

PART II - CODE OF ORDINANCES

Chapter 24 - ZONING

ARTICLE XI. - SITE PLAN REVIEW

ARTICLE XI. - SITE PLAN REVIEW

[Sec. 24-241. - Applicability.](#)

[Sec. 24-242. - Application.](#)

[Sec. 24-243. - Review standards.](#)

[Sec. 24-244. - Phasing of development.](#)

[Sec. 24-245. - Record of proceedings to be kept.](#)

[Sec. 24-246. - Effect of approval.](#)

[Sec. 24-247. - Amendment of approved site plan.](#)

[Sec. 24-248. - Conformity to site plan required.](#)

[Sec. 24-249. - Expiration of approval.](#)

[Sec. 24-250. - Violations.](#)

[Secs. 24-251—24-270. - Reserved.](#)

Sec. 24-241. - Applicability.

- (a) Prior to the establishment of a use, addition to an existing use, or the erection of any building, a site plan shall be submitted to and approved by the city in accordance with the procedures of this article, and the development requirements of this and other applicable ordinances.
- (b) The city shall not issue a building permit until a site plan, where required, has been approved and is in effect. Obtaining site plan approval does not guarantee issuance of a building permit.
- (c) Except as otherwise provided in this chapter, no grading, removal of trees or other vegetation, landfilling, installation of utilities, or other construction improvements shall commence for any development which requires site plan approval until a site plan is approved and is in effect.
- (d) Site plan review shall be required for the activities or uses listed in the table below. The city council, planning commission or community development department (CDD) shall have the authority to review and to approve, approve with conditions, or deny site plan applications as provided in this chapter, in accordance with the table below. Any decision made by the city council shall be based upon recommendation by the planning commission. If all site plan application requirements are met, the site plan shall be approved, approved with conditions, or denied within 90 days of receipt of the completed application.

Uses Requiring Site Plan Review			
Activity/Use	Planning Commission	City Council	CDD

PART II - CODE OF ORDINANCES

Chapter 24 - ZONING

ARTICLE XI. - SITE PLAN REVIEW

New Construction			
Single-family or two-family dwelling (up to 3 units)	—	—	Approve
Single-family or two-family dwelling (over 3 units, on platted lots)	Approve	—	—
Subdivisions (requiring land divisions)	Recommend	Approve	—
Multiple-family dwellings	Approve	—	—
Any non-residential building, structure or use	Approve	—	—
Public utility or essential service buildings or structures, telephone exchange buildings, electric transformer stations & substations, gas regulator stations, natural gas distribution or storage facilities	Approve	—	—
Special land use	Recommend	Approve	—
Planned unit development (PUDs)	Recommend	Approve	—
Expansion/Modification to Existing Building			
Expansion of a single-family or two-family dwelling	—	—	Approve
Expansion of a multiple-family building or development	Approve	—	—
Alteration or expansion involving less than 10% of the floor area of an existing structure or is no greater than 3,000 sq. ft. whichever is less, provided that the alteration or expansion does not affect parking requirements	—	—	Approve
Alteration or expansion involving more than 10% of the floor area of an existing structure or is greater than 3,000 sq. ft. whichever is less, or any alteration or expansion that affects parking requirements	Approve	—	—
Expansion/intensification of a special land use	Recommend	Approve	—

PART II - CODE OF ORDINANCES

Chapter 24 - ZONING

ARTICLE XI. - SITE PLAN REVIEW

Change In Use			
Change of land or building to a more intensive use, as determined by the director, that may involve substantial change in parking, traffic flow, hours of operation, public services, effluent discharge, or substantial alteration of the physical character of the site	Approve	—	—
Reuse of an existing building where no building expansion is proposed, if the director determines the new use is similar or less intense in terms of parking, traffic generation, drainage, utility needs, noise, aesthetics & other external effects	—	—	Approve
Change in use to a special land use	Recommend	Approve	—
Temporary uses, buildings, and structures	—	—	Approve
Accessory Structures and Site Improvements			
Accessory structures/buildings	—	—	Approve
Change in building height that does not add floor area	—	—	Approve
Infrastructure and paving improvements including sidewalks and pathways	—	—	Approve
Outdoor storage, sales and display	Approve	—	—
Non-structural architectural design changes to non-residential uses	—	—	Approve
New off-street parking lot	Approve	—	—
Modification, resurfacing or expansion of existing off-street parking, stacking spaces or loading and unloading areas less than 10%	—	—	Approve
Modification, resurfacing or expansion of existing off-street parking, stacking spaces or loading and unloading areas more than 10%	Approve	—	—

