

## **ARTICLE 5**

### **SITE PLAN REVIEW REQUIREMENTS**

#### **Section 5.10 Purpose**

Site plan review and approval shall be required prior to the issuance of a building permit for the construction, reconstruction, erection, expansion, or relocation of any building or structure in any zoning district, and prior to the initiation of any special land use in any zoning district, and prior to the initiation of any new use of land not requiring a building permit, subject to the provisions of this Ordinance.

#### **Section 5.20 Uses Subject to Site Plan Review**

Except as provided for by this Ordinance, no permit shall be issued for any construction, reconstruction, erection, expansion, or relocation of any building or structure nor for the initiation of any new use of land not requiring a building permit until a site plan and site plan application have been approved by the Zoning Administrator, Planning Commission, or City Council as required by this Ordinance and detailed as follows:

- a) **Site Plan Approval by the Zoning Administrator:** [Ordinance No. 265, 10/4/2010]
  - 1) **Single-Family and Duplex Dwellings** - Construction, reconstruction, erection and/or expansion of a single family or duplex dwelling on a parcel zoned solely for residential purposes and classified as a principal permitted use.
  - 2) Reconstruction and/or expansion of a single family detached dwelling located in the Core Commercial (CC) Zone District. [Ordinance No. 176, 7/19/99]
  - 3) **Signs, Walls, Decks, Etc.** - Construction or erection of signs of less than three-hundred (300) square feet; retaining walls; fences; buffer screens or walls; refuse storage stations; sidewalks; antennas; lights; poles; and cooling, heating or other mechanical equipment when located on a building or occupying a ground area of less than one-hundred (100) square feet; accessory buildings or structures of less than two hundred (200) square feet.
  - 4) **Building Expansion** - Expansion of an existing, permitted, principal building or structure wherein the size of the expansion does not exceed ten (10%) percent of the gross floor area of the principal building or structure, to a maximum of one thousand (1,000) square feet.
  - 5) **Essential Services** - Certain essential services as provided for by Section 3.80 of Article III.
  - 6) **Specified Elsewhere** - Other uses specified by this Ordinance requiring final review and approval by the Zoning Administrator.
- b) **Site Plan Approval by the Planning Commission:**

- 1) All residential, recreational, office, commercial, industrial, and other uses except:
    - a. Uses subject to final approval by the Zoning Administrator as detailed under Paragraph a), above.
    - b. Uses subject to final approval by the City Council as detailed under Paragraph c), following. However, for these uses, the Planning Commission shall be responsible for reviewing site plans pursuant to the formation of recommendation to the City Council.
  - 2) Other uses specified by this Ordinance requiring final review and approval by the Planning Commission.
- c) **Site Plan Approval by the City Council (After Planning Commission Recommendation):**
- 1) Special land uses, including amendments thereto.
  - 2) Site condominiums and subdivisions, including amendments thereto.
  - 3) Planned Unit Development, including amendments thereto.
  - 4) Other uses specified by this Ordinance requiring final review and approval by the City Council.
- d) **Optional Pre-Application Conference**
- 1) Site Plan Pre-application Conference - If requested by the applicant, a site plan pre-application conference may be held with the Planning Commission for the purpose of establishing general direction and eliciting feedback from the Planning Commission regarding the general content of a proposed project subject to site plan review. Application for a pre-application conference shall be made on an appropriate form provided by the Zoning Administrator. A complete site plan is not required, but may be presented by the applicant. In lieu of a complete site plan, the applicant shall submit a basic concept plan which includes the following information:
    - a. Site boundaries and lot line dimensions.
    - b. Layout of the proposed site development, including the location of
      1. buildings and parking areas
      2. open space areas and natural features - the general location of wetlands, surface water features, dunes, and tree stands (greater than 1 acre in area) shall be shown
      3. access drives, internal drives and streets, parking areas, and sidewalks
      4. existing and proposed utility, drainage, and other easements
      5. surface water drainage measures
      6. free-standing signs
    - c. All buildings, parking areas, open space areas, and other site features depicted on the concept plan shall be identified.
    - d. For residential projects, the plan shall detail:
      1. dwelling unit density

