

# City of Gobles - Site Plan Review Summary based on Chapter 15, City of Gobles Zoning Ordinance, as enacted on 07-04-2009.

## 15.01 - Purpose (verbatim)

**The site plan review procedures and standards in this section are intended to provide a consistent and uniform method of review for proposed development plans. Through the application of the following provisions, the attainment of the City of Gobles Land Use Plan will be assured, and the City will develop in an orderly fashion.**

Commentary: The application and checklist require the submission of a plan that clearly depicts all aspects of the project, allowing the applicant and the City to be assured that all issues have been addressed, and that the site will operate in a safe and efficient manner. Through review of the application and site plan drawing, compliance can be determined in relationship to ordinance requirements such as:

- Setbacks from lot lines to buildings;
- Location and construction of access drives and connection to City Streets;
- Location, construction and characteristics of parking areas;
- Location, construction and characteristics of streets and sidewalks;
- Drainage capacity required and provided for parking and other impervious surfaces;
- Location and characters of proposed lighting, utilities and sanitary facilities;
- Approvals from other agencies: (e.g. Health Dept./of septic system, Liquor License, Soil Erosion, Storm Water discharge, etc.);
- Screening or buffering separating non-residential uses from residential uses;
- Required landscaping;
- Location, screening and access for dumpsters/solid waste disposal.

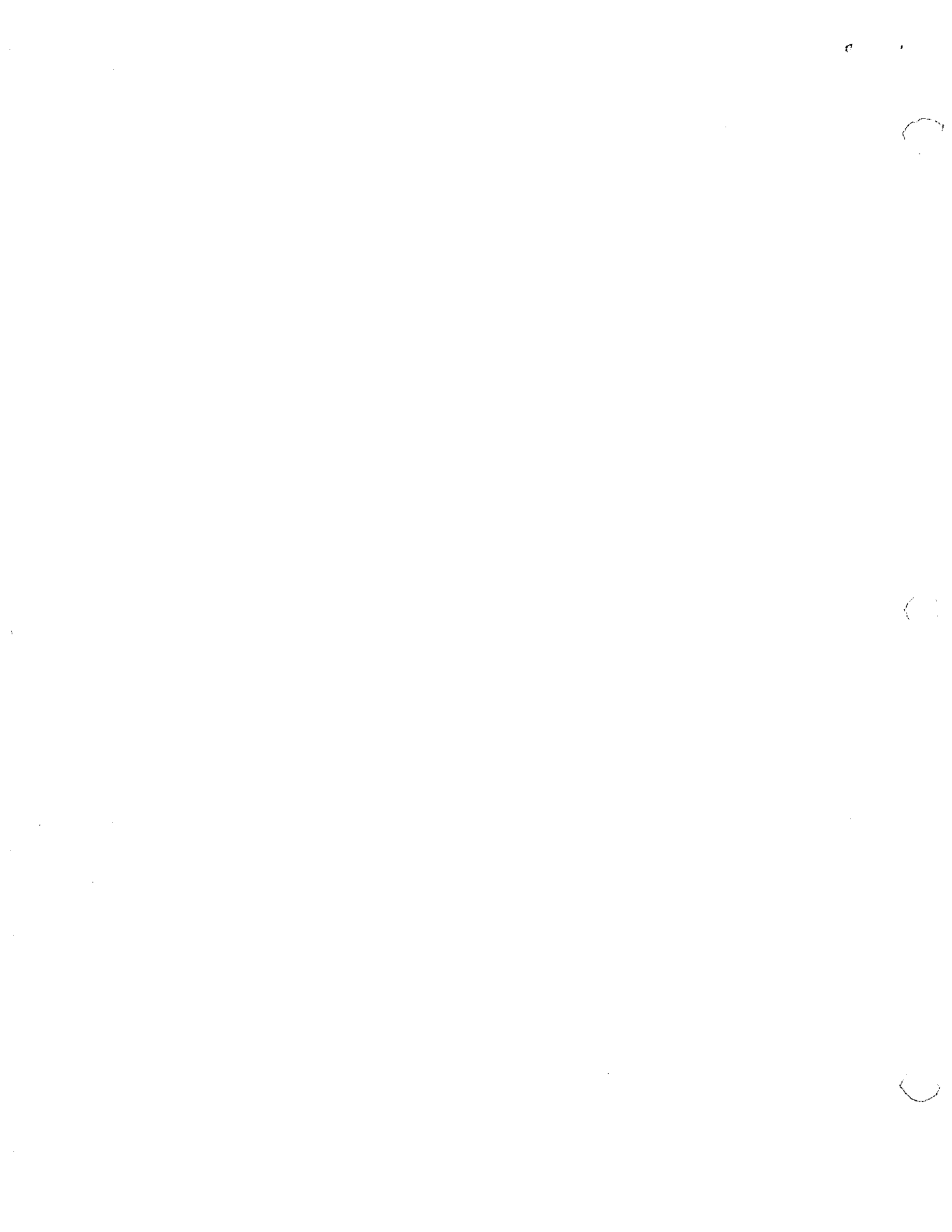
## 15.02 - When Site Plan Review is Required (summary)

