

CHAPTER 21. SITE PLAN STANDARDS

21.1 DESCRIPTION AND PURPOSE. It is the purpose of this Chapter to require site development plan review and approval for buildings, structures, and uses that can be expected to have a significant impact on natural resources, traffic patterns, adjacent parcels, and the character of future development. The regulations contained in this Chapter are intended to promote:

- A. Safe and convenient traffic movement, both within a site and in relation to access streets;
- B. Harmonious relationships of buildings, structures, and uses, both within a site and with adjacent sites;
- C. Conservation of natural amenities and resources; and
- D. Compliance with the provisions of this Ordinance and all other applicable Village, state, and federal laws.

21.2 IMPROVEMENTS WHICH REQUIRE SITE PLAN APPROVAL. Prior to the establishment of any new use, addition to an existing use, or the erection of any structure in any zoning district, a Site Plan shall be reviewed and approved by the Planning Commission, subject to the following conditions.

- A. Site Plan Review Required Site Plan Review is required for all principal uses and structures permitted in all zoning districts (except individual single-family and two-family dwellings erected on a single lot or parcel and their accessory structures, if the footprint of said structure is less than that of the principal structure) and all Special Land Uses.
- B. Conformance to Ordinance Requirements All Site Plans shall conform to the requirements of the Zoning Ordinance.
- C. Land Clearing No person shall undertake any activity such as grading, clearing, cutting and filling, excavating, or tree removal in preparation for a use or structure which requires Site Plan Review and approval until the proposed use or structure is authorized by a Land Use Permit.

21.3 DATA REQUIRED FOR SITE PLANS.

- A. Planning Commission Review: Site Plan Review by the Planning Commission is required for the development of all principal uses and structures permitted in all zoning districts (except individual single-family and two-family dwellings erected on a single lot or parcel and their accessory structures, if the footprint of said structure is less than that of the principal structure) and all Special Land Uses. In considering a proposed site plan, the Planning Commission may seek the advice of the Zoning Administrator as well as professional advice from Engineers, Community Planners or others as needed. Every application for a site development plan approval shall contain

plans that locate the development site and graphically demonstrate existing and proposed natural, man-made and legal features on and near the site in question. Site plans shall show the following information:

- 1) Geographic Location.
- 2) Name, address and phone number of the applicant and property owner.
- 3) Name of development (if any).
- 4) North arrow.
- 5) Legend.
- 6) Location. A location map that shows the location of the project in the broad context of the Village.
- 7) Scale. Development site plans shall be drawn to a readable scale, such that all features required to be shown on the plans are readily discernible. The Zoning Administrator shall make the final determination whether the plans submitted are drawn to the appropriate scale.
- 8) Existing natural, man-made, and legal features - Site development plans shall show all existing natural, man-made, and legal features on the lot where the development is to take place, including but not limited to those listed below. In addition, the zoning of adjacent properties shall all be specified.
 - a) Existing natural features shall include
 - i Tree line of wooded areas.
 - ii Individual trees twelve (12) inches in diameter or more, identified by common or scientific name.
 - iii Streams, ponds, drainage ditches, swamps, boundaries of floodways, and floodplains.
 - iv If more than five (5) acres of land are to be developed, base flood elevation data.
 - v Contour lines (shown as dotted lines) with no greater than two (2) foot contour intervals.
 - b) Existing manmade features:
 - i Vehicle accommodation areas (including parking areas, loading areas, and circulation areas, all designated by surface material and showing the layout of existing parking spaces and direction of travel lanes, aisles, or driveways.
 - ii Streets, private roads, sidewalks, and other walkways, all designated by surface material.
 - iii Curbs and gutters, curb inlets and curb cuts, and drainage grates .
 - iv Other stormwater or drainage facilities, including manholes, pipes, and drainage ditches, including sizes and materials.