PART II - CODE OF ORDINANCES

Chapter 24 - ZONING

ARTICLE XI. - SITE PLAN REVIEW

Construction, relocation or erection of signs, screening walls, fences, walls, waste receptacles, sidewalks, antennas, lights, poles, cooling/heating or other mechanical equipment	—	—	Approve
Modifications to comply with accessibility requirements	—	—	Approve

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- (1) The director shall have discretion to forward any site plan submitted for administrative approval to the planning commission for final determination.
 - (2) If administrative approval is denied, the applicant may submit the site plan to the planning commission.

(Ord. No. 1087, § 11.01, 3-8-10)

Sec. 24-242. - Application.

- (a) Application. An applicant shall submit a request for site plan review by filing an application with the director, consisting of the following:
 - (1) Four copies of a site plan, one electronic file as well as other required data and exhibits (additional copies shall be provided upon request). Upon determination by the CD department that the site plan application is complete, 12 copies, plus one electronic copy of the revised site plan shall be provided, if requested. All required materials shall be submitted at least three weeks prior to be placed on a planning commission agenda.
 - (2) Review fee.
 - (3) Completed application form.
- (b) The community development department, upon receipt of a site plan application and supporting data, shall:
 - (1) Review the site plan application for completeness.
 - (2) Forward the site plan application and all supporting data to the department of public works, the fire department and the police department who shall review the materials and return written comments to the community development department with any written comments.
 - (3) Transmit the completed site plan application and all supporting data to the planning commission prior to its meeting.
 - (4) Notify the applicant in writing if the site plan is incomplete. Incomplete applications and site plans may not be submitted to the planning commission.
- (c) Information required. A site plan shall contain all of the materials and information listed below prior to its submission to the planning commission for review, unless deemed unnecessary by the community development department:
 - (1) *Application.*

PART II - CODE OF ORDINANCES

Chapter 24 - ZONING

ARTICLE XI. - SITE PLAN REVIEW

- a. Project title and street address.
 - b. A written project description including proposed uses of buildings and site improvements.
 - c. The names, addresses and telephone numbers of all proprietors, applicants, architects, engineers and owners.
 - d. Written proof of ownership or option on subject property. If the applicant is not the owner, a written explanation of their legal relationship shall be submitted.
 - e. Proposed time of project completion and phasing schedule.
- (2) *Site plan.* Site plans shall consist of an overall plan for the entire development and must be drawn to a scale of no less than 1" = 30'. Sites greater than three acres shall be drawn at a scale not less than 1" = 50'. The director may also request copies of all plans and drawings in a reduced size format. Site plans must include:
- a. Date of preparation of drawings and revisions.
 - b. Location map drawn at a minimum scale of 1" = 2,000' with north point indicated.
 - c. The seal of the architect, engineer, surveyor, or landscape architect.
 - d. Legal and common description of the site with existing and proposed lot lines, and dimensions.
 - e. Centerline, existing, and proposed right-of-way lines of any streets or alleys, and proposed and existing easements.
 - f. Zoning classification of petitioner's parcel and all abutting parcels.
 - g. Gross and net buildable area.
 - h. Percentage of lot coverage including existing buildings.
 - i. Sign locations, illumination and size. Refer to the sign ordinance.
 - j. Other pertinent features, including entrance details, decks, porches, fences, flag poles, or other structures.
 - k. All permanent exterior lighting locations, including ornamental lighting, type of fixtures, footcandles, mounting height and method of shielding in sufficient detail to allow determination the effect of such lighting upon adjacent properties and traffic safety. A manufacturer's cut sheet of each type of fixture proposed shall also be submitted. Except as noted below, lighting fixtures shall not exceed a height of 25 feet. In portions of a site adjacent to residential areas, lighting fixtures shall not exceed a height of 20 feet. Building, ground or roof-mounted lighting intended to attract attention to the building or use and not strictly designed for security purposes is prohibited. Temporary holiday lighting and decorations are exempt from this provision.
 - l. Outdoor trash receptacle location and method of screening.
- (3) *Access and circulation.* Site plans must include dimensioned drawings of all existing and proposed:
- a. Acceleration, deceleration, passing lanes and approaches; dedicated road or service drive locations; proposed locations of driveways, access drives, street intersections; driveway locations on opposite frontage; dimensioned fire lanes, including curve radii; and surfacing materials.
 - b. Parking spaces, circulation aisles, off-street loading/unloading area, stacking spaces, signage and surfacing materials in compliance with Article X.

