



ARTICLE XI SITE PLAN REVIEW

Sec. 11.01 Statement of Purpose

The purpose of this Chapter is to provide for consultation and cooperation between the Land Developer and the Township Zoning Board in order that the developer may accomplish their objectives in the utilization of the land within the regulations of this Zoning Ordinance, and with minimum adverse effect on the use of adjacent streets, highways, and existing uses in the immediate vicinity.

Sec. 11.02 Uses Subject to Site Plan Review.

A Land Use Permit for any proposed use or building or any other improvement shall not be issued until a Site Plan has been reviewed and approved by either the Zoning Board, or Zoning Administrator, under the following procedure:

- A. The following uses shall be subject to Site Plan Review by the Zoning Board in accordance with the provisions of this Section.
 - 1. All land uses, new construction, new uses established, or additions to existing buildings in excess of twenty five (25) percent of the gross floor area of the main building in all Zoning Districts, except the following:
 - a. Single family dwellings
 - b. Temporary buildings and uses
 - c. Accessory uses or structures
 - 2. Special land uses in any zone district.
 - 3. Condominium projects or Site Condominiums.
- B. All uses for which Site Plan Review by the Zoning Board is not required under Section 11.02, A, 1, shall be subject to review by the Zoning Administrator. Such review shall be limited to ensuring that the proposed use conforms to the applicable setbacks, yards, parking, and other specific Zoning Ordinance requirements.

Sec. 11.03 Site Plan Review Procedures

- A. (Optional) A preliminary sketch plan may be submitted for review to the Zoning Board for all projects which Site Plan Review by the Zoning Board is required. The purpose of accommodating such procedure is to cause discussion between the developer and the Zoning Board to better inform the developer of the acceptability of the proposed plans prior to incurring extensive engineering and other costs, which might be necessary for site plan approval. Further, the preliminary sketch plan provides an opportunity for the developer to explain their plans for site development, and the Zoning Board to share the township goals. Such sketch plans shall include at least the following information:
 - 1. The name and address of the applicant, including the name, address, and phone number of a contact person.
 - 2. The legal description and Zoning of the property.



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3. Drawings showing tentative site development.
 4. The Zoning Board shall not be bound by any tentative approval given at the preliminary sketch plan review.
- B. An application for Site Plan Review shall be submitted at least thirty (30) days prior to the next scheduled Zoning Board meeting through the Zoning Administrator, who will review the application materials to ensure that the requirements of Section 11.04, and 11.05, are met, then transmit the application and materials to the Zoning Board. If the plan does not meet the requirements of 11.04 and 11.05, then the plan shall be returned to the applicant without further action, and the application fee shall be forfeited by the developer. If the plan meets the requirements of the above subsections, then the plan, application, and materials shall be transmitted to the Zoning Board for review.
- C. Review comments shall be submitted by such departments and consultants to the Zoning Board for consideration prior to the meeting at which the request is to be considered.
- D. The Zoning Board shall review the Site Plan, along with any comments submitted by agencies, departments or consultants, and make such recommendations to the applicant that will cause the Plan to be in conformance with the review standards required by this Section and this Ordinance.
1. To this end, the Zoning Board may request from the applicant additional graphic or written materials, prepared by a qualified person or persons, to assist in determining the appropriateness of the site plan.
 2. Such material may include, but is not limited to:
 - a. aerial photography, photographs;
 - b. traffic impacts;
 - c. impact on significant natural features and drainage;
 - d. soil tests;
 - e. environmental impacts;
 - f. and other pertinent information.
- E. The Zoning Board shall approve, deny, or approve with conditions any site plan it reviews based on the requirements of this Ordinance.
- F. No petition submitted for Site Plan Review which has been denied, shall be resubmitted for a period of one (1) year from the date of denial, except as may be permitted by the Planning Commission after learning of new and significant facts or conditions which might result in favorable action upon resubmittal.
- G. Upon approval of the Site Plan, the Zoning Board secretary shall sign three (3) copies thereof. One (1) signed copy shall be made a part of the Township's files; one (1) copy shall be forwarded to the Zoning Administrator for issuance of a Zoning Compliance Permit; and one (1) copy shall be returned to the applicant.

Sec. 11.04 Site Plan Application Requirements. The required site plan application shall include the following information:

- A. A completed and signed application form



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- B. Payment of a fee, in accordance with a fee schedule, as determined by Township Board resolution.
- C. Seven (7) copies of a neat and orderly site plan, drawn to scale, containing the following required information:
 - 1. The date, North arrow, and scale. The scale shall not be less than 1" = 20' for sites under three (3) acres, and at least 1" = 100' for those sites of three (3) acres or more.
 - 2. Legal description of the property.
 - 3. Small sketch of properties, streets and zoning classifications within one quarter (1/4) mile of the subject property.
 - 4. Existing adjacent streets and proposed streets and existing curb cuts within one-hundred (100) feet of the property.
 - 5. All lot lines with dimensions
 - 6. Parking lots and access points
 - 7. Proposed buffer strips, greenbelts, or screening
 - 8. Significant natural features; and other natural characteristics, including but not limited to open space, stands of trees, brooks, ponds, flood plains, hills, and similar natural assets.
 - 9. Location of any signs
 - 10. Existing and proposed buildings, including existing buildings or structures within one-hundred (100) feet of the boundaries of the property. If no buildings are within one-hundred (100) feet the property lines, the use of the adjacent property shall be indicated.
 - 11. General topographical features including existing contours at intervals no greater than five (5) feet.
 - 12. Number of acres allocated to each proposed use and gross area in building, structures, parking, public or private streets and drives, and open space.
 - 13. Dwelling unit densities by type, if applicable.
 - 14. Proposed method of providing sewer and water service, as well as other public and private utilities.
 - 15. Proposed method of providing storm drainage.
 - 16. Written description of the computation for required parking.
 - 17. Name, address, and phone number of applicant.
 - 18. Name, address, phone number, of the individual responsible for preparing the plan

