

Butler Township Zoning Ordinance

CHAPTER 12

SITE PLAN REVIEW AND APPROVAL PROCEDURES

SECTION 12.01 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 Butler Township Master Plan will be assured, and the Township will develop in an orderly fashion.

SECTION 12.02 WHEN SITE PLAN APPROVAL BY THE PLANNING COMMISSION IS REQUIRED

1. **Site Plan Approval Required** Approval of a site plan shall be required for any of the following:
 - a. Any development or use for which submission of site plan approval is required by provisions of this Ordinance.
 - b. Any proposal to construct, move, relocate, convert or structurally alter a building, including accessory buildings. A structural alteration shall be defined as one that changes the location of the exterior walls and/or the area of the building.
 - c. Any proposal to change, replace with a different use, add or recommence a use on an existing site, including expansions in area, volume or intensity.
 - d. All condominium developments.
 - e. Any proposal to build, expand or decrease an off-street parking lot.
 - f. Any proposal to create, expand or alter a use or structure which involves using, storing, or generating hazardous substances.
 - g. Special Land Uses in all districts.
 - h. Wireless communication facilities.

2. **Site Plan Review Not Required by the Planning Commission.**
 1. Uses with approved site plans or existing buildings which propose a change constituting ten percent (10%) or less of the building floor area or ten percent or less of the required parking spaces may be reviewed, approved and administrated by the Township Zoning Administrator. Such review and approval by the Township Zoning Administrator shall be duly reported to the Planning Commission at the next regularly scheduled meeting.

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2. Single and two-family dwelling units on individual lots.
3. Residential accessory buildings in residential or agricultural zoning districts.
4. Agricultural accessory buildings located in agricultural zoning districts.

Uses or activities not requiring site plan review before the Planning Commission shall include a sketch plan with accurate dimensions and submitted to the Township Zoning Administrator for review showing the following information:

- a. The parcel in question with dimensions and legal description
- b. Plan view of existing and proposed buildings and structures
- c. Existing and proposed building elevations.
- d. Location of drives, public or private roadways, sidewalks, easements, and parking areas.
- e. Location of existing or proposed utilities, water, and sewage systems.
- f. Description of adjacent land uses.
- g. Location of existing natural and man-made site features including wood lots, wetlands, streams, lakes, ponds, and similar environmental conditions.
- h. A description of any change in grade or drainage system, except those changes to accommodate basement and driveway grading. All excavation and grade changes shall have been reviewed and approved by the Branch County Drain Commissioner's office when located within 500 ft. of a watercourse (drain, creek, stream, river, pond or lake).
- i. Any other information required by the Township Zoning Administrator necessary to establish compliance with this and other ordinances of Butler Township.

SECTION 12.03 PRELIMINARY SITE PLAN CONSIDERATION /PRE-APPLICATION MEETING

1. **Preliminary Site Plan Consideration.** Applicants for site plan approval are encouraged to submit a conceptual or preliminary site plan for discussion and consideration by the Planning Commission.

SECTION 12.04 APPLICATION PROCESS

Application for site plan approval shall be made to the Township by filing of not less than fifteen (15) copies of an application form and detailed site plan with the office of the Township Zoning

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Administrator a minimum of 30 days in advance of the Planning Commission meeting at which the plan is to be first considered. Fees shall be paid in accordance with the Township fee schedule.

The Township Zoning Administrator shall examine the site plan. If it is incomplete, it shall be returned. If complete, it shall be processed.

1. **Application Form.** Each submittal for site plan review shall be accompanied by a completed application form furnished by the Township and shall include the following information:
 - a. The applicant's name, address, and phone number.
 - b. The address and parcel number of the property.
 - c. Project description, including structures, units, floor area, parking spaces, and employees by shift.
 - d. Existing zoning classification, land uses, and structures on the subject parcel.

2. **Site Plan Information.** Each submittal for site plan review shall be accompanied by a detailed site plan which shall consist of an scaled drawing of the site. The following information shall be included:
 - a. Name and address of development and general location sketch.
 - b. Name, address and phone number of engineer, architect and/or designer.
 - c. North arrow, scale, and date of original drawing and revisions.
 - d. 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.
 - e. A legal description.
 - f. The dimension and boundaries of all proposed lots and 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.

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- g. Existing topographic elevations at two foot intervals, including ground elevations of all existing buildings, drives and/or parking lots, and any adjacent unusual surface conditions. Indicate direction of drainage flow.
- h. The location and elevations of existing water courses and water bodies, including county drains and man-made surface drainage ways, floodplains, and wetlands.
- i. All required minimum setbacks from the existing or proposed right-of-way and from adjacent lots.
- j. The location and dimensions (length, width, height) of all existing and proposed structures, setbacks, rights-of-way and private easements and driveway locations.
- k. 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.
- l. With non-residential proposals, the number of offices, employees, floors and typical floor plans and cross sections.
- m. Proposed parking including layout and dimensions of parking spaces, number of spaces provided and type of surfacing.
- n. Proposed traffic and pedestrian circulation patterns. Designated loading and unloading areas, barrier free access, any fire lanes, and carports.
- o. Proposed finish grade of buildings, driveways, walkways, and parking lots.
- p. Proposed water service, sanitary sewer, storm water management, and fire hydrants.
- q. Soil erosion and sedimentation control measures.
- r. Landscaping plan.
- s. Location, size and specifications for screening of all trash receptacles and other solid waste disposal facilities.
- t. Any variances, performance guarantees, types, and terms.

