

# Village of Lake Isabella - Codified Ordinances

## Article XII – Planning & Zoning

### **Chapter 1214 – Site Plans**

Adopted August 4, 1998 – Ordinance 1998-01

Last Amended on August 21, 2018 by Ordinance 2017-02

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#### **1214.01 PURPOSE**

The purpose of this Chapter is to require the review of the physical development of certain structures which may have a significant impact on the Village of Lake Isabella. Site Plan review allows the Village of Lake Isabella to look at the specific location of a proposed use or structure; the layout of the site, the exterior finishes of the structure, and landscaping. The intent of this added layer of review is to ensure development is consistent with the Village’s Master Plan, and that new development is not overly detrimental to surrounding parcels and uses, the environment, the public’s health and safety, and the community as a whole. Through the Site Plan Review process the community can work with a developer to ensure that a location will have safe and convenient traffic movement; adequate protection of non-motorized traffic, a harmonious relationship with nearby structures and uses; and the conservation of natural features and resources which add the overall character of the community.

#### **1214.03 APPLICABILITY**

The Village of Lake Isabella utilizes three different levels of illustrations to identify buildings and other features during the development process. All illustrations are required to show existing and new/proposed buildings, structures, and features on the property and changes thereto impacted by the proposed project. All drawings shall be clear and legible. An approved drawing shall be considered to be a legally binding part of a zoning

approval, and violations of an Approved Site Plan shall be deemed as a violation of the zoning code. The three different types of illustrations are as follows:

Basic Site Plan: Also known as a “plot plan,” is used for detached single-family dwellings, additions to detached single-family dwellings, and accessory structures in single-family zoned districts. A Basic Site plan must be at a minimum a sketch or superimposed drawing over an aerial photograph of the site showing distances and dimensions. It does not have to be to scale.

Medium Site Plan: A Medium Site Plan must be drawn to scale on paper of at least 8.5” x 11’, and must be presented in a manner such that the Zoning Administrator can interpret the drawing. A Medium Site Plan is required for:

- (1) Any permitted use in a non-residential district.
- (2) Any use listed as having an S1 Level Approval
- (3) Any use listed as having an S2 Level Approval if being conducted in an existing structure.
- (4) Matters before the Zoning Board of Appeals which are not pertaining to detached single-family dwellings or accessory structures to detached single-family dwellings.
- (5) Any accessory structure which requires planning commission approval shall be required to meet the Medium Site Plan requirements.

Detailed Site Plan: A Detailed Site Plan is required for:

- (1) Any use having an S2 Level approval being proposed in a new primary structure.
- (2) Any use having an S3 Level approval.
- (3) Planned Unit Developments.
- (4) Private roads.
- (5) New Plats and/or Site Condominium Projects.

#### **1214.05 SITE ILLUSTRATION REQUIREMENTS**

Each site plan submitted shall contain the following information as required by the following table (required items are marked with an “X”), unless specifically waived by the Planning Commission, in whole or in part;

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<b>Requirement</b>	<b>“Basic”</b>	<b>“Medium”</b>	<b>“Detailed”</b>
The name and address of the property owner and petitioner if different from the owner.	X	X	X
Location of existing and proposed connections to sewer/septic systems and water/well supply systems.	X	X	X
An overhead view of all different floor levels, showing dimensions of interior rooms and spaces.	X	X	X
Exterior elevations of proposed structures showing materials, doors and windows, height and finishes.	X	X	X
The legal description of the parcel, including acreage.		X	X
The name and address of the individual or firm responsible for the preparation of the illustration.		X	X
The date, north arrow, and scale. The scale shall be not less than 1" = 20' for property under three acres and at least 1" = 100' for those three acres or more.		X	X
All lot and/or property lines are to be shown and dimensioned, including required setback lines.		X	X
The location and height of all existing and proposed structures on and within 100' of the subject property's boundary.		X	X
The location and dimensions of all existing and proposed drives, sidewalks, curb openings, signs, exterior lighting, curbing, parking areas (show dimensions of a typical parking space), unloading areas, recreation areas, common use areas, and areas to be conveyed for public use and purpose.		X	X
The location, height and types of fences, walls and landscaping.		X	X
Trash receptacle location and screening.		X	X
The location and size of all surface water drainage facilities.		X	X
A full color illustration of all proposed signs, including the size of the proposed sign, height of proposed signs, and location of signs on the site or structure(s).		X	X
Distances as measured at the closest point between structures.		X	X
Fire and emergency response routes.			X
Barrier free access locations (ramps, landings, curb cuts...)			X
Site grading elevations (if applicable)			X

