

# Article 8: Site Plan Review

## 8.1 INTENT AND PURPOSE

This Article governs the processes and standards for all uses and structures for which site plan approval is required under other provisions of this ordinance. The Planning Commission shall make the final decision on site plans that are not subject to administrative review and site plans related to special uses.

## 8.2 GENERAL REQUIREMENTS

### 8.2.1 Site Plan Review Required

Site plans are required for the following uses:

- A. Any development that would, if approved, provide for the establishment of more than one (1) principal use on a parcel, such as a single-dwelling site condominium or similar project where a single parcel is developed to include two (2) or more sites for detached single dwelling, excluding accessory dwelling units.
- B. Development of non-residential uses in a residential zoning district.
- C. The development or construction of any accessory uses or structures, except for uses or structures that are accessory to residential use in the (INSERT FINAL DISTRICTS) districts.
- D. Any use or construction for which submission of a site plan is required by any provision of this Ordinance.
- E. Establishment, expansion, or enlargement of any regulated use unless expressly exempted in this Article.

### 8.2.2 Site Plan Review Not Required

Site plan approval is not required for the following activities. However, payment of any or all applicable bonds is required for the issuance of a zoning permit.

- A. Construction, moving, relocating, demolition, or structurally altering a principal residential structure in the (INSERT FINAL DISTRICTS) districts, including any customarily incidental accessory structures.
- B. Excavating, filling, or otherwise removing soil, provided that such activity is usually and customarily incidental to single-dwelling uses described in this subsection for which site plan approval is not required.
- C. A change in the ownership of land or a structure.

- 42 D. A change in the use of a structure to a use allowed by right in the zoning district in which it is  
43 located, provided that no modification to the site is proposed or required by the standards of  
44 this Ordinance and that the site maintains full and continuing compliance with these  
45 regulations.
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- 47 E. Permitted home occupations.
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- 49 F. Additions or expansions of existing, conforming uses that do not increase the additional  
50 impervious surface by one thousand five hundred (1,500) square feet or thirty percent (30%),  
51 whichever is less.
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### 53 8.3 STANDARDS FOR SITE PLAN APPROVAL

54 The following criteria shall be used as a basis upon which site plans will be reviewed and approved.  
55 Additional site development requirements can be found in Article 6 – Site Development Standards.

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- 57 A. Adequacy of Information: The site plan shall include all required information in a sufficiently  
58 complete and understandable form to provide an accurate description of the proposed uses and  
59 structures.
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- 61 B. Site Design Characteristics: All elements of the site shall be harmoniously and efficiently designed  
62 in relation to the topography, size, and type of land, as well as the character of the adjacent  
63 properties and the proposed use. The site shall be developed so as not to impede the reasonable  
64 and orderly development or improvement of surrounding properties for uses permitted on such  
65 property.
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- 67 C. Site Appearance: Landscaping, earth berms, fencing, signs, walls, structures, and other site features  
68 shall be designed and located on the site so that the proposed development is aesthetically pleasing  
69 and harmonious with nearby existing or future developments.
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- 71 D. Compliance with District Requirements: The site plan shall comply with the district requirements for  
72 minimum floor space, height of building, lot size, open space, density, and all other requirements  
73 set forth in Article 3 unless otherwise provided in these regulations.
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- 75 E. Privacy: The site design shall provide reasonable visual and sound privacy. Fences, walls, barriers,  
76 and landscaping shall be used, as appropriate, to protect and enhance the subject property and  
77 adjacent properties and the safety and privacy of their occupants and users.
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- 79 F. Emergency Vehicle Access: All buildings or groups of buildings shall be arranged so as to permit  
80 convenient and direct emergency vehicle access.
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- 82 G. Circulation: The site plan shall provide a pedestrian circulation system that is insulated as  
83 completely as is reasonably possible from the vehicular circulation system. The arrangement of  
84 public and common ways for vehicular and pedestrian circulation shall respect the pattern of  
85 existing or planned streets or pedestrian ways in the vicinity of the site. The width of streets and  
86 drives shall be appropriate for the volume of traffic they will carry.
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- 88 H. Parking: The parking provided for the intended use meets the standards of Article X of this Ordinance.