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- u. Information and special data which may be critical to the adequate review of the proposed use and its impacts on the site or Township. 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 Township's tax base and adjacent property values, or other data which the Township may reasonably deem necessary for adequate review.
- v. 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 of hazardous substances which will be used or stored on-site in quantities greater than 100 kilograms or 25 gallons per month.
- w. Delineation of areas on the site which are known or suspected to be contaminated, together with a report on the status of the cleanup.
- x. Plans depicting existing and proposed building elevations.

SECTION 12.05 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 as a basis upon which site plans will be reviewed and approved. The Township shall adhere to sound planning principles, yet may allow for design flexibility in the administration of the following standards:

1. All elements of the site shall be harmoniously and efficiently designed in relation to the topography, size, and type of land, and the character of the adjacent properties and the proposed use. The site shall be developed so as not to impede the reasonable and orderly development or improvement of surrounding properties for uses permitted on such property.
2. The site plan shall comply with the zoning district requirements.
3. The existing natural landscape shall be preserved in its natural state as much as possible, by minimizing tree removal and topographic modifications.
4. The site plan shall provide reasonable visual and sound privacy.

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5. All buildings or groups of buildings shall be so arranged as to permit convenient and direct emergency vehicle access.
6. There shall be a pedestrian circulation system and pedestrian improvements may be required in the vicinity of schools, playgrounds, local shopping facilities, and other uses that generate considerable amounts of pedestrian movement.
7. All streets shall be developed in accordance with the Branch County Road Commission design specifications. The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets or pedestrian or bicycle pathways in the vicinity of the site. Streets and drives that are a part of an existing or planned street system serving adjacent developments shall be of an appropriate width to the volume of traffic they are planned to carry and shall have a dedicated right-of-way equal to that specified in a Township recognized source of reference. The applicant may be required to dedicate adequate land and improvements to the Township in order to achieve access which is safe and convenient.
8. Appropriate measures shall be taken to insure that the removal of surface waters will not adversely affect adjacent lots or the capacity of the public or natural storm drainage system.
9. All off-street parking, loading and unloading areas and outside storage areas, including areas for storage of trash, that face or are visible from adjacent residential districts or public thoroughfares, shall be screened by walls, fencing or landscaping of effective height as required within the landscape provisions of this ordinance.
10. Adequate services and utilities including sanitary sewers, and improvements shall be provided, sufficient to serve the development.
11. Site plan approval may be conditioned on the applicant receiving necessary state and federal environmental and hazard permits before final site plan approval or an occupancy permit is granted.
12. An objective of site plan review shall be to protect the rural character of Butler Township and to promote public health, safety and general welfare.
13. It is an objective of site plan review to improve the quality of existing developments as they are expanded, contracted, redeveloped or changed.

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SECTION 12.06 REVIEW AND APPROVAL. Site Plans shall be reviewed in accordance with the following procedures:

1. **Department Review.** The Planning Commission may secure comments from the County Building Inspector, Road Commission, Sheriff's Department, and the Township's consultant Engineer and Planner.
2. **Site Plan Approval.** The Township Planning Commission is hereby authorized to review and approve, with or without conditions or to review and deny approval, all site plans submitted under this Ordinance. When the Planning Commission approves a site plan with conditions from the applicant, the Township Zoning Administrator shall require a revised site plan with a revision date, indicating said conditions on the site plan.
3. **Record of Action.** Each action taken with reference to site plan review and approval shall be duly recorded in the minutes of the Butler Township Planning Commission. A final copy of the approved site plan shall be signed by a Planning Commissioner so marked and placed on file with the Township Clerk's office.
4. **Final Site Plan.** When a site plan approval is required, no building permit shall be issued until the plan is on file with the Township Clerk.

SECTION 12.07 ISSUANCE OF BUILDING PERMIT AFTER SITE PLAN APPROVAL

Construction plans shall be submitted for review by the County Building Inspector and, as applicable, the Township Engineer. Upon review and finding that the construction plans meet with the requirements of site plan approval and other applicable ordinances of the Township, the Building Inspector shall issue a building permit for construction.

If an applicant does not obtain a building permit within one year after site plan approval, the site plan approval expires and is of no force or effect, unless extended by a vote of the Planning Commission.

SECTION 12.08 MODIFICATION OF AN APPROVED SITE PLAN

Once site plan approval has been granted by the Planning Commission, changes to the approved site plan shall require a re-submission and payment of the required application fee.

SECTION 12.09 CONFORMITY TO APPROVED SITE PLAN REQUIRED

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 sanctions of Chapter 21.

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Upon completion of the installation of required improvements as shown on the approved site plan, the property owner/applicant shall submit to the Township Zoning Administrator two copies of an "as built" site plan, certified by an engineer or architect, at least one week prior to the anticipated occupancy of any building. A Certificate of Occupancy shall be withheld by the Building Official in any case where the site plan and major conditions as approved by the Planning Commission have not been complied with. Any minor variations may be approved by the Building Official, and shall be reported within 30 days to the Planning Commission after the issuance of Certificate of Occupancy.