- v Underground utility lines (sizes and materials), including water, sewer, electric power, telephone, gas, and cable television.
 - vi Above ground utility lines and other utility facilities.
 - vii Fire hydrants.
 - viii Buildings, structures, and signs.
 - ix Location of exterior light fixtures.
 - x Location of dumpsters.
- c) Existing legal features:
- i The zoning of the property, including zoning district lines where applicable.
 - ii Property lines (with dimensions identified).
 - iii Street right-of-way lines.
 - iv Utility or other easement lines.
- 9) Proposed changes in existing features or new features. Site plans shall also show proposed new legal features (especially new property lines, street right-of-way lines, and utility and other easements), as well as proposed man-made features, including, but not limited to, the following:
- a) Lot dimensions, including lot widths.
 - b) The location and dimensions of all buildings and freestanding signs on the lot, as well as the distances all buildings and freestanding signs are set back from property lines, streets, or street right-of-way lines.
 - c) Building elevations for typical units of new buildings or exterior remodeling of existing buildings, showing exterior building materials, building heights, and proposed wall sign or window sign area.
 - d) Areas intended to remain as usable open space. The plans shall clearly indicate whether such open space areas are intended to be offered for dedication to public use or to remain privately owned.
 - e) Streets and street name showing whether curb and gutter or shoulders and swales are to be provided and indicating street paving widths. Public roads in subdivisions shall also be shown and clearly labeled as such.
 - f) Curbs and gutters, curb inlets and curb cuts, and drainage grates.
 - g) Other stormwater or drainage facilities (proposed sizes and materials), including manholes, pipes, drainage ditches, retention ponds, etc.
 - h) Sidewalks and walkways, showing widths and surface material.
 - i) Outdoor illumination with lighting fixtures sufficiently identified to demonstrate orientation and extent of illumination.

- j) Underground utility lines (proposed sizes and materials), including water, sewer, electric power, telephone, gas, and cable television. Water and sewer pipe line sizes shall be labeled.
 - k) Above ground utility lines.
 - l) Fire hydrants.
 - m) Dumpsters and dumpster pads and enclosures.
 - n) Proposed contour lines resulting from earth movement (shown as solid lines) at no greater than two-foot contour intervals (existing lines should be shown as dotted lines).
 - o) Scale drawings of all signs requiring permits pursuant to the provisions of Chapter 19 of this Ordinance, together with an indication of the location and dimensions of all such signs.
 - p) Vehicle accommodation areas (including parking areas, handicapped parking areas, loading areas, and circulation areas), all designated by surface material and showing the dimensions and layout of proposed parking spaces and the dimensions and direction of travel lanes, aisles, and driveways.
 - q) Proposed landscaping or construction of other devices to comply with the screening and buffering requirements of this Ordinance. Plans shall label shrubbery by common or scientific name, show the distance between plants, and indicate the height at the time of planting and expected mature height and width. Plans shall label trees by common or scientific name, and show the circles of the mature crowns.
- 10) Documents and written information in addition to plans. In addition to the written application and the plans, whenever the nature of the proposed development makes information or documents such as the following relevant, such documents or information shall be provided. The following is a representative list of the types of information or documents that may be requested:
- a) Documentation confirming that the applicant has a legally sufficient interest in the property proposed for development to use it in the manner requested, or is the duly appointed agent of such a person.
 - b) Certifications from the appropriate agencies that proposed utility systems are or will be adequate to handle the proposed development and that all necessary easements have been provided.
 - c) Legal documentation establishing property owner associations or other legal entities responsible for control over required common areas and facilities.
 - d) Bonds, letters of credit, or other surety devices.
 - e) Time schedules for the completion of phases in the occurrence of a staged development.
 - f) Calculations for drainage and stormwater design detention/retention.

