

CHAPTER 1276  
Site Plan Review

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| 1276.01 Purpose of site plan approvals. | 1276.03 Standards for mini-storage developments. |
| 1276.02 Site plan review and approval.  |  |

CROSS REFERENCES

- Zoning and planning in home rule cities - see M.C.L.A. Sec. 117.4i  
 Regulation of location of trades, buildings and uses by local authorities -  
   see M.C.L.A. Sec. 125.581  
 Regulation of buildings; authority to zone - see M.C.L.A. Sec. 125.582  
 Regulation of congested areas - see M.C.L.A. Sec. 125.583  
 Uses of land or structures not conforming to ordinances; powers of legislative  
   bodies; acquisition of property - see M.C.L.A. Sec. 125.583a  
 Effect of zoning ordinance on zoning decision in presence of demonstrated  
   need for certain land use - see M.C.L.A. Sec. 125.592

**1276.01 PURPOSE OF SITE PLAN APPROVALS.**

This Zoning Code recognizes both the value and hazard of use and design flexibility. To allow appropriate use flexibility, with safeguards, the code provides for conditional uses according to standards established in Chapter 1275. Further, to allow and encourage greater design flexibility for location for buildings comprising a planned group or for certain higher density structures, the requirement for a separate lot for each building is waived and two or more buildings may be erected and maintained on the same lot, if all of the conditions described in this chapter are met. (Ord. 2006-08. Passed 10-10-06.)

**1276.02 SITE PLAN REVIEW AND APPROVAL.**

It is recognized by this Zoning Code that there is a value to the public in establishing safe and convenient traffic movement to higher density sites, both within the site and in relation to access streets; that there is value in encouraging a harmonious relationship of buildings and uses both within a site and in relation to adjacent uses; and, further, that there are benefits to the public in conserving natural features. Toward this end, this Zoning Code requires site plan review by the Planning Commission for certain buildings and structures that can be expected to have a significant impact on natural resources, traffic patterns, and on adjacent land usage.

- (a) Buildings, Structures, and Uses Requiring Site Plan. The Zoning Administrator shall not issue a building permit for the construction of the buildings and structures identified in this subsection unless a site plan has been reviewed and approved by the Planning Commission and such approval is in effect.

- (1) Any conditional use.
  - (2) A multiple-family building containing six or more dwelling units.
  - (3) More than one multiple-family building on a lot, parcel, tract of land, or on a combination of lots under one ownership.
  - (4) A mobile home park.
  - (5) An office in any Residential District.
  - (6) Any gasoline service station abutting a Residential District.
- (b) Application and Fee for Site Plan Review. Any person may file a request for a site plan review by the Planning Commission by filing with the Clerk a completed application upon the forms furnished by the Clerk and payment of a fee established by resolution of the City of Litchfield.

Fees applicable to site plan reviews for planned unit developments and conditional uses are waived in lieu of fees established by resolution of the City Council for these purposes. As an integral part of said application, the applicant shall file at least four copies of a site plan.

- (c) Planning Commission Review of Site Plans. Upon receipt of an application from the Clerk, the Planning Commission shall undertake a study of the same and shall, within 30 days, approve or disapprove such site plan, advising the applicant in writing of the recommendation, including any changes or modifications in the proposed site plan as are needed to achieve conformity to the standards specified in this Zoning Code.
- (d) Required Data for Site Plan. Every site plan submitted to the Planning Commission shall be in accordance with the following requirements:
- (1) Every site plan submitted, except site plans required for uses as prescribed in division (d)(2) hereof, shall be drawn to a readable scale and shall include the following:
    - A. The name of the applicant, the scale used, a north arrow, the date prepared, and the name and address of the preparer if other than the applicant;
    - B. All property boundaries and dimensions thereof; the location and use of all existing and proposed structures;
    - C. The location of all existing and proposed streets, parking lots, driveways, utilities and other improvements to be constructed or used as a part of the project; and
    - D. The current zoning classifications on the subject property and all adjacent property.
  - (2) Site plans submitted for the following conditional uses shall be subject to the requirements of division (d)(3) hereof.
    - A. Travel trailer parks.
    - B. Mobile home parks.
    - C. Automobile service stations.
    - D. Hotels or motels.
    - E. Drive-in businesses.
    - F. Automobile repair garages.
    - G. Drive-in theaters.
    - H. Junk yards.

- I. Bulk oil storage.
  - J. A multiple-family building structure containing six or more dwelling units.
  - K. More than one multiple-family building on a lot, parcel, or tract of land, or on a combination of lots under one ownership.
  - L. An office in any Residential District.
  - M. Any gasoline service station abutting a Residential District.
- (3) Site plans submitted for the uses prescribed in division (d)(2) hereof shall be submitted in accordance with the following requirements:
- A. The site plan shall be of a scale not greater than one inch equals 20 feet, nor less than one inch equals 200 feet, and of such accuracy that the Planning Commission can readily interpret the site plan, and shall include more than one drawing where required for clarity.
  - B. The property shall be identified by lot lines and location, including dimensions, angles and size, and correlated with the legal description of said property. Such plan shall further include the name and address of the property owner, developer, and designer.
  - C. The site plan shall show the scale; north point; boundary dimensions; topography (at least two-foot contour intervals); and natural features, such as woodlots, streams, rivers, lakes, drains, and similar features.
  - D. The site plan shall show existing man-made features, such as buildings and structures; high-tension towers; pipelines; and existing utilities, such as water and sewer lines, excavations, bridges, culverts, drains and easements; and shall identify adjacent properties and their existing uses.
  - E. The site plan shall show the location, proposed finished floor and grade line elevations, the size of proposed principal and accessory buildings, the relation of one to another and to any existing structure on the site, the height of all buildings, and the square footage of floor space. Site plans for residential development shall include a density schedule showing the number of dwelling units per net acre, including a dwelling schedule showing the unit type and number of each unit type.
  - F. The site plan shall show the proposed streets, driveways, sidewalks, and other vehicular and pedestrian circulation features within and adjacent to the site; also, the location, size and number of parking spaces in the off-street parking area, and the identification of service lanes and service parking.
  - G. The site plan shall show the proposed location, use, and size of open spaces; and the location of any landscaping, fences, or walls on the site. Any proposed alterations to the topography and other natural features shall be indicated. The site plan shall further show any proposed location of connections to existing utilities and proposed extensions thereof.
- (e) Standards for Site Plan Review. In reviewing the site plan, the Planning Commission shall ascertain whether the proposed site plan is consistent with all regulations of this Zoning Code and State and Federal statutes. Further, in consideration of each site plan, the Planning Commission shall find that provisions of divisions (c) and (d) hereof, as well as the provisions of the zoning district in which said buildings, structures, and uses