2. type of dwelling units (owner/rental, size, and number of bedrooms)
3. elevation of proposed or comparable building design
- e. Estimate of site area (in acres, square feet, and percent of total site area) devoted to:
  1. combined area of buildings and structures (not including streets, driveways, and parking areas)
  2. combined area of streets, driveways, and parking areas
  3. open space
- f. The plan shall be properly scaled and dimensioned in order to accurately depict land use relationships. All buildings, building setbacks, access points, streets and drives, parking areas, and other similar features shall be dimensioned. A pre-application conference is provided for informational purposes only and shall not obligate the Planning Commission or City Council pursuant to the final disposition of the project. In the event an applicant wishes to forego a pre-application conference and precede directly to the final site plan review application stage, the applicant shall submit a complete, fully detailed, site plan as required by this Ordinance. [Ordinance No. 211, 5/3/04]

**Section 5.30 Site Plan/Use Review by Building Official, Fire Chief and Others**

As determined necessary and appropriate by the Zoning Administrator, Planning Commission, City Council, or Zoning Board of Appeals, zoning applications may be forwarded to the various City departments, such as the Departments of Police, Fire, Public Works, Inspections, and the like for purpose of receiving departmental comment, recommendations, and/or information regarding City code requirements as pertaining to the nature of the application and impact on public facilities and services. [Ordinance No 265, 10/4/2010]

**Section 5.40 Site Plan Application - Filing Procedure and Required Number of Applications and Site Plan Copies**

All site plan review applications shall be made by submitting the following materials to the Zoning Administrator at least twenty one (21) days prior to the meeting at which the site plan is to be considered:

- a) **Application** - One (1) copy of a completed site plan review application on an approved form provided by the Office of the Zoning Administrator.
- b) **Site Plan** - Twelve (12) copies of a site plan drawing containing all of the information required in Section 5.50. For projects which are subject to final review by the Zoning Administrator only (Refer to Section 5.20), three (3) copies of the site plan drawing shall

be submitted. In all cases, additional site plan copies may be requested by the Zoning Administrator for any zoning request if he/she determines additional copies are needed for proper completion of the review process.

Site plans subject to final review by the Zoning Administrator may be filed concurrent with a building permit application.

- c) **Fee** - Payment of an application fee, which shall be non-refundable, and which shall be established from time to time by resolution of the City Council.

<b>Section 5.50</b>	<b>Required Site Plan Contents</b>
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- a) A site plan submitted in accordance with this Ordinance shall contain all of the information listed in the Site Plan Checklist - Section 5.50. In the event any of the items identified in the Site Plan Check list are subject to regulatory control by an agency of Ottawa County, the State of Michigan, or the United States, the applicant shall provide the following:
  - 1) The type of regulatory control of which the project is subject to including the name and address of the agency, identification of the permit or authorization required, and the status of the permit or authorization.
  - 2) A copy of the agency permit, letter of authorization, or other bonafide evidence demonstrating compliance with the requirements of the applicable agency, or proof of application. A copy of any map, report, or other exhibit referenced by the permit, letter of authorization, or like instrument shall also be provided.
  - 3) Proof of approval of any required permit from another agency shall be a condition of site plan approval.

[Ordinance No. 211, 5/3/04; No. 265, 10/4/2010]

<b>SITE PLAN CHECKLIST - SECTION 5.50</b>	
1	Date, north arrow, and scale. Unless a different scale is approved by the Zoning Administrator, the scale shall be one (1) inch equals thirty (30) feet.
2	Name, address, telephone number, and fax number of the applicant.
3	Name, address, telephone number, and fax number of the person or agency preparing the site plan.
4	Address, legal description, and tax identification number of the subject property.
5	Size of the parcel in acres and square feet.
6	Existing and proposed lot lines with bearings and dimensions, including actual and required setback lines.
7	Location of abutting properties, existing structures, adjacent street(s) and street rights-of-way, pavement, access drives, and driveways within one-hundred (100) feet of the subject property.

