

**ARTICLE 19**  
**SITE PLAN APPROVAL**

**SECTION 19.01 WHEN REQUIRED**

An application for site plan approval shall be submitted under the following circumstances:

- A. Whenever site plan approval is required by any provision of this Ordinance.
- B. For any proposed land use, except single-family residential, in which off-street parking areas are required under SECTION 15.01 K, of this Ordinance.
- C. For any land use in an RM, C, OS, PUD, MI, or MHP District laying contiguous to, or across the street from an AR, RR, R1, or R3 District or any existing single-family land use.  
Amended 9/6/2007, Effective 9/19/2007
- D. For all residentially related land uses permitted in AR, RR, R1, PUD or R3 District, such as, but not limited to, churches, schools, and public facilities.  
Effective 6/26/89
- E. For any land use upon lands which have been divided in such a manner that certain pieces thereof are isolated from public road frontage, unless the site in question is a lot lying in a subdivision platted prior to the 1968 Plat Act. This subsection shall not require any additional approval of a site plan on any lot which is a part of a development for which site plan approval has been granted.
- F. For any land use on a parcel within a plat approved by the Planning Commission.
- G. For any land use which may be permitted only by special use permit.

**SECTION 19.02 PRE-APPLICATION CONFERENCE**

Applicants are encouraged to confer informally with the Supervisor and the Planning Commission Chairperson, or a Chair-appointed Planning Commission member, prior to preparing and submitting a formal application for site plan approval.

Amended 8/14/86

**SECTION 19.03 APPLICATION FOR SITE PLAN APPROVAL**

Prior to commencing any construction, an applicant shall submit eight (8) copies of an application for site plan approval to the Zoning Administrator, together with all required fees, maps, and plans. The application shall include a brief statement regarding compliance with each of the standards for approval set forth in this article. The map's land plans shall include the following data, at a minimum:

- A. A fully dimensioned map of the subject site, showing topographical information at contour intervals of no more than two (2) feet.
- B. A vicinity map, indicating land uses and transportation arteries within one thousand (1,000) feet of the perimeters of the subject site.
- C. A site development plan, indicating:
  - 1. The date, north arrow and other necessary identifying marks.
  - 2. The location and height of all existing and proposed structures.
  - 3. The location and dimensions of all existing and proposed roads, marginal access drives, easements, right-of-way, drives, sidewalks, curb openings, signs, exterior lighting, parking areas, and related improvements.
  - 4. The location of all proposed landscaping, fences or walls.
  - 5. The location and size of all existing and proposed surface water and water drainage facilities.
  - 6. Size and location of existing and proposed utilities, wells, septic systems, and related improvements.
  - 7. The location of any regular outdoor storage facilities and the manner in which they are proposed to be screened or covered.
  - 8. The locations, sizes and types of existing trees over six (6) inches in diameter and of proposed trees (before and after development).
  - 9. The location of wetlands and flood plains.
  - 10. Types of soils present on the site, indicated on a separate map or overlay at the same scale as the proposed site plan.
- D. Disposal and storage of toxic or dangerous materials. Require the filing of plan for manufacture, storage, use, disposal, spillage containment and clean-up. The plan shall be approved by the Planning Commission, the Township Board and any other agency as determined by Oceola Township. The plan must contain adequate protection of the area environment. Any changes in an approved plan shall be approved by Oceola Township Planning Commission and the Oceola Township Board.
- E. Submission of items listed in subsection (3) may be waived by the Planning Commission in an instance where the Planning Commission finds that they are not relevant.

**SECTION 19.04 DUTIES OF ZONING ADMINISTRATOR**

Under this Article, it shall be the duty and responsibility of the Zoning Administrator to:

- A. Receive applications for site plan approval and required fees, and sign and date applications received, indicating receipt of required fees.
- B. Contact the Chairman of Planning Commission to place the application for site plan approval on the Planning Commission.
- C. At least one week prior to the meeting at which the application is to be considered by the Planning Commission, deliver or arrange to be delivered copies of the application to each member of the Planning Commission.

- D. Upon receipt of approved site plan, grant a land use permit in accordance therewith.
- E. At intervals of three (3) months or less following preliminary approval by the Township Board, inspect the subject site and submit a written report to the Planning Commission concerning progress and compliance.
- F. Following completion of construction by the applicant, inspect the subject site and submit a written report to the Planning Commission concerning compliance with the conditions of preliminary approval.

**SECTION 19.05 DUTIES OF THE PLANNING COMMISSION**

Under this Article, it shall be the duty and responsibility of the Planning Commission to:

- A. Review all applications for site plan approval and make recommendations to the Township Board concerning compliance with each of the standards of approval.
- B. Recommend appropriate changes to the site plan or conditions upon which the site plan should be approved.
- C. Recommend whether a performance guarantee will be necessary to assure completion of planned improvements on the subject site.
- D. Transmit the recommendations approved by a majority vote of the Planning Commission to the Township Board for approval.
- E. Review periodic inspection reports submitted by Zoning Administrator, and recommend action to Township Board if necessary.
- F. Review final report of Zoning Administrator following completion of construction by the applicant, and recommend to Township Board whether conditions of preliminary approval have been satisfied.

