

**120.430 Site Plan Review.**

For all commercial or industrial uses proposed or expanded within the wellhead protection overlay zone, in addition to the information required for site plan review, the applicant shall comply with all the provisions of Section 120.450 of the Zoning Ordinance and its subparts.

**A. Purpose.**

The intent of this section is to provide for consultation and cooperation between the land developer and the Township Planning Commission in order that the developer may accomplish his objectives in the utilization of his land within the regulations of this Zoning Ordinance and with minimum adverse effect on the use of adjacent streets and highways and on existing and future uses in the immediate area and vicinity.

**B. Scope.**

The Building Inspector shall not issue a building permit for the construction or remodeling of any buildings, structures or uses, and shall not issue any occupancy permits where a change in use of the premises is involved until a detailed Site Plan has been reviewed and approved by the Township Planning Commission. The following require Site Plan Review:

1. Multiple-Family Planned Unit Development.
2. Mobile Home Park or Subdivision Development.
3. Office Development.
4. Commercial Development.
5. Industrial Development.
6. Special Exception Uses Development.
7. Reserved.
8. Churches.
9. Site Condominium Developments, unless otherwise regulated by the Cooper Charter Township Site Condominium Ordinance.
10. Planned Industrial Park Development.

11. A change in use.

**C. Site Plan, Application, Fees and Requirements:**

1. Application for a site plan review shall be filed with the Township Zoning Administrator or other designated official. Applicant shall submit site plan containing plans and specifications and other data or explanatory material required by the Ordinance.
2. When application for site plan review is submitted, the applicant shall pay a fee determined by the Township Board, which from time to time may be amended.
3. Applicant shall provide ten (10) copies of the application, which shall contain the following data:
  - a. The name and address of the applicant.
  - b. The legal description of the subject parcel of lot, parcel or building site.
  - c. The area of the subject lot, parcel or building site of land stated in acres or, if less than one acre, in square feet.
  - d. The present zoning classification of the subject lot, parcel or building site of land.
  - e. A general description of the proposed development.
4. Applicant shall provide a complete list of any hazardous substances or volatile materials that may be stored on site. Any new hazardous substances or volatile materials brought on site shall be reported to Cooper Charter Township Fire Department immediately.
5. Applicant shall provide ten (10) copies of the site plan, which shall include the following “checklist items”:
  - a. It shall be of a scale not greater than one inch equals 20 feet for parcels of less than four (4) acres, nor less than one inch equals 200 feet for parcels of four (4) or more acres, however, of such size and accuracy that the Planning Commission can readily interpret the plan.

- b. It shall show an appropriate vicinity map, descriptive legend, north arrow, scale, date of preparation and the name and address of the individual or firm preparing the plan.
- c. It shall identify the subject property by indicating property lines and location, including dimensions, angles and size, correlated with the legal description. It shall show the required setbacks for the specified zoning district.
- d. It shall show the topography at two-foot contours or not less than four-foot contour intervals for parcels of four (4) or more acres and all natural features, including wood lots, streams, rivers, lakes, drains, wet lands, natural drainage channels, unstable soils and similar features.
- e. It shall show existing man-made features on and within 100 feet of the site, such as buildings, structures, high tension towers, pipelines, existing utilities, including water and sewer lines, excavations, bridges, culverts, drains and easements. It shall show existing road right-of-ways and proposed location of driveways.
- f. It shall show proposed building elevations and grade changes as needed and the method for handling all storm water retention on site. It shall show required parking and drive aisle calculations and dimensions. It shall show areas to handle snow removal that do not impact such required parking and access.
- g. It shall include a landscape plan coordinated with parking lot islands and lighting locations. A minimum of twenty (20) percent open space shall be achieved on each site, unless specifically waived by the Planning Commission. Dumpster locations shall be screened by an opaque fence enclosure.
- h. Compliance with the recommendations of the Fire Chief, including a Knox Box for emergency access provided by the applicant. The Planning Commission, in its sole reasonable discretion, may waive such recommendations based upon sufficient compliance with other safety measures.

**D. Standards for Site Plan Review.**

In reviewing the detailed site plan, the Planning Commission shall ascertain whether the proposed site plan is consistent with all regulations of this Zoning Ordinance. Further, in consideration of each site plan, the Planning Commission shall endeavor to insure the following:

1. The proper development of roads, easements and public utilities has been provided to protect the general health, safety and welfare of the Township.
2. There is a proper relationship between existing streets and highways with the vicinity and proposed deceleration lanes, service drives, entrance and exit driveways and parking areas so as to insure the safety and convenience of vehicular and pedestrian traffic.
3. The buildings, structures and entryways thereto are so situated and designed as to minimize adverse effects upon owners and occupants of adjacent properties and upon the neighborhood.
4. The proposed use will not have a harmful effect on the surrounding neighborhood development. Provision for fencing, walls and landscaping devices may be required to provide screening from adjacent land.
5. As many features of the landscape shall be retained as possible where they furnish a barrier or buffer between the project and adjoining properties used for dissimilar purposes and where they assist in preserving the general appearance of the neighborhood or help control erosion or the discharge of storm waters.
6. The height and location of all portions of buildings and structures are accessible to available emergency vehicles and equipment.
7. The plan will not result in any additional run-off of surface waters onto adjoining property.