PART II - CODE OF ORDINANCES

Chapter 24 - ZONING

ARTICLE XI. - SITE PLAN REVIEW

- c. Sidewalks and curbs and surfacing materials.
- (4) *Buildings and structures.*
- a. Location, height, and outside dimensions of all existing and proposed buildings or structures on the site, with setbacks and yard dimensions, and of all existing buildings and structures within 100 feet of the site.
 - b. Front, side and rear building elevations with all windows, lights, doors, screened roof equipment and exterior materials, including color, indicated.
- (5) *Utilities, soil erosion, sedimentation control, and drainage.*
- a. Location, size and design of existing and proposed service facilities above and below ground, including:
 - 1. Water supply facilities including fire hydrants, water lines and mains.
 - 2. Sanitary sewage disposal facilities including manholes, catch basins, and sewer lines and mains.
 - 3. Gas, electric, telephone, fiberoptic and cable lines above and below ground.
 - 4. Transformers, generators, utility boxes or poles, communication equipment, satellite dishes over forty-eight (48) inches in diameter, and mechanical equipment.
 - 5. Easements.
 - 6. Chemical and fuel storage tanks, transfer lines, and containers above and below ground.
 - b. Grading plan showing existing and finished contours at a maximum interval of two feet.
 - c. Drainage plan showing storm lines, storm drains, retention and detention ponds, existing drainage courses, proposed method of site and roof drainage, soil erosion and sedimentation control.
- (6) *Landscaping plan.* Location and description of all:
- a. Existing trees with greater than a 4½-inch dbh.
 - b. Proposed landscaping, including berms, buffers, screens and greenbelts, lawns, shrubs, and other live plant materials.
 - c. Method of irrigation. Refer to the vegetation ordinance.
 - d. Screening walls and fences, including dimensions, materials and details.
- (7) *Additional requirements for multiple dwelling developments.*
- a. Density (dwelling units per acre) calculations.
 - b. Designation of units by type and number of units in each building.
 - c. Garage or carport locations and details.
 - d. Architectural compatibility with surrounding area. Refer to [section 24-184](#), Architectural compatibility and design guidelines.
- (8) *Additional requirements for commercial and industrial developments.*
- a. Secondary containment facilities.
 - b. Number of employees at peak usage.

PART II - CODE OF ORDINANCES

Chapter 24 - ZONING

ARTICLE XI. - SITE PLAN REVIEW

- c. Location and dimension of outdoor sales or display areas.
- d. Location and dimension of outdoor storage areas, and details of the enclosure, including a description of material, height, spacing and typical elevation.

(Ord. No. 1087, § 11.02, 3-8-10)

Sec. 24-243. - Review standards.

The planning commission shall review the site plan application and may suggest and/or require modifications to the proposed site plan or require additional information, which must be completed and resubmitted for approval within 60 days. The time limit may be extended upon a written request by the applicant and approval by the planning commission. Based upon the following standards, the planning commission may deny, approve, or approve with conditions the site plan:

- (1) The site plan conforms to the building and site design regulations of this and other applicable ordinances.
- (2) The applicant has provided documentation of compliance or proof of application with other appropriate agency review standards, including, but not limited to, the Michigan Department of Environmental Quality (MDEQ), Michigan Department of Transportation (MDOT) and other federal, state and county agencies, as applicable.
- (3) The proposed uses will not adversely affect existing uses by unreasonably increasing traffic, sound, artificial lighting, odors, emission of exhaust gases, drainage, pedestrian traffic, hours or days of operation, or by creating a public or private nuisance.
- (4) Safe, convenient, uncongested and well defined vehicular and pedestrian circulation within and to the site shall be provided.
- (5) All buildings and site circulation shall be arranged to permit emergency vehicle access by practicable means to all buildings and areas of the site.
- (6) The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, alteration to the natural drainage courses, and the amount of cutting, filling and grading. Insofar as practical, existing natural features and the site topography shall be incorporated into the proposed site design.
- (7) The planning commission shall have the authority to require other studies and materials be submitted to confirm compliance with the standards of this section including, but not limited to, traffic impact studies, market studies, environmental assessments or utility capacity analysis at the expense of the applicant.