<b>SITE PLAN CHECKLIST - SECTION 5.50</b>	
8	Location and size of existing natural features including, but not limited to, regulated wetlands, water bodies, critical dune boundaries, and vegetation.
9	Location and dimensions of all existing and proposed structures on the subject property, including but not limited to all buildings and other structures, signs, fences, walls, accessory buildings, storage sheds, mechanical and similar equipment, dumpsters, and the method of screening where applicable.
10	Elevation drawings of all buildings, showing all sides, and indicating the type of building materials used and indicating colors. Percentages of wall materials on each façade shall be shown in accordance with Section 5.60.
11	Location of exterior site lighting shall be shown, including specification of the height, type of fixture, and light/glare containment capability.
12	Location, dimensions, and completion schedule of all existing and proposed drives, sidewalks, curb openings, curbing, loading/unloading areas, parking areas and parking spaces, and vehicular and pedestrian circulation routes. Parking areas shall indicate the number of spaces and the dimensions of a typical space and aisle. Barrier free parking spaces shall be indicated.
13	The existing zoning and use of all properties abutting the subject property.
14	A landscape plan meeting the requirements of Section 5.70.
15	Location and size of existing and proposed sewer and water supply systems, storm sewers, fire hydrants, manholes, storm water intakes and clean-outs.
16	Location, size, and method of installation of all other public and private utilities on the site, including but not limited to natural gas, electric, cable television, fiber optic, and telephone and other voice cable.
17	Proposed method of site surface drainage, including proposed surface and subsurface facilities. The information must include the design basis (e.g. design criteria and calculations).
18	Boundary of any project area within a 100-year floodplain.
19	Location, size, and use of existing and proposed easements.
20	Existing and proposed site topography at a scale not exceeding five feet (5') contour intervals.
21	Other site plan and project information considered necessary to achieve a determination of Ordinance compliance. This includes, but is not limited to, environmental impact assessments, traffic studies, market impact studies, utility impact assessments, and cost-benefit assessments (cost of project to the city based on provision of city services in return for tax base and other revenue).

- b) **Accompanying Detail** - The following documentation shall accompany the site plan or may be placed directly on the plan, if applicable:
- 1) **Owner and Petitioner** - The name and address of the property owner and petitioner, if different, and proof of ownership or option to purchase by the petitioner.

- 2) **Schedules** - Summary schedules with the following information, as applicable:
  - a. Number, size, and bedroom mix of dwelling units proposed.
  - b. List of uses proposed and the gross floor area of each.
  - c. Area and percentage of site coverage by buildings, structures, pavement, and open space.
- c) **Sealed Plans** –All site plans shall be prepared by a professional surveyor, engineer, architect or landscaped architect licensed in the State of Michigan and shall bear the seal of the licensed professional. The Zoning Administrator may waive this requirement when he/she has determined that there is no exterior effect resulting from the proposed use or that the site plan is simple enough to be completed by another preparer, provided that the plan is drawn to an accurate scale and provides the information required in the checklist above. [Ordinance No. 265, 10/4/2010]
- d) **Information Waiver** - The Zoning Administrator, may waive any of the requirements of Section 5.50, if, in his/her opinion, this information is not necessary for review of the site plan and determination of Ordinance compliance. [Ordinance No. 259, 09/08/09, No. 265, 10/4/2010]

<b>Section 5.60</b>	<b>Building Appearance</b>
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- a) **Statement of Purpose.** The purpose of this Section is to provide exterior building wall materials requirements to enhance the visual environment of the City, thereby improving property values, stimulating investment in various business districts, encouraging quality industrial, and research and development projects, and enhancing the quality of life for City residents. The provisions of this Section are to ensure that development projects utilize quality materials to ensure that a building protects the investment of adjacent landowners, blends harmoniously into the streetscape, and creates a positive image for business and employment districts.
- b) **Applicability.** This Section shall apply to all new construction subject to site plan review, except single-family detached residential structures, and shall consist of those materials and combinations of materials as set forth in this Section. Building appearance shall be reviewed as a part of site plan review under the requirements of this Article. Calculations for material wall percentages do not include areas of the façade used for doors and windows.
- c) **Two-Family Residential.** All two-family residential buildings shall be designed to de-emphasize garage entrances. Garages shall be side- or rear-loaded, except:
  - 1) If, because of available access, shape of the lot, or other relevant factors, garages may only be located on the front façade of the building, they shall not protrude more than four (4) feet beyond the front wall of the structure that faces the street.
  - 2) If a design requires a garage to extend more than four (4) feet beyond the front wall of the structure that faces the street, the owner may request site plan review by the Planning Commission, pursuant to the requirements of this Article. The Planning Commission shall consider site restrictions, consistency with neighborhood character, and architectural innovation and quality in determining if

an increased garage extension is warranted. In this case, the Zoning Administrator may waive site plan submittal requirements, in accordance with Section 5.50, c).