All developments that include construction/relocation/conversion/alteration of a structure, or the establishment of a use upon property,

***EXCEPT** single- and two-family dwellings and associated accessory buildings, agricultural accessory buildings, and signs associated with existing structures, where no change is proposed to the building, the site, or the use.*

Site plan review by the Planning Commission is required for all projects,

***EXCEPT** where the extent of change is less than 10% of the existing floor area, or 10% or less of required parking, each of which can be reviewed and approved by the Zoning Administrator.*



### **15.03 - Preliminary Site Plan Consideration / Pre-Application Meeting. (summary)**

A pre-application meeting between the prospective applicant and the Zoning Administrator, or other City representative, allows for review and discussion of the general components of the development, and identification of issues that may require other separate procedures or approvals prior to formal site plan review.

A preliminary site plan consideration allows for conceptual review by the Planning Commission, and is considered informational. It is intended to provide an opportunity for discussion of basic questions related to the potential application/project, "to minimize errors, miscalculations, or misconceptions prior to the submission for formal Site Plan Review", and can also serve as an introduction of the proposal to the community in general. The preliminary site plan consideration is provided at no charge to the applicant.

In the case of either process, "no comment made during the course of preliminary site plan consideration, by either the applicant or the City, shall be considered binding on the final decision on the application."

### **15.04 - Application Process (summary)**

The process steps for submission of a site plan application are stated by this section (A), as well as the component requirements for a complete site plan, which will provide information to address the issues of concern to the City (B&C). This section also sets forth the staff review process (D), and the actions that may be taken by the Planning Commission following the formal site plan review: Postponement, Denial, Approval, Approval subject to conditions (E).

\*\*Approval is documented as a permanent record of the City (F), and it provides authorization and legal control of the operation of the use until such time as the site plan approval is modified by an approved amendment (15.08). Applicants cannot re-submit the same proposal, if denied by the Planning Commission, for one (1) year following denial action (G). Decisions on site plan applications are subject to appeal to the City's Zoning Board of Appeals (H).

### **15.05 - Criteria for Granting Site Plan Approval (summary)**

Each application for site plan review must be determined to meet the criteria listed in this section. The Planning Commission should use this as a checklist, and a finding as to each listed item should be entered in the minutes of the meeting at which action is taken on any site plan application.



#### **15.06 - Issuance of Building Permit after Site Plan Approval (summary)**

The project is not eligible for a building permit until a site plan approval has been granted. The building permit application and construction code review is a separate process, which does not proceed until the formal site plan has been approved (A). A site plan approval is effective for one (1) year, during which a building permit must be obtained. If a building permit is not obtained, the approval expires. The Planning Commission can grant a single six (6) month extension based on this section (B).

#### **15.07 - Performance Guarantee (summary)**

When an application includes "improvements" that the City deems necessary "to protect natural resources, or the health, safety, and welfare of the residents", such as "roadways, lighting, utilities, sidewalks, screen, landscaping and surface drainage", a bond or cash deposit may be required as a condition of a "temporary certificate of occupancy" to insure completion of the work.

