stated on the plan.

(s) Location, sizes, and types of existing trees five (5) inches or greater in diameter, measured at one (1) foot above grade, before and after proposed development.

(t) Cross-section of proposed berms.

(u) Location, description, and County Registrar of Deeds filing identification of all easements for public right-of-way, utilities, access, shared access, and drainage.

(v) Designation of fire lanes.

(w) Delineation of dedicated loading/unloading area.

(x) The location of any outdoor storage of materials and the manner by which it will be screened.

(y) Any additional information required by the Site Plan Review Manual adopted by the plan commission.

4. **Building and structure details.**

   (a) Location, height, and outside dimensions of all proposed buildings or structures.

   (b) Indication of the number of stores and number of commercial or office units contained in the building.

   (c) Building floor plans.

   (d) Total floor area.

   (e) Proposed usable floor area.

   (f) Location, size, height, and lighting information of all proposed signs.

   (g) Proposed fences and walls, including typical cross-section and height above the ground on both sides.

   (h) Architectural elevations of building facades and walls, drawn to a scale of one-quarter (¼) inch equals one (1) foot, or another scale approved by the city planner and adequate to determine compliance with the requirements of these regulations. Elevations of proposed buildings shall indicate type of building materials, roof design, dimensions of projections and architectural features, canopies, awnings and overhangs, screen walls and accessory buildings, and any outdoor or roof-located mechanical equipment, such as air conditioning units, heating units, and transformers and related screening. The city planner may permit photographs in lieu of evaluations for existing buildings where minor or no change to the facade is proposed.
(i) Any additional information required by the Site Plan Review Manual adopted by the plan commission.

5. **Information concerning utilities, drainage, and related issues.**

(a) Schematic layout of existing and proposed sanitary sewers connections; water mains, and water service leads; hydrants locations that service the site; and, the location and size or capacity of gas, electric, and telephone lines supply lines and building leads.

(b) Location and size or capacity of exterior drains, catch basins, retention/detention areas, culverts and other facilities designed to collect store, or transport storm or waste water. The point of discharge for all drains and pipes must be specified on the site plan. Compliance with City discharge standards must be noted.

(c) Indication of site grading, drainage patterns, and proposed contours.

(d) Soil erosion and sedimentation control measures.

(e) Proposed finish grades on the site, including the finish grades of all buildings, driveways, walkways, and parking lots.

(f) Listing of types and quantities of hazardous substances and polluting materials that will be used or stored on-site at the facility in quantities greater than twenty-five (25) gallons per month.

(g) Areas to be used for the storage, use, loading/unloading, recycling, or disposal of hazardous substances and polluting materials, including interior and exterior areas.

(h) Location of underground storage tanks.

(i) Delineation of areas on the site that are known or suspected to be contaminated, together with a report on the status of site cleanup.

(j) Any additional information required by the Site Plan Review Manual adopted by the plan commission.

6. **Information concerning residential development.**

(a) The number, type and location of each type of residential unit (one-bedroom units, two-bedroom units, etc.).

(b) Density calculations by type of residential unit (dwelling units per acre).

(c) Lot coverage calculations.

(d) Floor plans of typical buildings with square feet of floor area.

(e) Garage and carport locations and details, if proposed.

(f) Details of the pedestrian circulation system.

(g) Location and names of roads and internal drives with an indication of how the proposed circulation system will connect with the existing adjacent roads. The plan must indicate whether proposed roads are intended to be private or dedicated to the public.

(h) Community building location, dimensions, floor plans, and architectural elevations, if applicable.

(i) Swimming pool fencing detail, including height and type of fence, if applicable.

(j) Location and size of recreation open areas.

(k) Indication of type of recreation facilities proposed for recreation area.

(l) Any additional information required by the Site Plan Review Manual adopted by the plan commission.

7. **Additional information.**
(a) **Information related to condominium development.** The following information shall be provided with all site plans that include a development involving condominium ownership:

1. Condominium documents, including the proposed master deed, condominium by-laws, restrictive covenants, and easements or examples thereof illustrating the intent of the developer for such documents to apply to the proposed development.