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The centerline location of adjacent or abutting roads, streets, alleys or ingress/egress easements and detail as to the total and improved width of the adjacent or abutting road, street, alley, or ingress/egress easement and existing and proposed surface types.			X
For multiple family and mobile home developments, contour intervals shall be shown (two-foot intervals for average slopes ten percent and under, five-foot intervals for slopes over ten percent). Topography, however, is encouraged to be shown on all site plans			X
Natural Features such as wetlands, high risk erosion area, slopes over 10%, or woodland areas. For the purpose of this sub-section, a woodland area is defined as any parcel which has eight or more mature trees for every quarter-acre and portion thereof with a trunk diameter of six inches or more.			X
The location and size of all existing and new utility services lines or mains.			X

**1214.07 SITE PLAN REVIEW PROCESS**

The process for reviewing and approving Medium Site Plans and Detailed Site Plans shall follow the following Steps. An illustrated flow-chart of this process is provided at the end of this Section.

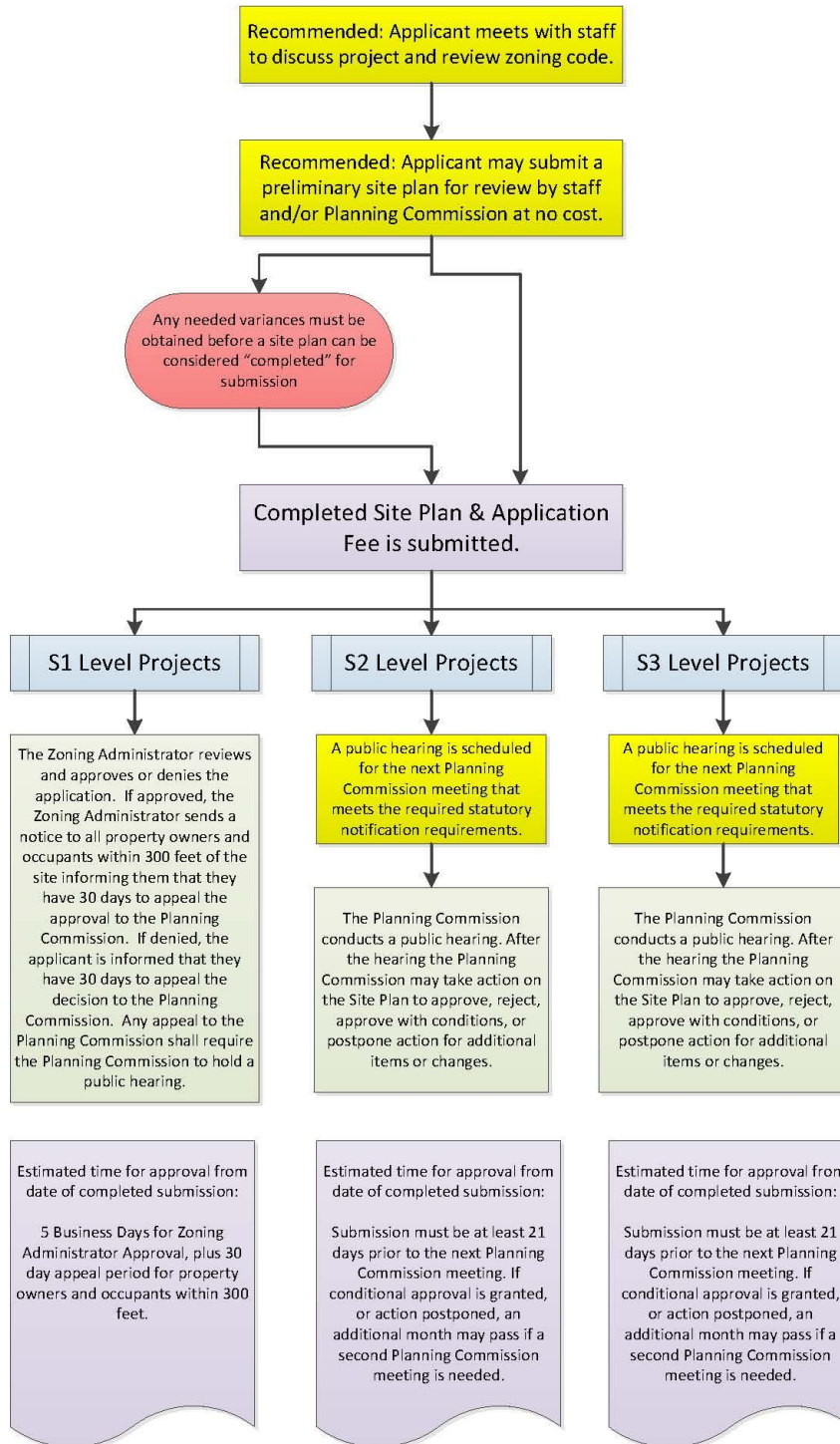
- Step 1: The applicant meets with Village staff and reviews the requirements of the Zoning Code for their project.
- Step 1(a): The applicant may submit a preliminary plan for the Zoning Administrator to review and comment on.
- Step 2: The applicant submits a Site Plan application and application fee.
- Step 3: Submitted Site Plan is reviewed. If done before the Planning Commission, it must be done as part of a Public Hearing with noticed provided as required by statute.
- Step 4: If during the review it becomes clear that a variance will be required for any proposed item, the Planning Commission or Zoning Administrator may not take conditional or final action on the Site Plan until the applicant has secured any necessary variance from the Zoning Board of Appeals.