#### **15.08 - Modification of an Approved Site Plan (verbatim)**

**No changes to an approved site plan shall be permitted. The only means for modifying an approved site plan is for the property owner or applicant to submit a new application for site plan review.**

#### **15.09 - Conformity to Approved Site Plan Required (summary)**

Compliance with an approved site plan is enforced under the provision of Chapter 21 of the ordinance, a project which does not conform to the site plan approval is a violation of the City of Gobles Zoning Ordinance (A). An "as-built" site plan is required to be submitted prior to a request for a certificate of occupancy (B), and no certificate of occupancy will be granted until compliance with the approved site plan is confirmed (C).



## Chapter 15

### Site Plan Review and Approval

#### Section 15.01 Purpose

The site plan review procedures and standards in this section are intended to provide a consistent and uniform method of review for proposed development plans. Through the application of the following provisions, the attainment of the City of Gobles Land Use Plan will be assured, and the City will develop in an orderly fashion.

#### Section 15.02 When Site Plan Review is Required

- A. **Site Plan Required.** Submission of a site plan shall be required for any of the following:
1. Any development or use for which submission of a site plan is required by provisions of this Ordinance.
  2. Any proposal to construct, move, relocate, convert or structurally alter a building, including accessory buildings, except as noted in Section 15.02.B or C below. A structural alteration shall be defined as one that changes the location of the exterior walls and/or the area or height of the building.
  3. All condominium developments (including "site condominium" developments).
- B. **Exempt Development.** Unless specifically required by the provisions of this Ordinance the following developments are exempt from the provisions of this Chapter, however a plot plan shall be submitted and a zoning permit is required, in accordance with Section 20.06:
1. Single and two-family dwelling units on individual lots.
  2. Residential accessory buildings (for personal use) less than 1,200 sq. ft. in area in residential or agricultural zoning districts.
  3. Agricultural accessory buildings located in agricultural zoning districts and agricultural accessory buildings in an otherwise legal and lawful nonconforming use.
- C. **Site Plan Review Not Required by the Planning Commission.** Uses with approved site plans, which propose a one-time change constituting ten percent (10%) or less of the building floor area or ten percent (10%) or less of the

required parking spaces, may be reviewed, approved and administered by the City Zoning Administrator. Such review and approval by the City Zoning Administrator shall be reported to the Planning Commission at the next regularly scheduled meeting. However a plot plan shall be submitted and a zoning permit is required in, in accordance with Section 20.06.

- D. Uses or activities not requiring site plan review before the Planning Commission shall submit to the City a plot plan with adequate dimensions and such information deemed necessary by the Zoning Administrator and/or Planning Commission to assure that the proposed development complies fully with the requirements of this Ordinance.

**Section 15.03 Preliminary Site Plan Consideration / Pre-application Meeting.**

- A. **Preliminary Site Plan Consideration.** Applicants for site plan review are encouraged to submit a conceptual or preliminary site plan for discussion and consideration by the Planning Commission. The intent of the Preliminary Site Plan Review is to minimize errors, miscalculations, or misconceptions prior to the submission for formal Site Plan Review. This procedure is intended for informational purposes only and shall not necessarily bear directly upon later reviews. Proposed new construction on parcels of land which are undeveloped or are to be redeveloped, or which will be developed in phases, are encouraged to seek this review prior to the submission for final Site Plan Review. The purpose of this is to indicate the general design, intent, and layout of the project and to introduce and provide an overview of the development to the Planning Commission and community in general. This review shall be provided at no charge to the applicant when conducted during a regularly scheduled monthly Planning Commission meeting. No comment made during the course of preliminary site plan consideration, by either the applicant or the City, shall be considered binding on the final decision on the application.
- B. **Pre-application Conference with City Staff.** A pre-application conference may take place to review a generalized site plan presented by a prospective applicant for consideration of the overall idea of the development. The purpose of the conference is to discuss basic questions regarding use, density, integration with existing development in the area and impacts on and the availability of public infrastructure. The applicant may be presented with the applicable procedures required by this Ordinance for approval of the proposed development and with any special problems or steps that might have to be followed, such as requests to the Zoning Board of Appeals for a variance. The conference may be scheduled by a prospective applicant with the City Zoning Administrator and such other City representatives, as appropriate. No comment made during the course of preliminary site plan consideration, by either the applicant or the City, shall be considered binding on the final decision on the application.