**SECTION 19.06 DUTIES OF THE TOWNSHIP BOARD**

Under this Article, it shall be the duty and responsibility of the Township Board to:

- A. Review applications for site plan approval, together with Planning Commission recommendations, and determine whether the standards of approval will be satisfied.
- B. If the standards of approval are satisfied by the application for site plan approval, or may be satisfied after certain changes or with certain conditions, the Township Board shall grant preliminary approval to the site plan as applied for, or with changes or conditions, as the case may be.
- C. If the Township Board finds that the standards of approval will not be satisfied, even with changes or with conditions, the Township Board shall deny the application for site plan approval.
- D. If the Township Board determines that a performance guarantee is necessary to assure completion of planned improvements on the subject site, it shall order that a performance guarantee in an appropriate form and amount be posted as a condition to site plan approval.
- E. Review any recommendation for action proposed by the Planning Commission pursuant to this Article.
- F. Upon completion of construction on the subject site, review the final report of the Zoning Administrator and the recommendations of the Planning Commission and determine whether applicant has fully complied with the approved site plan and any conditions.

- G. Take any action necessary to assure that necessary improvements incidental to an approved site plan are completed as approved.
- H. Grant final site plan approval, upon the finding that construction on the subject site has been completed in accordance with the approved site plan.

**SECTION 19.07 STANDARDS FOR APPROVAL**

No site plan shall be approved pursuant to this Article unless the Township Board finds that each of the following standards is satisfied:

- A. The site plan shall conform to all applicable sections of this Ordinance and to applicable State and Federal laws.
- B. The site plan shall protect, promote and enhance the public health, safety, convenience, and general welfare with respect to:
  - 1. Placement of driveways, roads or pedestrian walkways.
  - 2. Vehicular circulation within the subject site, as it relates to adjacent properties and roadways.
  - 3. Acceleration and deceleration lanes to enter roadways.
  - 4. Elimination or protection of attractive nuisances.
  - 5. Ready access for emergency vehicles.
  - 6. Adequate drainage.
  - 7. Adequate lighting of public areas, where needed.
  - 8. Visibility along and upon traffic ways.
  - 9. Available water supply.
  - 10. A plan has been submitted that meets requirements of 19.03 D.
  - 11. Marginal access drives (roads parallel to main thoroughfares to separate local from through traffic).
  - 12. Location and screening of solid waste receptacle areas.
- C. The site plan shall provide satisfactory and harmonious relationships between the development on the subject site and existing and prospective development of contiguous land and adjacent neighborhoods. This standard is satisfied if each of the following criteria is satisfied:
  - 1. The site is adequately landscaped and/or fenced to shield offensive elements and to provide a harmonious buffer to adjacent properties.
  - 2. The site layout is designed to protect property values of adjacent properties and the general neighborhood.
  - 3. Adequate provisions are made to protect adjacent properties from unnecessary noise.
  - 4. Pedestrian and vehicular traffic and parking patterns are designed to prevent unnecessary disturbance to adjacent property owners and the general neighborhood.
- D. The site plan shall provide maximum preservation of natural features and sensitive environmental areas, including major tree stands, unstable soils or wet areas.

**SECTION 19.08 PERFORMANCE GUARANTEES**

- A. Improvements: As used in this section, "improvements" means those features and actions associated with a project which the Township Board considers necessary to protect natural resources, for the health, safety, and welfare of the residents of the Township and future users or inhabitants of the subject site and surrounding area, including roadways, lighting, utilities, sidewalks, screening, and drainage.
- B. When Required: To ensure compliance with the Zoning Ordinance, with any conditions imposed pursuant to site plan approval, and to ensure faithful completion of any improvements, the Township Board may require that a cash deposit, certified check, irrevocable bank letter of credit, or surety bond acceptable to the Township Board, covering the estimated costs of improvements associated with the project for which site plan approval is sought to be deposited with the Township Clerk. Such performance guarantee shall be deposited at the time of the issuance of the land use permit.
- C. Rebates: In any case where a performance guarantee has been submitted in the form of a cash deposit, a portion of such deposit shall be rebated to the applicant in reasonable proportion to the ratio of work completed on the required improvements as work progresses. The ratio of work completed shall be determined by the Zoning Administrator during his periodic inspection. Performance guarantees in any form other than cash deposits shall be returned to the applicant only after completion of construction and final site plan approval by the Township Board.

**SECTION 19.09 FEES**

Required fees under this article shall be prescribed by the Township Board in the duly enacted "Schedule of Fees."

**SECTION 19.10 CONSTRUCTION OF ARTICLE**

The provisions of this article shall be construed to be in addition to any other requirements or provisions of this Ordinance, of other Township Ordinances, or of State or Federal law.