

# EMMETT TOWNSHIP

## APPLICATION FOR SITE PLAN APPROVAL

In accordance with the Emmett Township Zoning Ordinance, Application for site plan approval is hereby submitted to the **planning commission**. **6** copies of this application and all required drawings shall be submitted to the Township Clerk at least 21 days prior to the next regular planning commission meeting.

1. Applicant's Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone No. \_\_\_\_\_  
E-Mail \_\_\_\_\_
2. Name of proposed development, if any \_\_\_\_\_
3. Common Description of the property  
\_\_\_\_\_  
\_\_\_\_\_
4. Complete Legal Description (attach or make part of site plan)
5. Existing Zoning \_\_\_\_\_; Zoning of surrounding property  
\_\_\_\_\_
6. Proposed use of land/Site Plan Approval being requested:  
\_\_\_\_\_  
\_\_\_\_\_
7. Site Plan Prepared by:
  - a. Name: \_\_\_\_\_
  - b. Address: \_\_\_\_\_
  - c. Phone: \_\_\_\_\_ Fax: \_\_\_\_\_
8. Reasons supporting this request and demonstrating compliance with standards is as follows \_\_\_\_\_  
\_\_\_\_\_

9. If you are not the legal owner, state your basis of your interest or representation (attorney, planner, architect, option purchaser, etc.) and state the name, address and phone number of owner \_\_\_\_\_  
\_\_\_\_\_

10. Attach title commitment verifying ownership

11. Any other pertinent information you wish the Planning Commission to be aware of:  
\_\_\_\_\_  
\_\_\_\_\_

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The undersigned represents and warrants that the foregoing statements, answers, and accompanying information are true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Applicant

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Legal Owner or Agent or  
attach written consent of Owner; if by  
Agent, attach Agent's written authorization  
from owner

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The above Site Plan Application was **APPROVED** \_\_\_\_\_ **DENIED** \_\_\_\_\_ by a vote of the **Emmett Township Planning Commission** at a meeting held on \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Planning Commission Chairperson

APPLICATION FEE \$500.00 payable to

EMMETT TOWNSHIP  
11100 Dunnigan Road  
Emmett, MI. 48022

Paid on: \_\_\_\_\_

Check No: \_\_\_\_\_

***Emmett Township Planning Commission Site Plan Checklist***

Site Plan Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

Property Number: \_\_\_\_\_ Property Address: \_\_\_\_\_

***Standards for Review and Approval***

- Letter of Intent**  **Business Plan**
- Arrangement of Structures**: Site plans shall demonstrate that buildings, parking areas, signs, walls, fences, and the like are designed to minimize adverse affects on development users and the occupants of adjacent properties.
- Natural Features**: Site plans shall demonstrate that as many natural features as possible have been retained, particularly where such features provide a buffer between adjoining properties or assist in preserving the general appearance of the neighborhood or help control soil erosion or storm water.
- Vehicular and Pedestrian Traffic**: Site plans shall fully conform to the driveway and traffic standards of the St. Clair County Road Commission. Further, the site plan shall demonstrate that there is a proper relationship between existing and proposed roadways, parking areas, and that the safety and convenience of pedestrian and vehicular traffic has been assured.
- Public Safety**: Site plans shall fully conform with the applicable fire safety and emergency vehicle access requirements of the township building code.
- Drainage**: Site plans shall fully conform to the St. Clair County Drain Commission standards.
- Erosion**: Site plans shall fully conform to the St. Clair County requirements.
- Hazardous Waste Management**: Site plans shall demonstrate that reasonable precautions will be taken to prevent hazardous materials from entering the environment.
- Public Health**: Site plans shall fully conform to the requirements of the Michigan Department of Public Health and the St. Clair County Health Department.
- Statutory Compliance**: Site plans shall fully conform to all applicable state and federal statutes.
- Special Requirements**: The Planning Commission may further require landscaping, fences, screen walls and retaining walls in pursuance of these objectives and same shall be provided and maintained as a condition of the establishment and the continued maintenance of any use to which they are appurtenant.
- Special Exemptions**: The Planning Commission may waive site plan information for topography, vegetation, soils, landscaping, employment data, environmental considerations, etc., when such concerns are obviously not pertinent to the proposed development.