**Section 15.04 Application Process**

- A. **Application Submittal.** Application for site plan review shall be made to the City by filing at least ten (10) copies of an application form and detailed site plan with the City at least thirty (30) calendar days in advance of the regularly scheduled Planning Commission meeting at which the plan is to be first considered. Fees are required to be paid in accordance with the fee schedule in effect as established by the City Commission at the time the application is made.

If the site plan is incomplete, it shall be returned to the applicant. If it is complete and appears to comply with the requirements of the Zoning Ordinance, it shall be processed in accordance with this Chapter.

- B. **Application Form.** Each request for site plan review shall be accompanied by a completed application form furnished by the City and shall include the following information:

1. The applicant's name, address, and phone number.
2. The address and parcel number of the property.
3. The application shall be executed by the owner(s) of the property. The application may be represented by a party who has a legal financial interest in the property (such as a purchase agreement) provided that the application contains an affidavit signed by the property owner(s) indicating the party and the nature of the legal interest.
4. The address of the applicant to whom all correspondence regarding the application and site plan review the process should be sent.
5. Project description, including the total project title, number of structures, units, bedrooms, offices, square feet, total and usable floor area, and other pertinent information.
6. The gross and net acreage of all lots or parcels in the project.
7. Existing zoning classification, land uses, and structures on the subject parcel.
8. Name and address of developer (if different from the applicant), engineer, architect and/or land surveyor.
9. Project completion schedule/development phases.

10. Written statements relative to project impacts on existing infrastructure (including traffic capacity of streets, schools, and existing utilities) and on the natural environment of the site and adjoining lands.

C. **Site Plan Information.** Each request for site plan review shall be accompanied by a detailed site plan which shall consist of an accurate drawing, showing the entire site and all land within 150 feet of the site. The scale of the site plan shall be not less than 1 inch = 50 feet if the subject property is less than 3 acres, and 1 inch = 100 feet if three acres or more. If multiple sheets are used, each shall be labeled and dated, and the preparer identified. The following information shall be included, however, the Chairperson of the Planning Commission may, upon written request, determine that some of the required information is not necessary due to the scope and nature of the proposed project:

1. Name of development and general location sketch.
2. Name, address and phone number of owner(s), developer, engineer, architect and/or designer.
3. North arrow, scale, and date of original drawing and revisions.
4. The seal of one of the following professionals registered in the State of Michigan: Registered Architect, Registered Civil Engineer, Registered Landscape Architect, Registered Land Surveyor, or Registered Professional Community Planner. The architectural plans of the buildings shall be prepared by and bear the seal of a Registered Architect. A site plan for an alteration or addition to an existing structure may be prepared by the builder or contractor.
5. A legal description and address of the property in question.
6. The area of the site in square feet and acres excluding all existing and proposed public rights-of-way.
7. The dimensions of all lots and subject properties, showing the relationship of the subject property to abutting properties, including lots across rights-of-way and easements. The boundaries of the subject property shall be clearly indicated on the site plan, differentiated from other contiguous property. If the parcel is a part of a larger parcel, boundaries of total land holding shall be indicated.
8. Existing topographic elevations at two (2) foot intervals, including ground elevations of all existing buildings, drives and/or parking lots, and any adjacent unusual surface conditions.