- d) **Multiple-Family Residential.** All multiple-family residential buildings located in any district shall meet the following wall material requirements:

Wall	Permitted wall materials	
Front façade and other walls facing a street	50% minimum brick, face brick or stone	Up to 50% may be wood, vinyl, or fiber cement (hardy board) siding, stucco or other similar quality material approved by the Planning Commission.
Side and rear facades that do not face a street	Brick, face brick, stone, wood, vinyl, or fiber cement (hardy board) siding, stucco or other similar quality material approved by the Planning Commission.	
Basements and foundations	Concrete block, including split face, scored block, precast concrete and concrete formed in place	

- e) **Commercial, Office and Institutional.** All non-residential buildings located in a residential zoning district and all buildings (except non-conforming residential uses) located in the CC, GC and S zoning districts shall meet the following wall material requirements.

Wall	Permitted wall materials	
Front façade, and other walls facing a street, a parking lot or an adjacent residential zoning district	75% minimum brick, face brick or stone	Up to 25% may be split face block, scored block, metal, EIFS, wood, vinyl or fiber cement (hardy board) siding, stucco or other similar quality material approved by the Planning Commission.
Side and rear facades that do not face a street, a parking lot or an adjacent residential zoning district	Sides: Any suitable fire-resistant material that meets the Building and Fire Codes and is a color that is compatible with the front façade. No more than 50% of the side façade may be metal, and any metal wall(s) must be on that portion of the side façade furthest from the front. Rear: Any suitable fire-resistant material that meets the Building and Fire Codes and is a color that is compatible with the front façade	

- f) **Industrial.** Buildings located in the LI-1, LI-2, LI-3 and PI zoning districts shall meet the following wall material requirements:

Wall	Permitted wall materials	
Front façade and other walls facing a street or an adjacent residential zoning district	50% minimum brick, face brick, stone, cast stone or C-brick (1)	Up to 50% may be any other suitable fire-resistant material that meets the Building and Fire Codes
Side and rear facades that do not face a street, or an adjacent residential zoning district	Any suitable fire-resistant material that meets the Building and Fire Codes and is a color that is compatible with the front façade	

Notes to the above table:

- (1) The building material requirements of this section shall not apply to the façade of a building of any size where it is set back more than three hundred (300) feet from the front lot line and the Planning Commission approves a landscape plan that provides screening of the building from the front lot line(s).
- g) **Allowance for Other Materials.** The approving body (the Planning Commission or City Council, as applicable) may waive the materials required by this Section if it finds that a proposed building design and the materials or combinations of materials are in keeping with the Purpose of this Section. In making a decision, the approving body shall also

consider the desired character of the area and design recommendations of the Master Plan.