**Official Actions**

- Approval**: If the site plan meets all the requirements of the Zoning Ordinance, the Planning Commission may approve the site plan. The Supervisor shall sign three copies of the final site plan, filing two with the official site plan file and one with the applicant.
- Approval with Conditions**: If minor corrections to the site plan are necessary to meet all the requirements of the Zoning Ordinance, the Planning Commission may approve the site plan and record the conditions of approval. The Supervisor shall sign three copies of the site plan, filling two with the official site plan file and one with the applicant.
- Denial**: If the site plan does not meet all the requirements of the Zoning Ordinance, the Planning Commission may deny the application and record the reasons for their denial.
- Postpone**: If the site plan does not meet the requirements of the Zoning Ordinance, the Planning Commission may postpone action on the site plan to allow time for additional study and/or site plan revisions.

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## **Article 13**

### **Site Plan Review Procedures**

#### ***Section 13.01 Purpose***

It is the purpose of this Article to specify the data requirements and procedures for the review of site plans.

#### ***Section 13.02 Approval of Site Plan Required***

1. **Review and Approval Authority:** Upon recommendation of the Planning Commission, the Township Board shall have the authority to approve site plans subject to the requirements of this Ordinance.
2. **Conditions Requiring Site Plan Review:** Site plan approval shall be required prior to the establishment of any new use, addition to an existing use, or the erection of any structure in any zoning district and for all permitted principal uses and structures in all zoning districts (except for the single-family detached and two-family dwellings and their accessory uses and bona fide agricultural operations and their accessory uses and buildings) and all special land uses in all zoning districts.
3. **Land Clearing:** No person shall undertake any activity such as grading, clearing, cutting and filling, excavating, or tree removal in preparation for a use or structure which requires site plan approval until the proposed use or structure is authorized by a building permit.

#### ***Section 13.03 Data Required***

1. **General Requirements:** Application for site plan approval shall be made to the Township Clerk by filing an official application form; submitting six (6) copies of the required site plan and any other supporting documentation; and depositing the required fees.
2. **Specific Requirements:** The following data shall be included on the site plan:
  - a. The names, addresses and telephone numbers, of the owners and developers.
  - b. The names, addresses, telephone numbers, and professional seal of the architect, planner, designer, engineer or person responsible for the preparation of the site plan.
  - c. A written statement which describes the characteristics of the development. For residential developments, the project description shall describe the number of dwelling units, bedrooms, carports or garages, and the type and amount of recreational open space. For nonresidential developments, the project description shall describe the intended use, hours of operation, the gross and useable floor areas in square feet, and the number of employees per shift.
  - d. Plan date, north arrow and scale. The scale shall be not less than 1 inch equals 50 feet for property under 2.5 acres and at least 1 inch equals 100 feet for property 2.5 acres or more.
  - e. A site data chart which compares the existing and proposed improvements to the lot area, setback, height and lot coverage requirements of the zoning district and the off-street parking and landscape requirement calculations.
  - f. Location of natural features such as, but not limited to, woodlots, streams, floodplains, county drains, lakes, ponds, and existing topography at 10-foot intervals within 100 feet of the site.
  - g. Location and dimensions of existing structures within 100 feet of the site including notation as to which on-site structures will be retained and which will be removed or altered.
  - h. Location and dimensions of proposed structures, including building elevations and floor plans.
  - i. Location and dimensions of existing public rights-of-way (including paving material), private roads, or access easements of record.

- j. Location and dimensions of proposed rights-of-way, acceleration/deceleration lanes, driveways, parking spaces, maneuvering lanes, loading areas, and sidewalks. Proposed traffic control measures and proposed street names shall also be indicated.
  - k. Location of existing and proposed utilities, water mains, wells, fire hydrants, sewers, septic fields, storm drains, as well as any easements that exist or are proposed to be established for the installation, repair, or maintenance of utilities.
  - l. Location and dimension of exterior drains, dry wells, catch basins, retention and/or detention areas, sumps, and other facilities designed to collect, store or transport storm water or wastewater as well as point of discharge.
  - m. Proposed location of signs, trash receptacles, light fixtures, and any other accessory structures and uses.
  - n. Typical straight cross-sections including slope, height, and width of any berms and type of ground cover, and height and type of construction of any wall or fence, including footings.
  - o. Location, spacing, type and size of proposed plant materials.
  - p. Location and specifications for any existing or proposed storage of any chemicals, salts, flammable or hazardous materials as well as any required containment structures or clear zones.
  - q. Any other information deemed necessary to determine if the proposed site plan conforms to the requirements of this Ordinance.
3. The site plan data requirements for family day care operations are limited to those listed in subsection 2, paragraphs a, g, and e above.