9. The location and elevations of existing water courses and water bodies, including county drains and man-made surface drainage ways, floodplains, and wetlands, and proposed drainage ways.
10. Location and type of existing vegetation, including location of all existing trees over five (5) inches in diameter. Where strands of trees to be preserved, the general location may be indicated.
11. Any significant site amenities and unique features.
12. Existing land uses and zoning classification of the subject parcels and adjacent parcels.
13. All required yards.
14. The location and dimensions (length, width, height) of all existing and proposed structures on the subject property, their distance from the property lines, and all existing structures within 100 feet of the subject property.
15. The location and width of all existing public roads, rights-of-way or private easements of record, abutting streets, alleys, and driveway locations to abutting streets.
16. With residential proposals, a site summary indicating the number and location of one bedroom units, two bedroom units, etc., typical floor plans with the square feet on floor areas; density computation, recreation facilities, open spaces, street names, and lot coverage.
17. With non-residential proposals, the number of offices, number of employees, the number of floors, and typical floor plans and cross sections.
18. Proposed parking lots including layout and typical dimensions of parking spaces, number of spaces provided (including how computed per ordinance requirements) and type of surfacing.
19. Location of and dimensions of proposed streets, drives, curb cuts, and access easements, as well as acceleration, deceleration and passing lanes (if any) serving the development.
20. Proposed traffic and pedestrian circulation patterns, both within the site and on the public streets adjacent to the site, and the proposed location and dimensions of any required pedestrian sidewalks. Designated loading and unloading areas, barrier free access, any fire lanes, and carports.

21. Proposed finish grade of buildings, driveways, walkways, and parking lots.
22. Proposed type of building materials, roof design, projections, canopies and overhangs, roof-located mechanical equipment, such as: air conditioning, heating units and transformers that will be visible from the exterior.
23. Proposed water service including any proposed tap ins, main extensions or extensions for adequate fire hydrant spacing, and/or considerations for extensions to loop other public water mains.
24. Proposed sanitary sewer facilities and the location of all existing utilities, easements and the general placement of lines, manholes, tap-ins, pump stations, and lift stations.
25. Proposed storm water management plans including design of sewers, outlets (enclosed or open ditches), and retention or detention ponds. Sufficient data regarding site run-off estimates and off-site drainage patterns shall be provided to permit review of feasibility and permanency of drainage detention and/or retention as well as the impact on local surface and groundwater. The plan shall indicate location and status of any floor drains in structures on the site. The point of discharge for all drains and pipes should be specified on the site plan.
26. Locations of existing and proposed fire hydrants with reasonable access thereto for fire fighting, police and other emergency equipment.
27. Location of all other utilities on the site including but not limited to natural gas, electric, cable TV, telephone and steam.
28. Soil erosion and sedimentation control measures.
29. Detailed landscaping plan indicating location, types and sizes of material, in compliance with the landscaping requirements set forth in Chapter 14.
30. All proposed screening and free standing architectural walls, including typical cross-sections and the height above ground on both sides.
31. The dimensions and location of all signs, both wall signs and free-standing signs and of lighting structures and shielding.
32. Location, size and specifications for screening of all trash receptacles and other solid waste disposal facilities.

33. Location and specifications for any existing or proposed outdoor or below ground storage facilities as well as any screening or containment structures or clear zones required by government authorities.
34. Easements for proposed public rights-of-way, utilities, access, shared access, and drainage.
35. Notation of any variances which have been or must be secured.
36. Notation of performance guarantees to be provided including amounts, types, and terms.
37. Statement that applicant will comply with state, local and federal laws, as applicable to the site or intended use.
38. Information and special data which may be critical to the adequate review of the proposed use and its impacts on the site or City. Such data requirements may include traffic studies, market analysis, environmental assessments (including inventory and impact data on flora, fauna, natural resources, hazardous materials, erosion control and pollution), demands on public facilities and services, impact on historical or cultural resources, displacement of people or other uses as a result of the proposed development, alterations of the character of the surrounding area, effect on the City's tax base and adjacent property values, or other data which the City may reasonably deem necessary for adequate review.
39. The size, location and description of any proposed interior or exterior areas or structures for storing, using, loading or unloading of hazardous substances. A listing of types and quantities of hazardous substances which will be used or stored on-site in quantities greater than 100 kilograms or 25 gallons per month.
40. Delineation of areas on the site which are known or suspected to be contaminated, together with a report on the status of the cleanup.
41. Plans depicting existing and proposed building elevations from each direction.
42. For developments that are of a scale to warrant phased development, the phasing of construction shall be indicated. A detailed site plan needs to be submitted only for that portion of the property for which a building permit will be applied for; a general site plan which clearly indicates the overall project intent may be submitted for the remainder of the site.
43. The Planning Commission may, by majority vote, require additional information.