(b) **Items not applicable.** If any of the items listed are not applicable to a particular site, the following must be provided on the site plan:

1. A statement of each item considered not applicable.

2. The reason(s) why each listed item is not considered applicable.

(c) **Other data that may be required.** Any additional information required by the Site Plan Review Manual adopted by the plan commission must be supplied. Other data may be required if deemed necessary by the plan commission, or city planner to determine compliance with provisions in these regulations. Such information may include traffic studies, market analysis, environmental assessment and evaluation of the demand on public facilities and services.

E. **Standards for site plan approval.** The following criteria shall be used as a basis upon which site plans will be reviewed and approved:

1. **Adequacy of information.** The site plan shall include all required information in sufficiently complete and understandable form to provide an accurate description of the proposed uses and structures.

2. **Site design characteristics.** All elements of the site design shall be harmoniously and efficiently organized in relation to topography, the size and type of parcel, the character of adjoining land uses, 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 by these regulations.

3. **Appearance.** Landscaping, earth berms, fencing, signs, walls, and other site features shall be designed and located on the site so that the proposed development is aesthetically pleasing and harmonious with nearby existing or future developments.

4. **Compliance with district requirements.** 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 set forth in the Schedule of Regulations, Article 29.00, unless otherwise provided in these regulations.

5. **Privacy.** The site design 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 uses.

6. **Emergency vehicle access.** All buildings or groups of buildings shall be so arranged as to permit convenient and direct emergency vehicle access.

7. **Ingress and egress.** Every structure or dwelling unit shall be provided with adequate means of ingress and egress via public streets and walkways.

8. **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.

9. **Vehicular and pedestrian circulation layout.** The arrangement of public and common ways for vehicular and pedestrian circulation shall respect the pattern of existing streets or pedestrian ways in the vicinity of the site. The width of streets and drives shall be appropriate for the volume of traffic they will carry. In order to insure public safety and promote efficient traffic flow and turning
movements, the applicant may be required to limit street access points or construct a secondary access road.

10. **Drainage.** Appropriate measures shall be taken to insure that the removal or drainage of surface water will not adversely affect adjoining properties or the capacity of the public drainage system. Provisions shall be made for a feasible storm drainage system, the construction of stormwater collection, storage and transportation facilities, and the prevention of erosion. Surface water on all paved areas shall be collected at intervals so that it will not obstruct vehicular or pedestrian traffic and will not create nuisance ponding in paved areas. Final grades may be required to conform to existing and future grades of adjacent properties. Grading and drainage plans shall be subject to review by the director of public works or the city engineer.

11. **Soil erosion and sedimentation.** The proposed development shall include measures to prevent soil erosion and sedimentation during and upon completion of construction, in accordance with current State (MDNR) Standards and City Code of Ordinances, Sections 5-186 to 203.

12. **Exterior lighting.** Exterior lighting shall be designed so that it is deflected away from adjoining properties, visual glare is minimized, and so that it does not impede vision of drivers along adjacent streets.

13. **Public services.** Adequate services and utilities, including water, sewage disposal, sanitary sewer, and stormwater control services, shall be available or provided, and shall be designed with sufficient capacity and durability to properly serve the development.

14. **Screening.** Off-street parking, loading and unloading areas, outside refuse storage areas, and other storage areas that are visible from adjacent homes or from public roads, shall be screened by walls or landscaping of adequate height.

15. **Danger from hazards.** The level of vulnerability to injury or loss from incidents involving hazardous materials or processes shall not exceed the capability of the City to respond to such hazardous incidents so as to prevent injury and loss of life and property. In making such an evaluation, the City shall consider the location, type, characteristics, quantities, and use of hazardous materials or processes in relation to the personnel, training, equipment and materials, and emergency response plans and capabilities of the City.

    Sites that 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, and public sewer system.

16. **Health and safety concerns.** Any use in any zoning district shall comply with applicable federal, state, county, and local health and pollution laws and regulations with respect to noise; dust, smoke and other air pollutants; vibration; glare and heat; fire and explosive hazards; gases; electromagnetic radiation; radioactive materials; and, toxic and hazardous materials.

17. **Sequence of development.** 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 subsequent improvements in a later phase or on other sites.

18. **Relationship to adjacent sites.** All site features, including circulation, parking, building orientation, landscaping, lighting, utilities, common facilities, and open space shall be reviewed with regard to any common relationship with adjacent properties.