- h) **Design Standards.** Buildings shall have architectural variety, but enhance the overall cohesive community character.
  - 1) Buildings shall provide architectural features, details and ornaments, including but not limited to, string courses, archways, colonnades, cornices, peaked roof lines or towers.
  - 2) Building walls that face the street or a parking area that are over one hundred (100) feet long shall be broken up with one or more of the following:
    - a. varying building lines;
    - b. windows;
    - c. doors;
    - d. architectural accents;
    - e. other features that visually provide variety in the wall expanse.
    - f. Trees may also be used to break up wall expanses, but only if in combination with the above
  - 3) Building entrances shall utilize windows, side lights, canopies and awnings; provide unity of scale, texture, and color; and clearly identify the entry.
  - 4) Building-mounted mechanical equipment shall be screened from view at street level.
- i) **Site Elements.** Signs and other site features shall be designed and located so that they are aesthetically consistent and harmonious with the overall development. Sign bases and ground mounted mechanical equipment shall be screened with landscaping. Trash receptacles and trash collection areas shall be screened in accordance with Section 3.270.
- j) **Existing Buildings.** The following shall apply to additions or remodeling of existing buildings:
  - 1) Where a new wall material is proposed for an existing building wall, only that portion of the building being altered shall be subject to this Section. However, in considering the proposed alteration, the Zoning Administrator or the approving body (either the Planning Commission or City Council, as applicable) may modify the material requirements of this Section to ensure consistency with the architecture of the remainder building.
  - 2) Where an addition is proposed to an existing building, the Zoning Administrator or the approving body (either the Planning Commission or City Council, as applicable), may allow the use of existing wall materials for the addition; provided that the design of the alteration is consistent with the existing building wall design.
  - 3) A building that is being rebuilt or restored according to its current size and style and within its existing building footprint may utilize the original building materials, provided that the cost of rebuilding or restoration does not exceed fifty percent (50%) of the value of the structure prior to rebuilding or restoration. If the cost exceeds fifty percent (50%), the structure shall be rebuilt or restored in



accordance with the requirements of this Section; however, the approving official or body may allow the use of the original building materials if the approving official or body finds that the original building materials contributed to a culturally, historically or architecturally significant structure.

[Ordinance No. 259, 09/08/09]

## **Section 5.70      Landscaping**

- a) A landscape plan shall be submitted as part of any required site plan review application. The landscape plan shall include, but not necessarily be limited to, the following items:
  - 1) Identification of natural features, natural drainage areas, woodlots, existing trees over twelve (12) inches in diameter, and areas of vegetative cover to be preserved.
  - 2) Location, spacing, size and descriptions for each plant type proposed for use within the required landscape area.
  - 3) Identification of areas to be grass or other ground cover, and method of planting.
  - 4) For berms or swales, if provided, typical straight cross-section including slope, height, and width.
  - 5) Height and type of construction of walls or fences, if provided.
  - 6) Significant construction details to resolve specific site conditions, such as tree wells to preserve existing trees or culverts to maintain natural drainage patterns.
  - 7) The Planning Commission may require the landscape plan to be on a separate sheet if necessary to discern landscaping details and to meet the requirements of this Section. The plan must show that the location of landscaping will not have a negative impact on the location of underground utilities.
- b) Required Site Landscaping
  - 1) Site landscaping requirements may be waived if the existing vegetation to be retained on site meets or exceeds Ordinance requirements for landscaping, screening or buffering.
  - 2) Front Setback Landscaping
    - a. All required front yard setbacks shall be landscaped with a minimum ratio of one (1) canopy or shade tree and four (4) shrubs, for each thirty (30) lineal feet (or major portion thereof) along front lot lines. Access driveway ways from public or private rights-of-way shall not be subtracted from the lineal dimension used to determine the minimum number of trees and shrubs required.
    - b. On lots with more than one (1) frontage, the front setback landscaping requirements shall be met for each frontage.
    - c. Landscaping may be clustered and distributed throughout the setback.
  - 3) Parking Lot Landscaping
    - a. Parking lots exceeding fifteen (15) parking spaces shall provide the equivalent of one (1) landscape island or perimeter bump-out for every

fifteen (15) parking spaces provided (or fraction thereof equaling one-half or more).