(Ord. No. 1087, § 11.03, 3-8-10)

Sec. 24-244. - Phasing of development.

The applicant may divide the proposed development into two or more phases. A separate site plan may be submitted for review and approval for each phase. Where a project is proposed for construction in phases, the sequencing and scheduled completion dates for each phase shall be approved by the planning commission. Additionally, planning and designing shall be such that, upon completion, each phase shall be capable of standing on its own in terms of services, facilities, open space, access and circulation, and shall contain the necessary components to ensure the protection of the health, safety, and welfare of residents of the development and surrounding areas.

(Ord. No. 1087, § 11.04, 3-8-10)

PART II - CODE OF ORDINANCES

Chapter 24 - ZONING

ARTICLE XI. - SITE PLAN REVIEW

Sec. 24-245. - Record of proceedings to be kept.

The planning commission shall state, in the record of its proceedings, the grounds for the actions taken concerning each site plan submitted for its approval and list any conditions imposed.

(Ord. No. 1087, § 11.05, 3-8-10)

Sec. 24-246. - Effect of approval.

Approval of a final site plan authorizes issuance of a building permit upon submittal of drawings in compliance with all pertinent codes or, in the case of uses without buildings or structures, issuance of a certificate of zoning compliance. The applicant shall submit a copy of the approved site plan in hardcopy and electronic formats with the building permit application, including all conditions and modifications required by the planning commission within 60 days of approval.

The planning commission may require a performance guarantee to be deposited with the community development department at the time of issuance of the building permit to ensure completion of the proposed project in accordance with MCL 125.3505.

(Ord. No. 1087, § 11.06, 3-8-10)

Sec. 24-247. - Amendment of approved site plan.

The director shall have the discretion to determine if a proposed change requires an amendment to an approved site plan. If an amendment is required, an application must be resubmitted to the planning commission in accordance with the procedure for a site plan review. The director may approve minor changes in an approved final site plan, upon the submittal of a revised site plan in accordance with the following:

- (1) Movement of a building or buildings by no more than five feet, provided all setback, parking, landscaping and other site requirements are still met.
- (2) Plantings approved in the landscape plan may be replaced by similar types and sizes of landscaping which provide a similar screening effect on an equal or greater basis.
- (3) Improvements to site access or circulation, such as deceleration lanes, boulevards, curbing, pedestrian/bicycle paths, but not the addition of new driveways.
- (4) Changes of building materials or design, fencing, screening, or site amenities which will result in a higher quality development, as determined by the community development department.
- (5) Changes in interior floor plans which do not alter the character of the use.
- (6) Slight modification of sign placement or reduction of size.
- (7) Changes required or requested by a city, county, state or federal agency for safety reasons or for compliance with applicable laws that do not alter the basic design, compliance with the standards of approval, nor any specified conditions of the approved site plan.
- (8) Situations the community development department deems similar to the above that do not alter the basic design, compliance with the standards of approval, nor any specified conditions of the approved site plan.

(Ord. No. 1087, § 11.07, 3-8-10)

PART II - CODE OF ORDINANCES

Chapter 24 - ZONING

ARTICLE XI. - SITE PLAN REVIEW

Sec. 24-248. - Conformity to site plan required.

An applicant, having secured approval of a site plan, must develop and maintain such site in complete conformity with the approved site plan. Modifications may be made only in accordance with the procedures set out above for site plan amendments.

(Ord. No. 1087, § 11.08, 3-8-10)

Sec. 24-249. - Expiration of approval.

Approval of a site plan shall expire two years following the date of approval unless construction has begun on the property in conformance with the approved site plan.

(Ord. No. 1087, § 11.09, 3-8-10)

Sec. 24-250. - Violations.

Any violation of this article, including any improvement or use not in conformance with an approved site plan, shall be deemed a violation of this chapter as provided in [section 24-396](#), Violations and penalties, and shall be subject to all applicable penalties.

(Ord. No. 1087, § 11.10, 3-8-10)

Secs. 24-251—24-270. - Reserved.