***Section 13.04 Standards for Review and Approval***

Each site plan shall conform to the applicable provisions of this Ordinance and the standards listed below.

- 1. Arrangement of Structures: Site plans shall demonstrate that buildings, parking areas, signs, walls, fences, and the like are designed to minimize adverse affects on development users and the occupants of adjacent properties.
- 2. Natural Features: Site plans shall demonstrate that as many natural features as possible have been retained, particularly where such features provide a buffer between adjoining properties or assist in preserving the general appearance of the neighborhood or help control soil erosion or storm water.
- 3. Vehicular and Pedestrian Traffic: Site plans shall fully conform to the driveway and traffic standards of the St. Clair County Road Commission. Further, the site plan shall demonstrate that there is a proper relationship between existing and proposed roadways, parking areas, and that the safety and convenience of pedestrian and vehicular traffic has been assured.
- 4. Public Safety: Site plans shall fully conform with the applicable fire safety and emergency vehicle access requirements of the township building code.
- 5. Drainage: Site plans shall fully conform to the St. Clair County Drain Commission standards.
- 6. Erosion: Site plans shall fully conform to the St. Clair County requirements.
- 7. Hazardous Waste Management: Site plans shall demonstrate that reasonable precautions will be taken to prevent hazardous materials from entering the environment.
- 8. Public Health: Site plans shall fully conform to the requirements of the Michigan Department of Public Health and the St. Clair County Health Department.
- 9. Statutory Compliance: Site plans shall fully conform to all applicable state and federal statutes.

10. The Planning Commission may further require landscaping, fences, screen walls and retaining walls in pursuance of these objectives and same shall be provided and maintained as a condition of the establishment and the continued maintenance of any use to which they are appurtenant.
11. The Planning Commission may waive site plan information for topography, vegetation, soils, landscaping, employment data, environmental considerations, etc., when such concerns are obviously not pertinent to the proposed development.

### ***Section 13.05 Official Actions***

The Planning Commission shall review the site plan and shall make the decision to either approve, approve with conditions, disapprove or postpone decision on the site plan.

1. **Approval:** If the site plan meets all the requirements of the Zoning Ordinance, the Planning Commission may approve the site plan. The Supervisor shall sign three copies of the final site plan, filing two with the official site plan file and one with the applicant.
2. **Approval with Conditions:** If minor corrections to the site plan are necessary to meet all the requirements of the Zoning Ordinance, the Planning Commission may approve the site plan and record the conditions of approval. The Supervisor shall sign three copies of the site plan, filling two with the official site plan file and one with the applicant.
3. **Denial:** If the site plan does not meet all the requirements of the Zoning Ordinance, the Planning Commission may deny the application and record the reasons for their denial.
4. **Postpone:** If the site plan does not meet the requirements of the Zoning Ordinance, the Planning Commission may postpone action on the site plan to allow time for additional study and/or site plan revisions.

### ***Section 13.06 Site Plan Amendments***

1. **General Requirements:** Site plan amendments shall be reviewed and approved in the same manner as the original submittal. Site plan amendments require the mutual consent of the landowner and the Planning Commission. Minor site plan amendments, as defined in this Section, may be made by the Planning Commission without requiring a public hearing.
2. **Minor Site Plan Amendments:** Minor site plan amendments shall be limited to the following site plan changes:
  - a. Moving walls within the confines of the approved building footprint because of a natural impediment such as soil conditions or subsurface geology.
  - b. Moving the ingress and egress drive a distance up to 50 feet, if required by the St. Clair County Road Commission.
  - c. Substituting a landscape material provided that the substituted species is of a similar nature and quality.
  - d. Changing the location and/or design of exterior light fixtures provided that there will be no change in the intensity of site lighting and the location conforms to the requirements of this Ordinance.
  - e. Changing the dimensions or location of approved signage provided that the sign conforms to the requirements of this Ordinance.