- b. Landscape islands or bump-outs shall be at minimum of one hundred eighty (180) square feet in size, with a minimum width of three (3) feet.
  - c. Landscape islands shall be landscaped with a minimum of one (1) canopy or ornamental tree and two (2) shrubs for every landscaping island or bump-out.
  - d. A raised, rolled, or sub-surface curb or curb stops shall protect all landscape islands and landscaped areas immediately adjacent to parking spaces.
  - e. Sunken landscape islands, rain gardens and vegetated swales are encouraged to manage storm water on site.
- 4) Additional landscaping may be required adjacent to the front or side of buildings to break up long building expanses and walls void of windows or significant architectural features.
- c) Screening requirements
- 1) Screening shall be required for the following uses, except as may be provided elsewhere in this Ordinance.
    - a. Around all trash, recycling or grease dumpsters in all districts (see Section 3.230).
    - b. Around designated outdoor storage areas in the commercial and industrial districts.
    - c. Around any loading/unloading area.
    - d. Around ground-mounted outdoor mechanical equipment.
  - 2) All required screens shall provide one (1) or both of the following:
    - a. A solid, sight-obscuring fence or wall six (6) feet high.
    - b. Landscaping consisting of hedges, densely planted trees and shrubs, trellises and other plantings that create an adequate screen.
    - c. Berms of adequate height, in combination with landscaping.
  - 3) Screening shall be required on the subject property even if the surrounding area or adjacent properties are unimproved.
  - 4) When any developed parcel changes to a more intense land use, screening shall be provided in compliance with this Section.
  - 5) If existing conditions on the subject parcel are such that a parcel cannot comply with the screening requirements, the Planning Commission may determine the character of the screen based on the following criteria:
    - a. Traffic access and circulation.
    - b. Building and parking lot coverage.
    - c. Outdoor sales, display, or manufacturing area.
    - d. Physical characteristics of the site and surrounding area such as topography, vegetation, etc.

- e. Views and noise levels.
- f. Public health, safety, and welfare.
- 6) Trash Receptacles and Dumpsters. Dumpsters and other trash and recycling receptacles shall be screened according to the requirements of Section 3.230.
- 7) Fences or Walls
  - a. A fence or wall used to meet the screening requirements shall be constructed of masonry, treated wood or other material approved by the Planning Commission if determined to be durable, weather resistant, rust proof, and easily maintained.
  - b. Fences and walls are subject to the location and height requirements of Section 3.90.
- 8) All other applicable standards of this Section shall be met.
- d) Landscaped Buffers. The Planning Commission may require a landscaped buffer in conjunction with approval of a site plan, Planned Unit Development, or Special Land Use. When a buffer is required between a residential and a nonresidential use, it shall be placed on the nonresidential use property. The Planning Commission shall approve the location, size, shape, materials and other specifications for the buffer, subject to the requirements of this Section.
  - 1) Buffer Requirements
    - a. The buffer may be comprised of berms, required plant material, additional plant material where the required landscaping materials do not provide a sufficient buffer, walls, fences, or any combination thereof.
    - b. No structures or parking may be located within a designated buffer.
    - c. Unless otherwise stated in this Ordinance, minimum width of the buffer shall correspond to the setback requirements for parking areas, but shall in no case be less than ten (10) feet.
    - d. All areas within the buffer zone that do not contain trees, shrubs or planting beds shall be covered with grass or other living ground cover.
  - 2) Detention/retention areas shall be permitted within a required buffer, provided they do not hamper the screening intent of the buffer zone or jeopardize the survival of the plant materials.
- e) Landscaping General Requirements
  - 1) Landscaping shall be installed such that, when mature, it does not obscure traffic signs, fire hydrants, lighting, drainage patterns on site or adjacent properties, or obstruct vision for safety of ingress or egress.
  - 2) Unless used as street trees, all landscaped areas shall be arranged to simulate a natural setting such as staggered rows or clusters.
  - 3) Landscaping shall be designed to blend with that on adjacent parcels where a road, walkway or other pathway flows between parcels.
  - 4) All landscaping shall be maintained in a healthy, neat and orderly state free from refuse and debris. Any dead or diseased plants shall be removed and replaced within six (6) months. Native species are preferred.

- 5) Existing trees and other landscaping shall be protected from damage during construction. When existing trees are shown on the site plan to be preserved, the critical root zone shall be protected from construction traffic by fences and mulch beds. Construction materials shall not be stored within a critical root zone.
- 6) Minimum plant sizes at time of installation shall be according to the chart below.