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- Step 5: After completing its review, the Planning Commission or Zoning Administrator (depending on the approval level required in the zoning code for the particular project) may approve, approve with conditions, or deny the Site Plan.
- Step 6: Any items identified in the conditional approval may be returned for final review and approval to either the Planning Commission or Zoning Administrator.
- Step 7: If the Site Plan is part of a project requiring an S3 Level Approval before the Village Council, the approved Site Plan shall be forwarded to the Village Council as part of the Special Land Use review conducted by the Council.



# Site Plan Review Process Updated Summer 2019



**1214.09 SITE PLAN REVIEW STANDARDS**

In reviewing a site plan, the Planning Commission shall determine whether the applicant has established that the site plan is consistent with the adopted code of ordinances and is in accordance with the Master Plan of the Village and more specifically:

- 1) That the movement of vehicular and pedestrian traffic within the site and in relation to ingress and egress to the site will be safe and convenient.
- 2) That the site plan is harmonious with, and not injurious or objectionable to, existing and projected uses in the immediate area. Specifically, adjacent properties and topographical features are protected through appropriate placement of structures and landscaping.
- 3) That the site plan shows the use will be adequately served by necessary improvements, including but not limited to, sewage collection and treatment, potable water supply, storm drainage, lighting, roads and parking.
- 4) That the site plan is adequate to provide for the health, safety and general welfare of the persons and property on the site and in the neighboring community. This includes, but is not limited to, access ability of emergency response vehicles.
- 5) That the site plan has incorporated adequate noise mitigation measures to address nuisances which include, but is not limited to; HVAC, air condition, heating and similar devices; coming, going and idling of motor vehicles; and the loading and unloading of trucks and equipment.
- 6) That the site plan accounts for the storage of raw good and materials, as well as finished product. The Planning Commission may require all finished goods and raw materials to be stored inside a fully enclosed structure. Likewise, the Planning Commission may further limit the ability to store and display merchandise outside of any completed and approved structure.
- 7) Site Plans for facilities which use or generate hazardous substances in either quantities greater than two hundred (200) pounds per month, or one hundred (100) gallons, shall be subject to the following additional site plan submittal requirements:

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- a. Location and size of interior and exterior areas and structure to be used for storage, use, loading/unloading, recycling, or disposal of hazardous substances.
  - b. Location of all underground and aboveground storage tanks for such uses as fuel storage, waste oil holding tanks, chemical storage, hazardous waste storage, collection of contaminated stormwater or wash water, and all similar uses.
  - c. Location of exterior and interior drains, on-site sewage systems, dry wells, catch basins, retention/detention areas, sumps and other facilities designed to collect, store, or transport stormwater or wastewater. The point of discharge for all drains and pipes shall be specified on the site plan.
  - d. Location of all water wells on the site and within one hundred fifty (150) feet of the property's boundaries.
  - e. Delineation of areas on the property which are known or suspected to be contaminated with a report on the status of clean-up activities.
  - f. A listing of all hazardous materials that will be stored or used on-site. Locations using hazardous materials are also subject to additional reporting requirements as required by state law to the local Fire Chief and appropriate state regulatory agency.
  - g. All applicable county, state, and federal permits relating to hazardous materials.
- 8) Additionally, the Planning Commission may prohibit the development of property within the bounds of a future road, Public Park, or other public facility shown in the Master Plan, or which may be located within the bounds of the 100-year flood plain.
- 9) The Planning Commission may place conditions on approval of the site plan for additional fencing, lighting, and screening; or other conditions to carry out the requirements of the zoning code.
- 10) The Chairman of the Planning Commission shall not sign an approved site plan until the applicant has submitted three copies of all permits which may be required by the Village, county, or the state for the construction of the use, such as but not limited to, permits for on-site wastewater disposal, and permits required by the State of Michigan and its various agencies and departments.



**1214.11 SPECIAL STUDIES**

For complex site plans and/or for land uses that may generate significant impacts on surrounding land uses or public facilities, the Planning Commission may require any or all of the following reports or studies, or components thereof, as a part of a complete site plan.

1. Environmental Assessment shall be a summary review of the environmental impacts of a project in accordance with the following standards:
  - a. The purpose of the Environmental Assessment shall be
    - 1) to provide relevant information to the Planning Commission on the potential environmental impact of applications for substantial projects that may have an impact on the natural, social and economic environment of the Village;
    - 2) to inject into the developer's planning process consideration of the characteristics of the land and the interests of the community at large, and
    - 3) to facilitate participation of the citizens of the community in the review of substantial developments.
  - b. Guidelines. When required by the Planning Commission pursuant to this Section, an applicant for site plan, special use permit or planned development approval shall prepare an Environmental Assessment in accordance with these guidelines. An Environmental Assessment is not an Environmental Impact Statement, but rather a summary review of the site in question considering the past and present land uses and the proposed development. The analysis is intended to determine how the proposed development will meet the goals of the community as they are expressed in the Master Plan. The complexity of the Environmental Assessment will depend on the scope of the project and the magnitude of the potential impact. In preparing the Environmental Assessment, judgment should be exercised to keep the form and extent of responses in proportion to the scope of the project. Each answer is to be as brief as practicable, although the Planning Commission may request further elaboration. The Planning Commission may waive elements of these guidelines as either not

applicable or previously addressed in other submittals, on a case-by-case basis. All information must be submitted in the following format and shall not merely reference a study or report completed previously, rather whenever possible, the Environmental Assessment report shall incorporate a summary of the findings of such study or report in addition to such cross-references. In addition, any cross-referenced study or report shall be submitted with the Environmental Assessment.

- c. Content. The following material shall be included and/or addressed in the Environmental Assessment, unless specifically waived by the Planning Commission as not applicable:
  - 1) A description of the site in its current condition. This shall indicate any buildings to be preserved and those to be removed along with an indication of what will be done with the demolition debris. This must also include information on:
    - a) Flora and fauna (be sure to list any endangered species on-site)
    - b) General topography and drainage patterns including any regulated features such as wetlands, high risk erosion areas or other features
    - c) Adjacent waterways
    - d) Existing wells, approximate depth and use
  - 2) A description of any asbestos abatement proposed for the site. If applicable, this shall include a description of the method to be sure this material does not get into the surrounding area.
  - 3) A description of any existing contamination on-site. This should include a description of the nature of the contamination on-site and what will be done on this project to mitigate or contain it, including the proposed methodology and any state or federal regulatory agency reviews that may apply. If the project includes work that may disturb or displace existing contaminated soils or water, this should include a description of proposed methods to contain and/or dispose of the generated waste.
  - 4) If the proposed project will impact any coastal areas or floodplain or involve riparian work along adjacent waterways, a description of the proposed work and the methodology proposed to protect waterways shall be provided.