- f. Altering the location of an accessory structure that is less than 100 square feet in area provided that the location does not encroach on any approved parking, loading, or landscape areas and otherwise conforms to the requirements of this Ordinance.
  - g. Changing the height and/or material of fencing provided that the height conforms to the requirements of the Ordinance and that any substituted material is similar in character and quality.
3. Approval Required: A site plan amendment shall be approved if the Township Board finds that the change will not adversely affect the initial reasons for granting approval.

### ***Section 13.07 Review of Condominium Projects***

1. Required Review: Prior to the recording of a master deed and exhibits for a new condominium subdivision, the developer shall submit the master deed and exhibits for review and approval according to the requirements of this Article. Prior to the recording of a master deed and exhibits for the conversion or expansion of an existing condominium subdivision, the developer shall submit the master deed and exhibits for review and approval.
2. Conformance to Ordinance Requirements: All principal buildings and/or accessory structures within a condominium subdivision shall comply, to the extent applicable, with the regulations of this Ordinance.
3. Conformance to County Road Commission Requirements: All streets within a condominium subdivision shall be designed and constructed in accordance the then current standards and specifications of the St. Clair County Road Commission, or the Township Private Road Ordinance (Section 15.15), whichever is greater.
4. Dedication of Public Utility Easements: The condominium subdivision shall provide for the dedication of easements to the appropriate public agencies for the purposes of construction, operation, maintenance, inspection, repair, alteration, replacement and/or removal of pipelines, conduits, mains and other installations of a similar character for the purpose of providing public utility services, including conveyance of sewage, potable water and storm water runoff across, through and under the property subject to said easement, and excavation and refilling of ditches and trenches necessary for the location of such installations.
5. Monumentation Required: All condominium subdivisions which consist in whole or in part of condominium units which are building envelopes shall be marked with monuments as required below.
  - a. Monuments shall be located in the ground and made according to the following requirements, but it is not intended or required that monuments be placed within the traveled portion of a street to mark angles in the boundary of the condominium project if the angle points can be readily reestablished by reference to monuments along the sidelines of the streets.
  - b. All monuments used shall be made of solid iron or steel bars at least one-half inch in diameter and 36 inches long and completely encased in concrete at least 4 inches in diameter.
  - c. Monuments shall be located in the ground at all angles in the boundaries of the condominium project; at the intersection lines of streets with the boundaries of the condominium project and at the intersection of alleys with the boundaries of the condominium project; at all points of curvature, points of tangency, points of compound curvature, points of reverse curvature and angle points in the side lines of streets and alleys; and at all angles of an intermediate traverse line.
  - d. If the required location of a monument is in an inaccessible place, or where the locating of a monument would be clearly impracticable, it is sufficient to place a reference monument nearby and the precise location thereof be clearly indicated on the condominium project and referenced to the true point.
  - e. If a point required to be monumented is on a bedrock outcropping, a steel rod, at least one-half inch in diameter, shall be drilled and grouted into solid rock to a depth of at least 8 inches.
  - f. All required monuments shall be placed flush with the ground where practicable.
  - g. All building envelope corners shall be monumented in the field by iron or steel bars or iron pipes at least 18 inches long and one-half inch in diameter or other approved markers.

- h. The Planning Commission may waive the placing of any of the required monuments and markers for a reasonable time, not to exceed one year, on the condition that the proprietor deposits with the Township cash, a certified check or irrevocable bank letter of credit naming the municipality in an amount sufficient to cover any cost associated with the monumentation. The performance guarantee shall be returned to the proprietor upon receipt of a certificate by a surveyor that the monuments and markers have been placed as required within the time specified.
6. Drawings of Record: Upon completion of required improvements, the developer shall submit drawings of record, certified by a surveyor or engineer, to the Building Official. All submitted drawings of record shall be on a mylar sheet of at least 13 inches by 16 inches. In the case of a condominium subdivision, the developer shall provide 2 copies of the recorded master deed and any exhibits.