Sec. 11.05 Site Plan Review Standards

All site plans shall be approved, approved with conditions, or denied based on the purposes, objectives and requirements of this Ordinance, and specifically, the following considerations when applicable:

- A. The relationship of uses proposed will not adversely affect the public health, safety, or welfare. Uses and structures located on the site shall be planned to take into account topography, size of the property, the uses on adjoining property and the relationship and size of buildings to the site. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.
- B. Safe, convenient, uncongested, and well-defined vehicular and pedestrian circulation shall be provided for ingress/egress points and within the site. Drives, streets and other circulation routes shall be designed to promote safe and efficient traffic operations within the site and at ingress/egress points.



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- C. The arrangement of public or private vehicular and pedestrian connections to existing or planned streets in the area shall be planned to provide a safe and efficient circulation system for traffic within Backus Township.
- D. Removal or alteration of significant natural features shall be restricted to those areas which are reasonably necessary to develop the site in accordance with the requirements of this Ordinance. The Zoning Board may require that landscaping, buffers, or greenbelts be preserved or provided to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property.
- E. Satisfactory assurance shall be provided that the requirements of all other applicable Ordinances, codes, and requirements of Backus Township will be met.
- F. The general purposes and spirit of this Ordinance shall be maintained.

Sec. 11.06 Validity of Approved Plans

- A. Each development shall be under construction within one (1) year after the date of approval of the Site Plan, except as noted in this Section.
- B. The Zoning Board may grant one (1) extension of up to an additional one (1) year period if the applicant applies for such extension prior to the date of the expiration of the Site Plan and provided that:
 - 1. the applicant presents reasonable evidence that said development has encountered unforeseen difficulties beyond the control of the applicant; and
 - 2. the site plan requirements and standards, including those of the Zoning Ordinance, that are reasonably related to said development have not changed.
- C. Should neither of the provisions of Section 11.06 B be fulfilled, or an extension has expired without construction underway, the Site Plan approval shall be null and void.

Sec. 11.07 Amendments to an Approved Site Plan.

Amendment to an approved site plan may occur only under the following circumstances:

- A. The holder of a valid Site Plan approval shall notify the Zoning Administrator of any proposed amendment to such approved site plan.
- B. Minor changes, requested by the applicant, may be approved by the Zoning Administrator upon certification in writing to the Zoning Board that the proposed revision does not alter the basic design nor any specified conditions of the plan as agreed upon by the Zoning Board. In considering such a determination, the Zoning Administrator shall consider the following to be a minor change:
 - 1. Reduction of the size of any building or sign.
 - 2. Movement of buildings or signs less than ten (10) feet.
 - 3. Landscaping approved in the site plan that is replaced by similar landscaping to an equal or greater extent.
 - 4. Changes in floor plans, of up to five (5) percent of the total floor area, which do not alter the character of the use or increase the amount of required parking.

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5. Internal rearrangement of a parking lot which does not affect the number of parking spaces or alter access locations or design.
 6. Changes required or requested by the Township, Roscommon County, or other State or Federal regulatory agency in order to conform to other laws or regulations.
- C. Should the Zoning Administrator determine that the requested modification to the approved site plan is not minor, a new site plan shall be submitted and reviewed as required by this Chapter.

Sec. 11.08 Site Plan Required for Reuse of an Existing Site

Reuse of a site which meets all zoning ordinance standards may be permitted without requiring the applicant to prepare a site plan only if the Zoning Administrator determines the new use is similar or less intense than the past use in terms of parking, traffic generation, drainage, utility needs, noise, aesthetics and other external impacts. The Zoning administrator may require submittal of a sketch plan or documentation to assist in making such determination.

Sec. 11.09 Appeals of Site Plan

- A. Any person aggrieved by the decision of the Zoning Board in granting or denial of a site plan approval shall have the right to appeal the decision to the Zoning Board of Appeals. The appeal shall be filed with the Township Clerk within five business days of the final decision by the Zoning Board. The appeal shall state the aggrieved parties' grounds for appeal.
- B. The filing of an appeal of a decision of the Zoning Board concerning a site plan shall act to stay any building permit issued for improvements on the property which is the subject of the appeal.
- C. On hearing such appeal, the Zoning Board of Appeals shall review the record before the Zoning Board and shall determine whether or not there was support on the record for the original decision. The appellant shall not have the right to present new evidence. The Zoning Board of Appeals shall approve the site plan if the requirements of this zoning ordinance, other applicable Township ordinances and applicable state and federal statutes are met, and prepare written findings on its decision on the appeal.
- D. An appeal of a Zoning Board of Appeals decision concerning a site plan shall be to the Circuit Court of Roscommon County.