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- I. Drainage: The city will review stormwater drainage for all site plans. Plans may also require approval of the Michigan Department of Transportation, where stormwater drainage facilities owned by the state are proposed for use.
  - J. Soil Erosion and Sedimentation: The proposed development shall include measures to prevent soil erosion and sedimentation during and upon completion of construction in accordance with current Emmet County soil erosion control standards.
  - K. Exterior Lighting: Exterior lighting shall be designed so that it is shielded from adjoining properties, visual glare is minimized, and so that it does not impede the vision of drivers along adjacent streets.
  - L. Public Services: Adequate services and utilities shall be required, including water, sewage disposal, sanitary sewer, and stormwater control services, shall be available or provided and shall be designed with sufficient capacity and durability to properly serve the development.
  - M. Screening: The city will review landscaping of sites with consideration of the following:
    1. Landscaping such as trees and shrubs should be used to screen residential areas from light, sound or visual impacts of a commercial or industrial use, or to screen particular on-site elements such as trash and recycling storage, utility structures, accessory buildings, parking lots or other such elements. Screening elements should not adversely impact clear vision areas within the site or on ingress/egress points for the site.
    2. Provision of adequate lawns, trees and shrubs to offer a pleasant site and setting where green lawns and greenbelts offer health, safety and aesthetic benefits, such as cooling of hard surfaces, shading from sun, shelter from wind, open area for recreation or rest by residents or employees, vegetation to soften an urban environment, lawns or plant beds to absorb stormwater drainage and stabilize soils, and varied landscape materials to provide visual relief and interest.
  - N. Danger from Fire and Hazards: The level of vulnerability to injury or loss from incidents involving fire and hazardous materials or processes shall not exceed the capability of the City to respond to such incidents so as to prevent injury and loss of life and property. In making such an evaluation, the City shall consider the location, type, characteristics, quantities, and use of materials or processes in relation to the personnel, training, equipment and materials, and emergency response plans and capabilities of the City. Sites that include significant storage of flammable or hazardous materials or waste, fuels, salt, or chemicals shall be designed to prevent spills and discharges of polluting materials to the surface of the ground, groundwater, and public sewer system.
  - O. Health and Safety Concerns: Any use in any zoning district shall comply with applicable federal, state, county, and local health and pollution laws and regulations regarding noise, dust, smoke, and other air pollutants, vibration, glare, and heat, fire and explosive hazards, gases, electromagnetic radiation, radioactive materials, and toxic and hazardous materials.
  - P. Phases: All development phases shall be designed logically to ensure that each phase will function independently in a safe, convenient, and efficient manner without being dependent upon subsequent improvements in a later phase or on other sites.

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Q. Ingress/Egress: Please consult the ingress/egress provisions in Article 5 – General Provisions.

R. Natural Features and Historic Resources: The site plan shall be designed in order to protect and enhance natural features and historic resources wherever feasible. Plans should be designed to minimize alteration of existing topography on the site and to reduce or eliminate disturbance of natural or historic features.

8.4 SITE PLAN APPLICATION REQUIREMENTS

An application for site plan review shall be submitted on a form provided by the City with the required items presented in the table below. Required items shall be demonstrated on the site plan drawings, written narrative/submitted documentation, or both as indicated in the table.

SITE PLAN APPLICATION REQUIREMENTS			
Item	Description	Site Plan	Narrative
1.	The date, north arrow, and scale. The scale shall be as follows: < 1 acre: One (1) inch = twenty (20) feet 1-3 acres: One (1) inch = thirty (30) feet > 3 acres: One (1) inch = fifty (50) feet	✓	
2.	The boundary lines of the property include all dimensions, setbacks, gross and net acreage, and legal description.	✓	
3.	The location and width of all abutting rights-of-way.	✓	
4.	The existing zoning district in which the site is located and the zoning of adjacent lots. In the case of a request for a zoning change, the classification of the proposed new district must be shown.	✓	
5.	The location of all existing and proposed structures and uses on the site, including proposed drives, walkways, signs, exterior lighting, parking (showing the dimensions of a typical parking area), loading and unloading areas, common-use areas, and recreational areas and facilities.	✓	✓
6.	The location and identification of all existing structures within a fifty (50) foot radius of the site.	✓	
7.	Natural features that will be retained, removed, and/or modified including vegetation, hillsides, drainage, streams, wetlands, riparian corridors, and wildlife habitat.	✓	
8.	A landscaping plan with all existing and proposed landscaping, walls and/or fences.	✓	
9.	A grading plan showing the topography of the existing and finished site shown by contours or spot elevations. Where the existing slope on any part of the site is ten percent (10%) or greater, contours shall be shown at height intervals of two (2) feet or less.	✓	
10.	Location, type, and size of all above and below-grade utilities.	✓	
11.	Type, direction, and intensity of outside lighting shown on a photometric plan in compliance with exterior lighting standards.	✓	
12.	Location of any cross-access management easements.	✓	
13.	Location of pedestrian and nonmotorized facilities.	✓	