- D. **Technical Review.** Prior to Planning Commission consideration, the site plan and application shall be reviewed by the City Zoning Administrator, Planning Consultant, and other City or County Departments and associated agencies as determined necessary based on the scope of the development.
- E. **Planning Commission Consideration.** The Planning Commission shall review the site plan or sketch plan, together with any reports and recommendations from staff, consultants and other reviewing agencies and any public comments. The Planning Commission shall then make a determination based on the requirements of this Ordinance and the criteria for approval (Section 15.05). The Planning Commission is authorized to postpone, approve, approve subject to conditions or deny the site plan as follows:
1. **Postponement.** Upon determination by the Planning Commission that a site plan is not sufficiently complete for approval or denial, or upon a request by the applicant, the Planning Commission may postpone consideration until a later meeting.
  2. **Denial.** Upon determination that a site plan does not comply with the standards and regulations set forth in this Ordinance, or would require extensive revisions to comply with said standards and regulations, the site shall be denied. If a plan is denied, a written record shall be provided to the applicant listing the reasons for such denial. Failure of the applicant, or the applicant's designated representative, to attend two or more meetings shall be grounds for the Planning Commission to deny approval of the site plan.
  3. **Approval.** Upon determination that a site plan is in compliance with the requirements of this Ordinance and other applicable ordinances and laws, the site plan shall be approved.
  4. **Approval subject to conditions.** The Planning Commission may approve a site plan, subject to one or more conditions necessary to address minor modifications to the plan, ensure that public services and facilities can accommodate the proposed use, protect significant natural features, ensure compatibility with adjacent land uses, or otherwise meet the intent and purpose of this Ordinance. Such conditions may include the need to obtain variances or approvals from other agencies.
- F. **Recording Action.** Planning Commission action on the site plan shall be recorded in the Commission meeting minutes, stating the name and location of the project, the proposed use, the most recent plan revision date, and the conditions or grounds for the Commission's action. The Secretary shall mark and sign two (2) copies of the site plan "APPROVED" or "DENIED" as appropriate, with the date that action was taken and any conditions of approval.

One (1) copy shall be kept on file in the City, and one (1) shall be returned to the applicant.

- G. **Re-Application.** An application for a site plan review that is substantially the same as a site plan that has been denied by the Planning Commission, shall not be filed and shall not be accepted by the Planning Commission within twelve (12) months of the date of denial.
- H. **Appeals.** A decision of the Planning Commission on a site plan may be appealed to the Zoning Board of Appeals in accordance with the procedure provided in Section 20.04.D.3. Such an appeal shall be filed by a person aggrieved by the decision within 30 days of the decision by the Planning Commission.

### **Section 15.05      Criteria for Granting Site Plan Approval**

Each site plan shall conform to all applicable provisions of this Ordinance. The following criteria shall be used by the Planning Commission and/or Zoning Administrator as a basis upon which site plans will be reviewed and approved or denied. The Planning Commission shall adhere to sound planning principles, yet may allow for design flexibility in the administration of the following standards:

- A. The proposed development conforms to all provisions of the Zoning Ordinances.
- B. All required information has been provided.
- C. The movement of vehicular and pedestrian traffic within the site and in relation to access streets and sidewalks will be safe and convenient.
- D. The proposed development will be harmonious with existing and future uses in the immediate area and the community.
- E. The proposed development provides the necessary infrastructure improvements, such as roads, drainage, pedestrian facilities and utilities, and parking and loading spaces, to serve the site, and be adequately coordinated with the current and future use of adjacent properties.
- F. The applicable requirements of City, County and State agencies are met regarding grading and surface drainage and for the design and construction of storm sewers, storm water holding facilities, water mains, and sanitary sewers.
- G. Natural resources will be preserved to the maximum extent possible in the site design by developing in a manner that will not detrimentally affect or destroy natural features such as lakes, ponds, streams, wetlands, steep slopes, and woodlands.