<b>Plant Type</b>	<b>Minimum Size</b>
Deciduous Canopy Tree	2.5 in. caliper
Deciduous Ornamental Tree	2 in. caliper
Evergreen Tree	6 ft. height
Deciduous Shrub	18 in. height
Upright Evergreen Shrub	2 ft. height
Spreading Evergreen Shrub	18 to 24 in. spread

- 7) Mixing of Species: The overall landscape plan shall not contain more than twenty-five percent (25%) of any one (1) plant species.
- 8) Where a berm is provided for the purposes of screening and buffering, it shall have a maximum slope of one foot of vertical rise to three feet of horizontal distance (1:3) with a crest area at least four (4) feet wide.
- 9) The following trees are not permitted as they split easily; their wood is brittle and breaks easily; their roots clog drains and sewers; and they are unusually susceptible to disease or insect pests:

<b>PROHIBITED SPECIES FOR NEW LANDSCAPING</b>	
<b>Common Name</b>	<b>Horticultural Name</b>
Box Elder	Acer Negundo
Ginkgo	Ginkgo Biloba (female only)
Honey Locust	Gleditsia Triacanthos (with thorns)
Mulberry	Morus Species
Poplars	Populus Species
Black Locust	Robinia Species
Willows	Salix Species
American Elm	Ulmus Americana
Siberian Elm	Ulmus Pumila
Slippery Elm; Red Elm	Ulmus Rubra
Chinese Elm	Ulmus Parvifolia
Russian Olive	Elaeagnus-angustifolia

- f) The Planning Commission may require a performance guarantee in accordance with the requirements of Section 12.60 of sufficient amount to ensure the installation of all required landscaping.

[Ordinance No. 265, 10/4/2010]

## **Section 5.80 Site Plan Review Standards**

All site plans shall comply with all applicable provisions of this Ordinance and with each of the following standards:

- a) **Building Relationships** - Where possible, buildings and structures shall be placed in an orderly, non-random fashion such that an uncrowded, open appearance is maintained. Open spaces shall be located and arranged in a manner which provides view protection, visual relief, physical separation, environmentally sensitive area protection, and aesthetic attractiveness to surrounding properties.
- b) **Driveways, Parking and Circulation:**
- 1) Vehicular and pedestrian circulation facilities shall be designed so as to provide for safe and efficient movement of vehicles and pedestrians, in a manner which avoids conflict.
  - 2) Points of vehicular access to public streets shall be limited to the minimum number required to provide safe and efficient access. Points of access shall either be directly aligned or offset a minimum of one hundred and fifty (150) feet, whenever possible.
- c) **Surface Water Drainage** - The removal of surface water shall not adversely affect neighboring properties or the public storm drainage system. Temporary on-site storage to reduce peak runoff from the site may be required. Surface water in all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic and will not create standing water in the paved areas.
- d) **Utility Service** - All new utility distribution lines shall be placed underground.
- e) **Emergency Access** - The site plan shall provide for adequate access to the site and to all buildings on the site by emergency vehicles.
- f) **Exterior Lighting** - Exterior lighting shall be placed and designed so that illumination is directed away from adjacent properties. Lights shall generally be shielded such that resultant illumination is cast in a downward fashion to prevent off-site spillage and glare.
- g) **Special Features** - Exposed storage areas, trash receptacles, exposed machinery installations, service areas, truck loading areas, utility buildings and structures and similar accessory areas shall be reasonably screened by view from adjoining streets and other public areas, or as required by this Ordinance.
- h) **Character of Area** - When reviewing a site plan, consideration shall be given to the safety, environmental, economic, and aesthetic impacts of the proposed site layout on adjacent properties and the general area. Changes in the location of site features and the

application of conditions so as to ensure that a harmonious relationship will result may be required.

### **Section 5.90 Construction in Conformity with Approved Site Plan Required**

- a) **Official Site Plan** - Upon approval of a site plan by the Planning Commission or City Council, the Zoning Administrator and the applicant shall sign and indicate the approval date of three (3) copies of the approved site plan. Signed copies shall be provided to the applicant and the Zoning Administrator, and one (1) signed copy shall be made a part of the record of approval and filed with the City Clerk. The site plan included as part of the record of approval and filed with the City Clerk shall be considered the Official Site Plan. The Official Site Plan shall be used in all matters of interpretation or dispute concerning approved site plan requirements.
- b) **Conformity with the Approved Site Plan** - Following approval of a site plan by the Planning Commission or City Council, construction of all improvements and other subsequent actions relating to the activity authorized shall be in conformity with the approved site plan.