- 5) A description of the existing soils on-site and a statement as to the suitability of these soils for the proposed use.
- 6) A description of any historical or archeological significance associated with the site. If any such areas are present, this shall include a description of methods to protect and preserve any historic or archeological resources.
- 7) A description of any emissions from the proposed development as it relates to air quality. If any emissions are proposed, this shall include a description of each constituent and the effects of each constituent to nature and human life.
- 8) A description of any hazardous materials or waste to be stored on-site. This shall include a description of proposed methods to contain such materials and prevent any migration into adjoining soils or groundwater or into the atmosphere.
- 9) A description of any storm water or process water discharges from the site. This shall include a characterization of such discharge in terms of the quantity, quality and chemical constituents and temperature and a description of the possible effects this discharge may have on the receiving waters.
- 10) If a Federal, State, or local regulatory authority has conducted an Environmental Assessment, Environmental Impact Statement, or a preliminary assessment/site inspection or environmental survey of the site, a brief description of the findings and provide a copy of the report or results.
- 11) A description of the anticipated noise levels to be generated at all property lines of the proposed use. This shall include a description of measures proposed to mitigate noise.
- 12) A description of off-site impacts from odors or lighting and measures to mitigate such effects.
- 13) A description of the anticipated traffic to be generated by the proposed use.
- 14) A description of plans for site restoration after construction.
- 15) A description of methods to handle sanitary waste for the project both during construction and after completion.

- 16) A description of how potable water will be provided to the site. If any on-site wells are proposed or any lake-draw systems are proposed for the project, this shall include a description of the type of well or lake draw system, any regulatory requirements that may apply and the status of such regulatory approval.
  - 17) A description of any additional items as needed to describe the potential environmental impacts of the proposed project.
  - 18) Chain of title history from abstract company detailing easements, deed restrictions or other encumbrances.
- d. The individual preparing the Environmental Assessment must sign and seal (if prepared by a registered engineer, land surveyor, community planner or landscape architect) the submitted document.
  - e. The Zoning Administrator may submit the study to a recognized consultant(s) in the field for review and independent comment. The cost of any such review shall be borne by the applicant.
2. Traffic Impact Study. The Planning Commission may require that a traffic impact study completed by either a licensed engineer or AICP certified planner, with a minimum of three years of experience in preparing traffic studies, as an attachment to a site plan submitted for any development in the Village meeting the requirements of this section. The purpose of this section is to set forth the standards to be used by the Planning Commission in requiring the submission of such a traffic impact study, the required minimum content of such a study and the standards and procedures for the review of its findings.
- a. Description. A traffic impact study shall include an analysis of the existing traffic conditions on the roadway network in the vicinity of a proposed project, including any accident history, average speeds, average daily and peak hour traffic volumes and levels of service of all key roadway segments and intersections. The study shall further indicate the effect of a proposed development on adjacent roadways and intersections and indicate the anticipated points of origin, direction and volume of traffic flow to and from the proposed development. The study shall be prepared by either a registered professional engineer (P.E.) or transportation planner with at least five (5) years of experience preparing traffic impact studies in Michigan. The study shall include a summary of the qualifications and documented experience of the author and specifically describing

experience in preparing traffic impact studies in Michigan. If the traffic impact study involves geometric design recommendations, the study shall be prepared or supervised by a registered engineer with a strong background in traffic engineering.

