

## ARTICLE XXI SITE AND BUILDING FACADE PLAN REVIEW

**Section 21.01 - Purpose.** The intent of this Section is to provide for consultation and cooperation between the applicant and the Planning Commission in order that the applicant may accomplish his objectives in the utilization of land within the regulations of this 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.

**Section 21.02 - When A Site Plan Is Required.**

**New Development.** The Zoning Administrator or the Building Inspector shall not issue a statement of zoning compliance or issue a building permit for any proposed development in the R-3 and R-4 Residential, C-1 Commercial, C-2 Central Business, I-1 Industrial districts for any use requiring more than four (4) parking spaces in the R-1A, R-1B or R-2 Residential districts except a single-family dwelling proposed for construction as an allowable use in these districts or as otherwise required in this Ordinance until a site plan has been reviewed and approved by the Planning Commission.

**Existing Development.** The Zoning Administrator, upon review of a site plan for the addition to, modification of, or the demolition of any part of a legally conforming existing building or structure and upon finding the modification, addition to, modification of, or the demolition thereof conforms with the specifications of the district in which the property is located, shall issue a statement of zoning compliance or building permit, provided the proposed action is in compliance with all other applicable laws and ordinances.

**Section 21.03 - When A Building Facade Plan Is required.** The Zoning Administrator shall not issue any statement of zoning compliance or building permit for any proposed development in the C-3 Central Business Districts until a building facade plan has been reviewed and approved by the Planning Commission.

**Section 21.04 - Application Procedures.** An application for site (and building facade plan, when required) plan review shall be submitted twenty (20) days prior to the next scheduled Planning Commission meeting through the Zoning Administrator, who will review the application and plans for completeness, then transmit the application and site plan to the Planning Commission.

**Section 21.05 - Preliminary Site and Building Facade Plan Review.** Preliminary sketches of proposed site and other development plans, including building facade plans, when required, may be submitted for review to the Planning Commission prior to final site plan submission. The purpose of such procedure is to allow discussion between the applicant and the Planning Commission and when determined by the Planning Commission, the Downtown Development Authority to better inform the applicant of the acceptability of his proposed plans prior to incurring extensive engineering and other costs which might be necessary for a final site plan.

Site plans shall include, as a minimum, the following:

1. Legal description of the property.
2. Small scale sketch of properties, streets, and uses of land of all properties abutting or across the street from the subject property,
3. A generalized map, schematic plans and building sketches showing any existing or proposed arrangement of:
  - A. Streets and lots;
  - B. Access points and other transportation arrangements;
  - C. Buffer strips, fences, wall and screening;

- D. Natural characteristics including, but not limited to, open space, stands of trees, brooks, ponds, floodplain, hills, and similar natural assets;
  - E. Signs - location and lighting;
  - F. Buildings and other structures;
  - G. Architectural style, exterior surface materials, and the exterior surface color of all building facades that are viewable from a public street or right-of-way; and
  - H. A Hazardous Material Report form for site plan review and state and/or County environmental permit checklist, as required by any applicable ground water protection ordinance adopted by the Village.
4. A narrative declaration including:
- A. The overall objectives of the proposed development;
  - B. Number of acres (or square feet) allocated to each proposed use and gross area in building, structures, parking, public and/or private streets and drives, and open space;
  - C. Dwelling unit densities by type;
  - D. Proposed method of providing sewer and water service as well as other public and private utilities; and
  - E. Proposed method of providing storm drainage.

Facade plans shall include, as a minimum, the following:

- 1. A generalized map, schematic plans and building sketches showing the existing proposed changes to the architectural style, exterior surface materials and exterior surface color of all building facades viewable from a public street.

**Section 21.06 - Planning Commission Review of Preliminary Site Plan.** The Planning Commission shall review the preliminary site plan and make recommendations to the applicant at the regular Planning Commission meeting based on the purposes, objectives, and requirements of this Ordinance and specifically the following considerations, when applicable:

- 1. Ingress and egress to property and proposed structures thereon, with particular reference to motor vehicle and pedestrian safety and convenience, traffic flow and control, and access in cases of fire, catastrophe or emergency.
- 2. Off-street parking and loading areas, when required, with particular attention to noise, glare and odor effects of each use in the plan on adjoining properties and properties in the proposed development.
- 3. Sewer, water, and storm drainage, with reference to location, availability and capacity.
- 4. Screening and buffering with reference to type, dimensions, and character.
- 5. Signs, if any, and their proposed lighting relative to glare, traffic safety, economic effect, and compatibility and harmony with adjoining properties.
- 6. Required yards.