as indicated in the proposed site plan, have been satisfactorily met by the applicant. Decisions rejecting, approving, or conditionally approving a site plan shall be based upon requirements and standards contained in this Zoning Code. A site plan shall be approved if it contains the information required in division (d) hereof and is in compliance with this Zoning Code, the conditions imposed pursuant to this Zoning Code, other applicable ordinances, and State and Federal statutes.

In addition, each of the following standards shall apply:

- (1) The use shall be designed, constructed, operated and maintained in a manner harmonious with the character of adjacent property and the surrounding area.
  - (2) The use shall not inappropriately change the essential character of the surrounding area.
  - (3) The use shall not interfere with the general enjoyment of adjacent property.
  - (4) The use shall represent an improvement to the use or character of the property under consideration and the surrounding area in general, yet shall also be in keeping with the natural environment of the site.
  - (5) The use shall not be hazardous to adjacent property, or involve uses, activities, materials or equipment which will be detrimental to the health, safety, or welfare of persons or property through the excessive production of traffic, noise, smoke, odor, fumes, glare or dust.
  - (6) The use shall be adequately served by essential public facilities and services, or it shall be demonstrated that the person responsible for the proposed use shall be able to continually provide adequately for the services and facilities deemed essential to the use under consideration.
  - (7) The use shall not place demands on public services and facilities in excess of current capacity.
  - (8) The use shall be consistent with the intent and purpose of this Zoning Code.
- (f) Approval of Site Plan. Upon the Planning Commission approval of a site plan, the applicant shall file with the Clerk four copies thereof. The Clerk shall, within ten days, transmit to the Zoning Administrator one copy with the Clerk's certificate affixed thereto, certifying that said approved site plan conforms to the provisions of this Zoning Code as determined. If the site plan is disapproved by the Planning Commission, notification of such disapproval shall be given to the applicant within ten days after such action. The Zoning Administrator shall not issue a building permit until he or she has received a certified approved site plan.
- The site plan, as approved, shall become part of the record of approval, and subsequent actions relating to the activity authorized shall be consistent with the approved site plan, unless a revision is completed in accordance with division (h) hereof.
- (g) Expiration of Site Plan Certificate. The site plan certificate shall expire, and be of no effect, 365 days after the date of issuance thereof, unless within such time the Zoning Administrator has issued a building permit for any proposed work authorized under said site plan certificate.
- (h) Amendments to Site Plan. A site plan and site plan certificate, issued thereon, may be amended by the Planning Commission upon the request of the applicant. Such amendment shall be made upon application and in accordance with the procedure provided in this

section. Any fees paid in connection with such application may be waived or refunded at the discretion of the Planning Commission.

- (i) Surety Bond. A surety bond may be required by the Planning Commission to ensure the complete construction of structures and the development of the land area, as proposed and approved, and for which a building permit is required. Such bond may be up to an amount equal to the estimated cost of the site improvement, and may be reduced in proportion to the amount of work accomplished and accepted by the City Building Inspector. A surety bond, if required, shall be returnable in full upon issuance of a certificate of occupancy.

Upon notification of discrepancies in the implementation of the activity or structure within the approved site plan, the Planning Commission may declare the surety bond forfeited.

- (j) Enforcement by Building Inspector. The Building Inspector shall, through site inspection, ascertain that the implementation of any development undertaken is in accordance with the approved site plan, and notify the Planning Commission and the applicant in writing of any discrepancies therewith.

#### **1276.03 STANDARDS FOR MINI-STORAGE DEVELOPMENTS.**

- (a) Definitions. For the purposes of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

- (1) "Mini-storage developments." A commercial enterprise consisting of rented storage space with individual unit areas not exceeding 350 square feet.
- (2) "Impervious surface." A surface on the ground which does not allow passage of water, including but not limited to, buildings and structures, and concrete, gravel, stone, and shell parking areas, driveways and walkways.
- (3) "Impervious surface ratio." The ratio of all impervious surfaces on a lot to the total area of said lot.

- (b) Setbacks Required. Notwithstanding the lesser setback requirements specified in the various districts, the following setback requirements shall apply to all mini-warehouse developments.

- (1) Front yards: 25 feet.
- (2) Side yards: 5 feet, except that a side yard abutting on a public street shall equal or exceed 20 feet.
- (3) Rear yards: 10 feet.

- (c) Height Limitations. Notwithstanding the height limitations of the various districts, all mini-storage developments shall be limited in height to 35 feet, said height limitation shall apply to all structures on the site including signs.

- (d) Surfaces. The impervious surface ratio for any mini-storage development shall not exceed 65:1; however, the ratio may be increased to 75:1 if all pervious surfaces are in the front yard of the development.

(Ord. 2006-08. Passed 10-10-06.)