- H. The proposed development shall respect the natural topography to the maximum extent possible by minimizing the amount of cutting, filling, and grading required.
- I. The proposed development will not cause soil erosion or sedimentation.
- J. Landscaping, including trees, shrubs and other vegetative material, is provided to maintain, improve, and/or restore the aesthetic quality of the site.
- K. Building design and architecture relate to and are harmonious with the surrounding neighborhood with regard to texture, scale, mass, proportion, materials, and color.
- L. All elements of the site design are harmoniously and efficiently organized in relation to topography, parcel configuration, adjacent properties, traffic operations, adjacent streets and driveways, pedestrian access, and the type and size of buildings.

**Section 15.06 Issuance of Building Permit after Site Plan Approval**

- A. The Zoning Administrator shall not issue a zoning permit until after the final site plan has been approved and all other required permits have been issued. Complete construction plans including component phases, shall be submitted for review by the Building Inspector and other reviewing agencies or consultants, as applicable (such as the City Engineer). Upon review and finding that the construction plans meet with the requirements of site plan approval, the zoning permit, and other applicable ordinances of the City, the Building Inspector may issue a building permit for said construction.
- B. Site plan approval shall be valid for one (1) year from the date of approval. If an applicant does not obtain a building permit within one (1) year after site plan approval, the site plan approval expires and is of no force or effect, with or without written notice from the City. The applicant may apply for one (1) extension of up to six (6) months prior to expiration of the original approval. The extension must be granted by the Planning Commission on the grounds that circumstances outside the control of the applicant or knowledge of the applicant at the time of approval have prevented obtaining a building permit and that obtaining a permit is feasible within the extension period.

**Section 15.07 Performance Guarantee**

To ensure compliance with the Zoning Ordinance and any condition imposed within, the Planning Commission may require that a cash certified check, irrevocable bank letter of credit, or surety bond acceptable to the City covering the estimated cost of improvements associated with a project for which site plan approval is sought, be



deposited with the City to ensure faithful completion of the improvements and also be subject to the following:

- A. The performance guarantee shall be deposited prior to the issuance of a temporary certificate of occupancy. The City shall establish procedures whereby a rebate of any cash deposits in reasonable proportion to the ratio of work completed on the required improvements will be made as work progresses. Any partial release of funds shall be less than 10%, which shall be retained by the Municipality until all work has been completed and subsequently inspected and approved by the Zoning Administrator or Building Inspector. This does not relieve the applicant from satisfying all applicable maintenance warranties and/or guarantees necessary to ensure the proper function of said public improvements.
- B. This section shall not be applicable to improvements for which a cash deposit, certified check, irrevocable bank letter of credit, or surety bond has been deposited pursuant to Act 288 of the Public Acts of 1967, as amended (the state Subdivision Control Act).
- C. As used in this section, "improvements" mean those features and actions associated with projects which are considered necessary by the body or official granting zoning approval, to protect natural resources, or the health, safety, and welfare of the residents of the City and future users or inhabitants of the proposed project or project area, including roadways, lighting, utilities, sidewalks, screen, landscaping, and surface drainage. Improvements do not include the entire project that is the subject of zoning approval.

#### **Section 15.08      Modification of an Approved Site Plan**

No changes to an approved site plan shall be permitted. The only means for modifying an approved plan is for the property owner or applicant to submit a new application for site plan review.

#### **Section 15.09      Conformity to Approved Site Plan Required**

- A. Following approval of a site plan by the Planning Commission, the applicant shall construct the site plan improvements in complete conformity with the approved plan. Failure to do so is a violation of this Ordinance and subject to the enforcement provisions of Chapter 21.
- B. Upon completion of the installation of required improvements as shown on the approved site plan, the property owner/applicant shall submit to the City, two copies of an "as built" site plan, certified by an engineer or architect, at least one (1) week prior to the anticipated occupancy of any building.

- C. No Certificate of Occupancy shall be issued by the Building Official, and there shall be no occupancy and no use until and after the Zoning Administrator shall have confirmed, by the issuance of a zoning certificate, that the site plan has been fully constructed and installed in conformance with the approved site plan and any and all conditions imposed by the Planning Commission.