SITE PLAN APPLICATION REQUIREMENTS			
Item	Description	Site Plan	Narrative
14.	An indication of how the proposed use conforms to existing and potential development patterns and any adverse effects.		✓
15.	The number of units proposed by type, including a typical floor plan for each unit, dimensions, and area in square feet.	✓	
16.	Elevations for all building facades.	✓	
17.	Phasing of the project, including proposed completed development.	✓	✓
18.	Sealed/stamped drawings from a licensed architect, engineer, surveyor or landscaped architect.	✓	
19.	The location and description of the environmental characteristics of the site prior to development, such as topography, soils, vegetative cover, mature specimen trees, drainage, streams, wetlands, shorelands, or any other unusual natural features.	✓	✓
20.	A stormwater management plan showing all existing above and below-grade drainage facilities and proposed plans incorporating low-impact development water quality technologies and other best management practices.	✓	✓
21.	Plans to control soil erosion and sedimentation, including during construction.	✓	✓
22.	The name and address of the property owner.	✓	✓
23.	Name(s) and address(es) of person(s) responsible for preparation of site plan drawings and supporting documentation.	✓	✓
24.	The method to be used to control any increase in effluent discharge to the air or any increase in noise level emanating from the site. Consideration of any nuisance that would be created within the site or external to the site, whether by reason of dust, noise, fumes, odors, vibration, smoke, or lights.		✓
25.	The description of the areas to be changed shall include their effect on the site and adjacent properties. An aerial photo may be used to delineate areas of change.		✓
26.	General description of deed restrictions and/or cross-access management easements, if any or required.		✓
27.	The method to be used to serve the development with water.		✓
28.	The method to be used for sewage treatment.		✓
29.	The number of people to be housed, employed, visitors or patrons, anticipated vehicular and pedestrian traffic counts, and hours of operation.		✓
30.	A complete signage plan that indicates the location of directional, regulatory, and site identification signs. <i>(Reference the City of Petoskey Sign Ordinance for additional details and requirements).</i>	✓	
31.	Delineate on the site plan snow storage areas, excluding the use of off-street parking spaces.	✓	

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- A. Upon recommendation by the Zoning Administrator, the Planning Commission may waive any of the above-required items based upon a finding that they are not applicable.

- 154 B. The Planning Commission, Zoning Administrator, or other party authorized by the City may request  
155 any additional information it deems necessary in the review of the submitted site plan.  
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- 157 C. Evidence the plan has been submitted for review to all affected jurisdictions, including but not  
158 limited to Emmet County Road Commission, Petoskey Department of Public Works, Emmet County  
159 Planning, Zoning and Construction Resources Department (soil erosion and sedimentation review),  
160 Petoskey Fire Department, Michigan Department of Transportation (MDOT), Michigan Department  
161 of Energy, Great Lakes, and Environment (EGLE), and Michigan Department of Natural Resources  
162 (MDNR). If an applicable review is not submitted, a statement of a date certain for submission or the  
163 reason why their review is not applicable must be provided.  
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- 165 D. All site plan drawings shall be submitted on two (2) sets on either 24"x36" or 30"x42" print paper and  
166 in digital PDF format.  
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168 8.5 SITE PLAN APPLICATION REVIEW PROCEDURES

169 8.5.1 Pre-Application Conference

170 An applicant may request a pre-application conference with the Zoning Administrator and/or Planner  
171 to discuss, in general, the substantive requirements for the application prior to submittal.  
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173 8.5.2 Conceptual Review

174 After a pre-application conference, an applicant may submit an application for conceptual review  
175 before the Planning Commission prior to the formal submittal of a site plan review application. The  
176 purpose is to gather feedback on the proposed land use and potential concerns of the Planning  
177 Commission. Feedback provided by the Planning Commission under a conceptual review is non-  
178 binding, subject to change, and is not to be construed as a guarantee of approval. A conceptual  
179 review does not include the Zoning Administrator's completeness or technical review.  
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181 8.5.3 Completeness Review