21.4 STANDARDS FOR GRANTING SITE PLAN APPROVAL: Each Site Plan shall conform to the applicable provisions of this Ordinance and the standards listed below:

- A. Arrangement of Structure. Site Plans shall demonstrate that buildings, parking areas, signs, walls, fences, and the like are designed to minimize adverse effects on development users and the occupants of adjacent properties.
- B. Natural Features. Site Plans shall demonstrate that as many natural features as possible have been retained, particularly where such features provide a buffer between adjoining properties or assist in preserving the general appearance of the neighborhood or help control soil erosion or stormwater.
- C. Vehicular and Pedestrian Traffic. Site Plans shall fully conform to the driveway and traffic standards of the Michigan Department of Transportation and the Eaton County Road Commission. Further, the Site Plan shall demonstrate that there is proper relationship between existing and proposed roadways, parking areas, and that the safety and convenience of pedestrian and vehicular traffic has been assured.
- D. Public Safety. Site Plans shall fully conform to the applicable fire safety and emergency vehicle access requirements of the Eaton County Construction Code.
- E. Drainage. Site Plans shall fully conform to the Eaton County Drain Commission standards.
- F. Erosion. Site Plans shall fully conform to the Eaton County Soil Erosion and Sedimentation Control Ordinance.
- G. Hazardous Waste Management. Site Plans shall demonstrate that reasonable precautions will be taken to prevent hazardous materials from entering the environment.
- H. Public Health. Site Plans shall fully conform to the requirements of the Michigan Department of Public Health and the Eaton County Health Department.
- I. Statutory Compliance. Site Plans shall fully conform to all applicable state and federal statutes.
- J. Conformance with Village Master Plan. Site Plans shall fully conform to the land use policies, goals and objectives of the Village of Vermontville Master Plan.

21.5 ACTION ON SITE PLANS.

- A. Submission of Site Plan for Planning Commission Review. The applicant shall provide to the Zoning Administrator two (2) copies of the proposed Site Plan rendered on 24"x36" paper and ten (10) copies of the proposed Site Plan rendered on 11"x17" paper. The Zoning Administrator shall review the submittal to determine that all the required information has been provided. Upon finding that the Site Plan is complete, the Zoning Administrator shall place the Site Plan on the Planning Commission's agenda.

- B. Action. The Planning Commission shall disapprove, approve, or approve with conditions the Site Plan. The Planning Commission may impose conditions in addition to the specific requirements of this Ordinance. Conditions may include, but are not limited to, conditions necessary to insure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, to protect the natural environment and conserve natural resources and energy, to insure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner. Any conditions required by the Planning Commission, together with the reasons for those conditions, shall be provided in writing to the applicant.
- C. Approval of Site Plans. A Site Plan shall be approved if it contains the information required by and is in compliance with the Zoning Ordinance, the conditions imposed pursuant to the Ordinance, and other Village planning documents.
- D. Approved Site Plans. Two (2) copies of the approved Site Plan, including any written conditions, shall be maintained by the Zoning Administrator for future review and enforcement activities. One (1) copy shall be returned to the applicant. If any variance was granted by the Zoning Board of Appeals, written evidence of the variances(s) shall be filed with the Site Plan and a copy provided to the applicant.
- E. Site Plan Approval for Special Land Uses. The approval of Site Plans reviewed in conjunction with a Special Land Use Application may occur coincident with or subsequent to the approval of the Special Land Use.
- F. Appeals. No decision or condition related to a Site Plan approval shall be taken to the Zoning Board of Appeals.

21.6 PERFORMANCE GUARANTEES. To ensure compliance with the Zoning Ordinance requirements and any conditions imposed thereunder, the Planning Commission may require the deposit of a performance guarantee.

- A. A performance guarantee shall be in the form of a cash deposit, certified check, irrevocable bank letter of credit or surety bond in the amount of the estimated cost of the approved site improvements. The Village shall have the right to determine the form of the performance guarantee.
- B. Deposit. The performance guarantee shall be deposited with the Village prior to the issuance of a Land Use Permit. Upon receipt of the performance guarantee, the Village shall deposit the performance guarantee, if in the form of a cash deposit or certified check, in an interest bearing account.
- C. Return. Upon satisfactory completion of the improvements for which the performance guarantee was required, as determined by the Zoning Administrator, the Village shall return to the applicant the performance guarantee deposited and any accrued interest.