- b. **Criteria for Requiring a Traffic Impact Study.** The Zoning Administrator may recommend and the Planning Commission may require that a traffic impact study be prepared as an attachment to a site plan for any proposed commercial, industrial, residential or mixed-use development which has the potential to significantly increase traffic volumes on the surrounding roadway network. In determining the level of potential impact, the Zoning Administrator or Planning Commission shall consult appropriate planning and engineering texts including, but not limited to, Trip Generation, published by the Institute of Transportation Engineers and may seek the counsel of other professionals with experience with developments similar to that proposed. A traffic impact study may be required under this section when, in the judgment of the Zoning Administrator or Planning Commission, the proposed development will result in either an increase of either the average daily traffic or the peak hour traffic equal to or greater than ten (10) percent of the current traffic volume on the adjoining roadway or other significant traffic impacts on local roadways.
- c. **Required Study Content.** In general, a required traffic impact study shall document existing conditions on the existing roadway network including all intersections within one (1) mile of the proposed development including average daily traffic and peak hour volumes in all directions, existing turning movements, and levels of service, average traffic speeds and accident history. Existing pedestrian and non-motorized traffic volumes shall also be estimated. The traffic impact study shall project the impact of the proposed development on the roadway network including all intersections within one (1) mile of the proposed development including projected average daily traffic and peak hour volumes in all directions, anticipated turning movements and anticipated levels of service. Anticipated impacts on pedestrian and non-motorized traffic volumes shall also be projected. The following specific elements shall be addressed in a required traffic impact study, unless specifically waived by the Planning Commission:

- 1) A narrative summary at the beginning of the report, including, but not limited to:
  - a) The applicant and project name.
  - b) A location maps.
  - c) The size and type of development.
  - d) Generated traffic volumes based on type and size of land use which are compatible with those listed in the Institute of Transportation Engineers – publication, Trip Generation (current edition).
- d. Project phasing identifying the year of development activities per phase and proposed access plan for each phase.
- e. A transportation system inventory, which describes the physical, functional and operational characteristics of the study area highway system and, where appropriate, locate transit services. The description should provide, where pertinent, data on:
  - a) peak-hour volumes (existing and projected)
  - b) number of lanes
  - c) cross-section
  - d) intersection traffic signals and configuration
  - e) traffic signal progression
  - f) percentage of heavy trucks
  - g) adjacent access point locations
  - h) jurisdiction
  - i) grades
- f. Plan showing proposed roadway per phase for each access. Driveway design and roadway improvements shall meet the adopted design standards for the entity with jurisdiction for said roadway.
- g. Capacity analysis shall be performed at each access point. The Village's preference is the use of Highway Capacity Software, (HCS 2000), or a later version thereof. Default values shall not be used when actual values are reasonably available or obtainable. The interaction of conflicting traffic movements shall be addressed in the traffic impact study. Any proposed signalized access within one (1) mile of an existing signalized intersection shall be analyzed in coordination with the existing signal timing.



- 5) Failure to comply with the reporting requirements of Michigan's Firefighters Right to Know Law, or reporting requirements for Extremely Hazardous Substances, shall be deemed to be a violation of an approved Site Plan.

**1214.15 AMENDMENTS & MODIFICATION OF APPROVED SITE PLANS**

The applicant, or applicant's agent, may request a change in an approved site plan. A change in an approved site plan which results in a major change, as defined herein shall require the submission of plan amendment to the Planning Commission. Amendments shall follow the procedures and conditions required for the original plan, and may be approved or denied by the Planning Commission in whole or in part. A change that is not a major change, as defined herein shall not require a revision of the original site plan and may be approved by the Zoning Administrator.

- 1) A request to change an approved site plan shall be made in writing to the Zoning Administrator. The request shall clearly state the reasons for the change. Reasons may be based on considerations such as changing social or economic conditions, improvements in design features, modifications to the site, unforeseen difficulties, or other conditions which would be mutually beneficial to the applicant and the Village.
- 2) The Zoning Administrator shall review the request and notify the applicant and Chairman of the Planning Commission in writing as whether the proposed change is a major change. Major changes to approved site plans include any of the following modifications:
  - a) A change in the overall concept of the applicant or developer.
  - b) A change in the use or character of the development.
  - c) An increase of 2 or more dwelling units.
  - d) An increase of non-residential floor area of 5% or more.
  - e) An increase of 5 or more off-street parking spaces.
  - f) The rearrangement of lots, blocks, and building tracts.
  - g) A change in the location or character of any street.
  - h) A reduction or the relocation in the amount of space set aside for common areas, landscaping, or greenbelts.
  - i) The addition of any structure(s) with a foot print equal to or greater than 200 square feet.