7. General compatibility with adjacent properties.
8. The purpose and intent of this Ordinance and the goals, objectives and policies of the Village of Three Oaks Master Plan.

**Section 21.07 - Planning Commission Review of Facade Plan.** The Planning Commission shall review the building facade plan and make recommendations based on the duly approved Central Business District Appearance Plan and/or Design and Appearance Standards and Guidelines.

**Section 21.08 - Final Site Plan Review.** The site final plan shall include the following information and such any other information as may be required by the Planning Commission from its review of the preliminary site plan.

1. Legal description of the property.
2. A small scaled sketch of the properties, streets, and use of land of all abutting properties area abutting or across the street (or alley) of the subject property.
3. A map at a scale not to exceed one (1) inch equals one hundred (100) feet (1" = 100'). The following items shall be shown on the map:
  - A. Date site plan was prepared;
  - B. Name and address of preparer;
  - C. Topography of the site and its relationship to adjoining land;
  - D. Existing man-made features;
  - E. Dimensions of setbacks, locations, heights, and size of buildings and structures;
  - F. Street right-of-ways, indicating proposed access routes, internal circulation; and relationship to existing right-of-ways;
  - G. Proposed grading;
  - H. Location and type of drainage, sanitary sewers, storm sewers, and other utilities;
  - I. Location and type of fences, landscaping, buffer strips, and screening;
  - J. Location and type of signs and on-site lighting;
  - K. Proposed parking facilities and drives. Parking lots (public and private) shall be designed with lines showing individual spaces and shall conform with the provisions of Article XVII, Section 17.03.
  - L. Easements, if any;
  - M. Dimensions and number of proposed lots;
  - N. A narrative describing the items indicated in Section 21.05.

**Section 21.09 - Planning Commission Review of Final Site Plan.** The Planning Commission shall review the final site plan and either approve, deny or approve with conditions the final site plan based on the purposes, objectives and requirements of this Ordinance, and specifically the considerations listed in Section 21.06.

1. To insure compliance with the final site plan and any conditions imposed under the ordinance, the Planning Commission may require that a cash deposit, certified check, irrevocable bank letter of credit or surety bond acceptable to the Planning Commission and Village Attorney covering the estimated cost of improvements associated with a project for which zoning approval is sought, be deposited with the Village Clerk to insure faithful completion of the improvements. The performance guarantee shall be filed with the Village Clerk prior to the issuance of a building permit by the Building Inspector for any portion of the project.
2. Each development shall be under construction within one (1) year after the date of final approval by the Planning Commission. If said applicant does not fulfill this provision, the Planning Commission may grant a sixty (60) day extension provided the applicant presents reasonable evidence to the effect that said development has encountered unforeseen difficulties but is ready to proceed. Should neither of the aforementioned provisions be fulfilled or a sixty (60) day extension has expired, without commencement of construction, the site development plan shall be null and void.
3. The Planning Commission shall undertake and complete all site plan reviews within sixty (60) days of submission of all required information by the applicant. Upon approval of said plan, the Chairman of the Planning Commission shall sign three (3) copies thereof. One (1) signed copy shall be made a part of the Planning Commission's files and one (1) shall be forwarded to the Zoning Administrator for issuance of a building permit. The third copy shall be returned to the applicant. In the case of any dispute, the signed copy of copy retained by the Planning Commission shall serve as final evidence of the decision of the Planning Commission.
4. This review process and site plan requirement shall apply to all Cluster Development and Planned Unit Development applications including plats submitted for consideration pursuant to the Land Division Act or Condominium Act of the State of Michigan.

**Section 21.10 - Right to Accept Reduced Site and Building Facade Information.** The Planning Commission recognizes that not all applications to be submitted for consideration under the terms of this Article will require full compliance with the submission requirements. An applicant may propose or the Zoning Administrator may accept an application not fulfilling all of the submission requirements when in the opinion of the Zoning Administrator that the submission materials are sufficient for the Planning Commission to render a decision on the applicants request. Upon submission of an application, the Planning Commission may request and the applicant shall provide such additional information as deemed necessary to fulfill the review and approval responsibilities of this Article.