8. The plan as approved is consistent with the intent and purpose of zoning to promote public health, safety and general welfare; to encourage the use of lands in accordance with their character and adaptability; to avoid the overcrowding of population; to lessen congestion on the public roads and streets; to reduce hazards to life and property; to facilitate adequate provision for a system of transportation, sewage disposal, safe and adequate water supply, education, recreation and other public requirements; and to conserve the expenditure of funds for public improvements and services to conform with the most advantageous uses of land, resources and properties; to conserve property values, and natural resources; and to give reasonable consideration to the character of a particular area, its peculiar suitability for uses and the general and appropriate trend and character of land, building and population development.

**E. Approval/Disapproval.**

The Planning Commission shall have the authority to approve (conditionally or unconditionally), disapprove or modify the proposed site plan. Decisions disapproving, approving, or modifying a site plan shall be based upon requirements, standards and criteria set forth in the Zoning Ordinance. The Planning Commission may also approve site plans lacking some of the required checklist items as indicated in C. 5 above.

If the plan is disapproved, the Planning Commission shall state the reasons therefore. If the plan is modified, the required modifications and any reasons therefore shall be specifically stated by the Planning Commission. Any conditions of approval shall be specifically stated by the Planning Commission.

**F. Conformity to Approved Site Plan Required.**

Development of the subject parcel shall be in complete conformity with the approved site plan and any amendments thereto approved by the Planning Commission. If construction and development does not conform with such approved plan, the approval thereof shall be forthwith revoked by the Township Building Inspector, or the Township Zoning Administrator or other designated official, by written notice of such revocation posted upon the premises involved and mailed to the developer at his last known address. Upon revocation of such approval, all further construction activities shall cease upon the site other than for the purpose of correcting the violation.

**G. Time Limitations.**

Approval of the site plan shall be valid for a period of 1 year after the date of approval. If a building permit has not been obtained and on-site development actually commenced within said 1 year, the site plan approval shall become void and unless one of the following occurs:

1. A new application for site plan approval shall be made and a new approval obtained before such expiration and before any construction or earth change is commenced upon the site, or
2. An application for extension of the site plan approval is made and approved by the Zoning Administrator subject to a review that such site plan remains in conformance with the Zoning Ordinance provisions effective on the date of the application for extension.

**H. Amendment to Site Plan/Administrative Review.**

A proposed amendment or modification to a previously-approved site plan may be submitted for review by the Planning Commission in the same manner as the original application unless adhering to all of the following provisions:

1. The proposed amendment relates to an approved use, whether permitted or by prior special use approval;
2. Such amendment does not include building additions or alterations beyond the existing footprint of the building or is for an accessory building; and
3. The proposed amendment does not change the vehicular circulation into the site (new driveway location) or within the site (additional drive aisles) or require the need for expanded or improved stormwater retention facilities.

**I. Security Deposit.**

1. To insure compliance with a Zoning Ordinance and any conditions imposed at the time of issuance of the site plan review approval, the Planning Commission may require that a cash deposit, certified check, irrevocable bank letter of credit or surety bond, acceptable to the Planning Commission covering estimated costs of improvements associated with a project for which the site plan approval is sought, be deposited with the Clerk of the Township to insure faithful completion of the improvements.

2. The Planning Commission shall direct the Township Clerk to rebate said cash deposit in reasonable proportion to a ratio of work progress. The amount of rebate shall be determined from time to time at a regular or special meeting of the Planning Commission, based upon evidence presented by the applicant and/or appropriate Township officials demonstrating the ratio of work completed on the required improvements.
3. If any improvements are not constructed within the time limit established or part of the site plan approval or within any extension thereof, then the Planning Commission shall direct the Township Board to take appropriate legal steps to insure completion using so much of the security deposit as is necessary for such purpose.
4. As used herein, "improvements" means those features and actions associated with a project which are considered necessary by the Planning Commission to protect natural resources or the health, safety, and welfare of the residents of a Township and future users or inhabitants of the proposed project or project area, including roadways, lighting, utilities, sidewalks, screening and drainage. "Improvements" does not include the entire project, which is the subject of zoning approval.

**J. Optional Sketch Plan Review.**

Preliminary sketches of proposed site and development plans may be submitted for review to the Planning Commission prior to final site/plan approval. The purpose of such procedure is to allow discussion between a developer and the Planning Commission to better inform the developer of the acceptability of his proposed plans prior to incurring extensive engineering and other costs which might be necessary for final site plan approval. Such sketch plans may also be approved as part of the review and approval of a special exception use. Such sketch plans shall include as a minimum the following:

1. The name and address of the applicant or developer, including the names and addresses of all officers of a corporation and partners of a partnership.
2. A legal description of the property.
3. Sketch drawings showing tentative site and development plans.

The Planning Commission shall not be bound by any tentative approval given at this time.

**K. Setback Requirement for Water Impoundment Area.**

All ponds, lakes, drainage basins, leaching basins or other water impoundment areas hereafter excavated or constructed shall be setback at least 50 feet from all public and private street rights-of-way.

**L. Lighting.**

All lighting upon any premises, regardless of zoning classification, shall be so arranged on said premises so as to avoid glare or direct illumination onto any portion of any adjacent highway or onto any adjacent premises. The Planning Commission may require that a “photometric” be provided indicating illumination levels on the site and at the property lines.

[Ord. No. 245, eff 11/26/2017]

[Ord. No. 248, eff 01/29/2019]

[Ord. No. 255, eff 05/26/2020]