- j) The exterior placement or storage of raw materials, finished product, merchandise, goods for sale, or equipment originally proposed to be located inside a structure.
  - k) The reconfiguration, addition, or deletion of loading and unloading areas.
- 3) All modifications approved by the Zoning Administrator and/or Planning Commission shall be documented during the construction process. Upon the completion of the development, the applicant shall submit a final revised site plan incorporating the changes approved in the process to show a final “as built” representation of the site and structures.

**1214.17 SITE PLAN ESCROW ACCOUNT**

- 1) The Village of Lake Isabella has established a blanket application fee by resolution of the Village Council on all site plan applications. The Village recognizes that certain site plans require outside expert assistance in the review process that at times can be a large out of pocket expense that is above and beyond the typical or average review of a basic site plan.

The Village therefore establishes a reasonable fee to be added to certain site plans for the purpose of covering out of pocket expenses needed in the review process that would be incurred by the Village to ensure the enforcement of all ordinances of the Village.

- 2) In addition to the fixed application fees, all other expenses and costs incurred by the Village which are directly associated with reviewing and processing a zoning application for uses specified in Chapter 1214.03 shall be paid (or reimbursed to the Village) from the funds set aside in an Escrow Account established from the applicant as provided herein. The Village may draw funds from the Escrow Account to reimburse the Village for out-of-pocket expenses incurred by the Village relating to the application. Such reimbursable expenses include, but are not limited to, expenses related to the following.
- 1. Mailing, legal notices and commission member compensation for special Planning Commission meetings and Planning Commission subcommittee meetings.
  - 2. Mailing, legal notices, and Village Council member compensation for special Council meetings and Council committee meetings.

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3. Mailing, legal notices, and Zoning Board of Appeals (ZBA) member compensation for special ZBA meetings.
  4. Services of the Village attorney directly related to the application.
  5. Services of the Village engineer directly related to the application.
  6. Services of the Village Zoning Administrator or Planner directly related to the application
  7. Services of other professionals working for, or under contract by, the Village which are directly related to the application.
  8. Any additional public hearings, required mailings and legal notice requirements necessitated by the application.
- 3) Applications involving the following shall be subject to the Escrow Fund requirements:
1. Site Plan reviews required for Multi-family, Commercial, Industrial or Coldwater Business structures.
  2. Planned Unit Developments
  3. Special Land Use Permits (Except Home Occupations and Daycare)
  4. Plat Approvals
  5. Site Condominiums and Condominiums.
  6. Private Road Approval/Permits
- 4) The escrow fee for each application for uses specified in hereof are established at \$500.00 increments commencing with an initial \$500.00 deposit by the applicant to the Village.
1. The initial \$500.00 escrow fee shall be provided by the applicant to the Village at the time of application (or at other times as necessary following the filing of an application). No application shall be completely processed or submitted to the Planning Commission prior to the required escrow fee having been deposited with the Village.
  2. Any excess funds remaining in the Escrow Account after the application has been fully processed, reviewed, and the final Village decision has been rendered regarding the project will be refunded to the applicant with no interest to be paid on those funds.
  3. At no time prior to the Village's final decision on the application shall the balance in the Escrow Account fall below \$250.00, an additional

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deposit of \$500.00 by the applicant into the Escrow Account shall occur before the application review process will be continued.

4. Additional amounts above \$500.00 may be required to be placed in the Escrow Account by the applicant at the discretion of the Village Council.
- 5) No zoning permit or final Village approval or permit shall be granted for an application until all outstanding out-of-pocket costs and expenses incurred by the Village as a specified above have been reimbursed to the Village from the Escrow Account.
- 6) The Village shall maintain records regarding the Escrow Account in conformance with accepted budgeting and accounting standards, and shall authorize the disbursement of escrow funds in writing.
- 7) If an applicant objects to the amount of escrow funds it must deposit with the Village or how the escrow funds have been applied, the applicant can appeal the Village's determination regarding these matters to the Village Council in writing at anytime during the process or by written object to the Village office no later than 30 days after the final action on the application has been taken by the Village.