- D. Completion of Improvements. In the event the applicant fails to make the improvements for which the performance guarantee was required within the time period established by the Village, the Village shall have the right to use the performance guarantee and any accrued interest to complete the improvements. If the performance guarantee is not sufficient to allow the Village to complete the improvements for which it was posted, the applicant shall be required to pay the Village the amount by which the cost of completing the improvements exceeds the amount of the performance guarantee deposited. Should the Village use all or a portion of the performance guarantee to complete the required improvements, any amounts remaining after the improvements are made shall be applied first to cover the Village's administrative costs related to the completion of the improvements, with the balance being returned to the applicant.
- E. Performance Guarantees Required by Other Agencies. If the applicant has been required to post a performance guarantee with another governmental agency other than the Village to ensure the completion of an improvement associated with the approved Site Plan, the applicant shall not be required to deposit with the Village a performance guarantee for that specific improvement.
- F. Performance Guarantee Agreement. At the time the performance guarantee is deposited with the Village and prior to the issuance of a Land Use Permit, the applicant and Village shall enter into an agreement incorporating the provisions of this Section.

21.7 VALIDITY AND REVOCATION OF SITE PLAN APPROVAL.

- A. Validity of Approval. An approved Site Plan shall be valid for a period of twelve (12) months from the date of Planning Commission approval. If construction has not commenced and proceeded meaningfully toward completion by the end of this period, the Zoning Administrator shall notify the applicant in writing of the expiration of said permit; provided, however, that the Planning Commission may waive or extend the period of time in which the permit is to expire if it is satisfied that the owner or developer is maintaining a good faith intention to proceed with construction.
- B. Revocation. The Planning Commission shall have the authority to revoke Site Plan approval following a hearing if construction of the approved improvements does not proceed in conformance with the approved Site Plan. Upon discovery of a violation, the Zoning Administrator may issue a stop work order and a notice to appear for a hearing before the Planning Commission. Notice of the hearing date shall be provided to the applicant no less than ten (10) days prior to the date of the meeting.

21.8 SITE PLAN AMENDMENTS.

- A. Approval Required. Site Plan amendments shall be reviewed and approved in the same manner as the original submittal and require the mutual consent of the property

owner and the approving body or person. Minor Site Plan amendments, as defined in Sections 21.8(B), may be approved by the Zoning Administrator.

- B. Minor Site Plan Amendments. Minor Site Plan amendments shall be limited to the following Site Plan changes:
- 1) Moving walls within the confines of the approved building footprint because of a natural impediment such as soil conditions or subsurface geology.
 - 2) Moving the ingress and egress drive a distance up to one hundred (100) feet, if required by the Eaton County Road Commission, the Michigan Department of Transportation or the Village of Vermontville Department of Public Works.
 - 3) Substituting a landscape material provided a nurseryman or landscape architect certifies that the substituted species is of a similar nature and quality.
 - 4) Changing the location and/or design of exterior light fixtures provided that there will be no change in the intensity of site lighting and the location conforms to the requirements of this Ordinance.
 - 5) Changing the dimensions or location of approved signage provided that the sign conforms to the requirements of this Ordinance.
 - 6) Altering the location of an accessory structure that is less than one hundred (100) square feet in area provided that the location does not encroach on any approved parking, loading, or landscape areas and otherwise conforms to the requirements of this Ordinance.
 - 7) Changing the height and/or material of fencing provided that the height conforms to the requirements of the Ordinance and that any substituted material is similar in character and quality.
- C. Approval Required. A Site Plan amendment shall be approved if the Planning Commission finds that the change will not adversely affect the initial reasons for granting approval.

21.9 DRAWINGS OF RECORD. Upon completion of required improvements, the applicant shall submit drawings of record, certified by a surveyor or engineer, to the Zoning Administrator. All submitted drawings of record shall be on a mylar sheet of at least eighteen (18) inches by twenty-four (24) inches. In the case of a condominium subdivision, the applicant shall provide two (2) copies of the recorded master deed and any exhibits.