182 All required application materials shall be presented to the Zoning Administrator's office by the  
183 property owner or their designated agent thirty (30) days before the next scheduled Planning  
184 Commission meeting, where the site plan will be considered. The Zoning Administrator shall review  
185 the application for completeness to determine if the application has been properly submitted and if  
186 the applicant has corrected all deficiencies. Completeness reviews are solely to determine whether  
187 the preliminary information required for submission of the application is sufficient to allow further  
188 processing and shall not constitute a decision as to whether an application complies with the  
189 provisions of this Ordinance. Once deemed complete, the application may proceed to technical  
190 review.  
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192 8.5.4 Technical Review

193 An application determined to be complete will undergo a technical review by the Zoning  
194 Administrator or City designee to determine compliance with applicable standards. This review may  
195 include distributing the plan to other local agencies or departments with jurisdiction for comment  
196 on any problems the plans might pose and shall result in a report submitted to the Planning

197 Commission with the site plan review application. Once the technical review is complete, the  
198 application will be placed on the next regularly scheduled Planning Commission meeting.

200 8.5.5 Administrative Review Committee

201 The Administrative Review Committee may review and make a decision on a qualifying site plan  
202 review application. The Administrative Review Committee shall consist of the Zoning Administrator,  
203 Planning Commission Chair, Planning Commission member, a representative from the Department  
204 of Public Works, a representative from the Department of Public Safety, and City Planner, and shall  
205 perform the duties of the Planning Commission prescribed in this Article when conducting an  
206 administrative review. No part of this subsection shall prohibit the Zoning Administrator,  
207 Administrative Review Committee, or Applicant from requesting the site plan be submitted to the  
208 Planning Commission for review and approval. A site plan review application qualifying for  
209 administrative review shall meet all the following standards:

- 210 A. The use is permitted by right in the established zoning district, and
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- 212 B. Will result in a building footprint less than five thousand (5,000) square feet of new
- 213 development or construction.
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216 8.5.6 Planning Commission Review

217 All other uses requiring a site plan review shall be reviewed and decided upon by the Planning  
218 Commission.

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220 8.6 SITE PLAN APPLICATION DETERMINATIONS

221 Upon review of a site plan review application, the Planning Commission or Administrative Review  
222 Committee shall make a determination to approve the application, require any conditions it may find  
223 necessary, or deny the application.

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225 8.6.1 Approval

226 The site plan shall be approved upon determination that it is in compliance with the standards of this  
227 Ordinance, other City planning documents, other applicable ordinances, and state and federal  
228 statutes.

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230 8.6.2 Approval with Conditions

231 The Planning Commission or Administrative Review Committee may approve a site plan, subject to  
232 any conditions, to address necessary modifications and obtain variances or approvals from other  
233 agencies. Conditions imposed shall meet each of the following objectives:

- 234 A. Be designed to protect natural resources, the health, safety, and welfare, as well as the
- 235 social and economic well-being, of those who will use the land use or activity under
- 236 consideration, residents and landowners immediately adjacent to the proposed land use or
- 237 activity, and the community as a whole.
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240 B. Be related to the valid exercise of police power and purposes that are affected by the  
241 proposed use or activity.

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243 C. Be necessary to meet the intent and purpose of the zoning requirements, be related to the  
244 standards established in the zoning ordinance for the land use or activity under  
245 consideration and ensure compliance with those standards.

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247 8.6.3 Denial

248 If the Planning Commission or Administrative Review Committee determines that a proposed site  
249 plan does not meet the standards of this Ordinance or otherwise will tend to be injurious to the public  
250 health, safety, welfare, or orderly development of the City, it shall deny the application by a written  
251 explanation which clearly sets forth the reason for such denial.

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253 8.7 RECORD OF ACTIONS

254 The City shall keep a record of decisions on all site plans on file in the Clerk’s Office. The record shall include  
255 the following information:

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257 8.7.1 Minutes

258 All minutes from any meeting where the site plan was considered.

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260 8.7.2 Finding of Fact

261 The decision on a site plan review shall be incorporated in a finding of fact relative to the land use  
262 under consideration and shall specify the basis for the decision and any conditions imposed.

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264 8.7.3 Final Site Plans

265 An electronic PDF version and one (1) full-size to scale print set of the final site plans stamped by a  
266 licensed architect, landscape architect, or civil engineer.

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268 A. Approved site plans shall include any required revisions and the date of the revisions. The  
269 print set shall be marked “Approved” and signed and dated by the Applicant and Planning  
270 Commission Chair if approved by the Planning Commission or the Zoning Administrator if  
271 administratively approved.