[Ordinance No. 265, 10/4/2010]

### **Section 5.100 Time Limit for Approved Site Plans**

- a) **Plan Expiration** - A site plan approval granted pursuant to this Ordinance shall be valid for a period of one (1) year from the date of approval. If construction is not commenced by the end of this period, and if a written request for extension of the approval has not been submitted by the applicant as outlined by subparagraph b) below, the site plan approval shall be deemed expired and no longer valid.
- b) **Extension of Approved Site Plan** - The approving body (the Planning Commission or City Council, as applicable) may grant one (1) extension of the site plan approval for a one (1) year period, commencing from the date of the original site plan approval, upon submittal in writing by the applicant of a request for an extension. The approving body shall grant an extension only upon presentation of written evidence indicating that construction of the project has been delayed by factors beyond the reasonable control of the applicant and that construction of the project is likely to proceed within one (1) year of the extension. The written request for an extension shall be made thirty (30) days prior to the expiration of the initial site plan approval.[Ordinance No. 265, 10/4/2010]

### **Section 5.110 Changes to Approved Site Plans**

- a) **Authority to Approve Minor Plan Amendments** - As outlined under subparagraph b) below, minor amendments to a site plan approved by the Planning Commission or the City Council may be authorized by the Zoning Administrator provided the amendments are in conformance with this Ordinance and are mutually agreed to by the applicant and the Zoning Administrator. Minor amendments shall generally be restricted to situations resulting from unforeseen site constraints or other unusual site conditions that were not

recognized or known at time of the initial site plan approval by the Planning Commission or City Council.

- 1) If a request for approval of a minor amendment to the site plan is made by the applicant, then that request shall be submitted to the Zoning Administrator in writing by the applicant. If a request for an amendment to the site plan is made by the Zoning Administrator, then the request shall be initiated by the Zoning Administrator who shall, in writing, inform the applicant.
  - 2) Minor amendments to conditions specifically imposed as part of site plan approval (including site plans for Special Land Uses and Planned Unit Developments) in accordance with the provisions of Section 5.60 b) are not subject to this Section. Requests for amendments or changes to conditions of approval of site plans require re-submission of the request in the same manner as the original submittal.
- b) **Minor Amendments** - Minor amendments to an approved site plan may be approved by the Zoning Administrator provided the proposed revisions do not alter the basic intent and design of the plan. Minor amendments shall be limited to the following:
- 1) Movement of a building or buildings by no more than five (5) feet, provided however, the movement shall not encroach on required setbacks.
  - 2) Horizontal and/or vertical elevations may be altered by up to five (5) percent, provided however, that any alteration shall not exceed the height limitations of the underlying zone district.
  - 3) Approved plantings may be replaced by similar types and sizes of landscaping.
  - 4) Changes in floor plans that do not alter the character of the use or have an exterior site impact.
  - 5) Slight modification of sign placement or reduction of sign size or height.
  - 6) Relocation of sidewalks to avoid natural features or other physical conditions and relocation of refuse storage stations.
  - 7) Internal arrangement of a parking lot which does not affect the number of parking spaces or alter access locations or general design.
  - 8) Improvements to site access or circulation, such as inclusion of deceleration lanes, boulevards, curbing, pedestrian/bicycle paths, and similar features.
  - 9) Changes of building materials to others of higher quality  
[Ordinance No 224, 9/19/05]
- c) **Notification of Minor Amendment** - The Zoning Administrator shall notify the Planning Commission, and City Council if responsible for the original final approval, in writing of the approved minor amendments. A record of approved minor amendments shall be placed on file with the original site plan review record. A notation shall be made on the Official Site Plan indicating that amendments have been made to the document with a description of same. The notation shall be signed and dated by the applicant and the Zoning Administrator with a copy of the amended plan forwarded to the Planning Commission, and City Council if responsible for the original final approval. The amended plan shall be filed with the Commission and Council within thirty (30) days of

the signing, or the next regular meeting of the Commission and Council if less than thirty (30) days from the date of the signing. A copy shall also be filed with the City Clerk.

**Other Changes** - Other changes to an approved site plan shall be subject to review and approval by the Planning Commission and City Council following the procedures required for the initial site plan review.