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273 B. Denied site plans shall be marked “Denied” and signed and dated by the Planning  
274 Commission Chair if denied by the Planning Commission or the Zoning Administrator if  
275 administratively denied.

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277 8.7.4 Development Agreement

278 Depending on the scope and complexity of a site plan, the Planning Commission may require a site  
279 plan development agreement outlining the approved use, any applicable conditions, and procedural  
280 process. The development agreement shall be signed and notarized by the applicant and Planning



281 Commission Chair if the site plan was subject to Planning Commission review or the Zoning  
282 Administrator if the Administrative Review Committee reviewed the site plan.

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284 8.7.5 Occupancy

285 No occupancy or operation of a use and/or structure allowable under an approved site plan review  
286 shall be permitted to occur prior to receiving an occupancy permit.

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288 8.7.6 As-Built Drawings

289 Once the project has been issued a Certificate of Occupancy, the owner shall have three (3) months  
290 to submit to the City a complete set of digital as-built site plan drawings signed by the owner, their  
291 project architect/engineer, landscape architect, surveyor, or project manager.

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293 8.8 EXPIRATION, REVOCATION, AND REAPPLICATION

294 8.8.1 Expiration

295 A site plan review approved under this Article shall be valid for a period of one (1) year from the date  
296 of approval. If the applicant fails to submit an application for a zoning permit and commences  
297 construction to the City for the approved site plan review in that time period, then the site plan review  
298 approval shall automatically expire. The applicant may request an extension of the permit by  
299 submitting a written request for consideration to the Zoning Administrator before the expiration date.  
300 The Administrative Review Committee or the Planning Commission may grant one (1) extension for  
301 a period of up to one (1) year.

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303 8.8.2 Revocation

304 If a violation of any of the conditions or standards imposed on an approved site plan review is found  
305 to exist following inspection, the Zoning Administrator shall notify the owner of the premises, the  
306 applicant of the site plan review, and the Planning Commission that such violation exists and that  
307 the site plan review approval will be revoked within fifteen (15) days of such notification. If said  
308 violation is not corrected within fifteen (15) days, the Zoning Administrator may revoke the permit.  
309 Furthermore, such a violation is hereby declared a violation of this Ordinance, subject to all the  
310 remedies and penalties provided for within this Ordinance.

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312 8.8.3 Reapplication

313 Application for a site plan review approval that has been denied wholly or in part by the Planning  
314 Commission can be resubmitted unless the site plan has substantially changed.

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316 8.9 AMENDMENTS AND MODIFICATIONS

317 A previously approved site plan may be modified subject to the following procedures. The Planning  
318 Commission will be notified of Insignificant Deviations and Minor Amendments by the City Administration.

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320 8.9.1 Insignificant Deviations

321 The Zoning Administrator may authorize insignificant deviations in an approved site plan if the  
322 resulting use will still meet all applicable standards and requirements of this Ordinance, as well as  
323 any conditions imposed. A deviation is insignificant if the Zoning Administrator determines it will  
324 result in no discernible changes to or impact on neighboring properties, the general public, or those  
325 intended to occupy or use the proposed development and will not noticeably change or relocate the  
326 proposed improvements to the property.

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328 8.9.2 Minor Amendments

329 The Administrative Review Committee may permit minor amendments to an approved site plan if the  
330 resulting use will still meet all applicable standards and requirements of this Ordinance and any  
331 conditions imposed, unless otherwise requested to be modified, and do not substantially affect the  
332 character or intensity of the use, vehicular or pedestrian circulation, drainage patterns, demand for  
333 public services, or vulnerability to hazards. The Administrative Review Committee may make a  
334 decision on minor amendments upon receipt of an application. Minor amendments are those  
335 modifications the Zoning Administrator determines will have no substantial impact on neighboring  
336 properties, the general public, or those intended to occupy or use the proposed development but  
337 exceed the extent to which it can be approved as an insignificant deviation.

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339 8.9.3 Major Amendments

340 All other requests for amendments to an approved site plan shall be processed in the same manner  
341 as a new application. The Planning Commission may impose new conditions on the approval of an  
342 amendment request if such conditions are warranted as described in this Article. The holder of the  
343 original site plan approval may reject such additional conditions by withdrawing the request for an  
344 amendment and proceeding under the existing site plan approval.

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346 8.10 FEES AND GUARANTEES

347 Fees and performance guarantees associated with the review and approval of a site plan review application  
348 shall be consistent with the requirements in Article XX.

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