### ***Section 13.08 Review of Wireless Telecommunication Uses***

1. Application Requirements: In addition to the applicable requirements of Article 12.00, Special Land Use Procedures, the following information shall be provided in support of an application to construct a wireless telecommunication facility:
  - a. Certification from a Michigan licensed professional engineer as to the manner in which the proposed wireless telecommunication tower is designed to collapse.
  - b. A report that addresses the review criteria contained in subsection 2.1., below. This report shall include a map depicting the existing and known proposed location of wireless telecommunication facilities, including wireless telecommunication antenna attached to alternative tower structures, within Emmett Township as well as within the proposed service area radius. Known proposed locations shall include, at minimum, pending telecommunication facility applications in adjacent communities, approved telecommunication facility applications in adjacent communities which have not yet been constructed, and sites which are a part of the applicant's long-term network development plan.
  - c. The name, address, and telephone number of the person to contact regarding site maintenance or other notification purposes. This information shall be periodically updated by the facility owner.
  - d. A statement that indicates the applicant's intent to allow the co-location of other antenna, provided that the cost of modifying the existing tower is borne by the co-locating entity and reasonable compensation is paid by the co-locating entity.

In support of this statement, the applicant will send written notice to all potential entities offering an opportunity for co-location. Copies of the notifications shall be submitted to the Township at the time a land use permit is requested.
2. Review Criteria: A wireless telecommunication facility shall not be approved unless it can be demonstrated by the applicant that there is a need for the facility which cannot be met by placing wireless telecommunication antenna on an existing tower or other suitable structure, or replacement of an existing tower:
  - a. No existing towers or alternative tower structures have the structural capacity to support the proposed antenna nor can existing towers or alternative tower structures be reinforced to support the proposed antenna.
  - b. No existing towers or alternative tower structures are located within the geographic area that meets the systems engineering requirements.
  - c. The cost of using an existing tower or other suitable structure or replacing an existing tower exceeds the cost of constructing a new wireless telecommunication facility.
  - d. The installation or use of an alternative communication technology is unsuitable or infeasible.
3. Removal of Abandoned Facilities: Any wireless telecommunication tower or antenna that is not operated for a continuous period of 12 months shall be considered abandoned and the owner of such tower or antenna shall



remove the same within 90 days of receiving an abandonment notification from the Township. Failure to remove an abandoned tower or antenna within 90 days shall be grounds for the Township to remove the tower or antenna at the owner's expense. The Planning Commission may require the applicant to post a bond in an amount equal to the reasonable cost of removal for the tower and/or antenna. If a bond is to be required, the Planning Commission shall include the requirement as a condition of approval.

4. Addition or modify to existing wireless telecommunication towers refer to Section 13.03 Data Required

### ***Section 13.09 Review of Radio and Television Towers***

1. Application Requirements: In addition to the applicable requirements of Article 12.00, Special Land Use Procedures, the following information shall be provided in support of an application to construct a wireless telecommunication facility:
  - a. Certification from a Michigan licensed professional engineer as to the manner in which the proposed wireless telecommunication tower is designed to collapse.
  - b. The name, address, and telephone number of the person to contact regarding site maintenance or other notification purposes. This information shall be periodically updated by the facility owner.
2. Review Criteria: A tower shall not be approved unless the applicant can demonstrate that there is a need for the facility that cannot be met by other means, such as replacement of an existing tower:
3. Removal of Abandoned Facilities: Any wireless telecommunication tower or antenna that is not operated for a continuous period of 12 months shall be considered abandoned and the owner of such tower or antenna shall remove the same within 90 days of receiving an abandonment notification from the Township. Failure to remove an abandoned tower or antenna within 90 days shall be grounds for the Township to remove the tower or antenna at the owner's expense. The Planning Commission may require the applicant to post a bond in an amount equal to the reasonable cost of removal for the tower and/or antenna. If a bond is to be required, the Planning Commission shall include the requirement as a condition of approval.

### ***Section 13.10 Performance Guarantees***

To ensure compliance with the Zoning Ordinance requirements and any conditions imposed thereunder, the Planning Commission may require the deposit of a performance guarantee.

1. Form: A performance guarantee shall be in the form of a cash deposit, certified check, irrevocable bank letter of credit or surety bond in the amount of the estimated cost of the approved site improvements. The Township shall have the right to determine the form of the performance guarantee.
2. Deposit: The performance guarantee shall be deposited with the Township prior to the issuance of a building permit. Upon receipt of the performance guarantee, the Township shall deposit the performance guarantee, if in the form of a cash deposit or certified check, in an interest bearing account.
3. Return: Upon satisfactory completion of the improvements for which the performance guarantee was required, as determined by the Building Official, the Township shall return to the applicant the performance guarantee deposited and any accrued interest.
4. Completion of Improvements: In the event the applicant fails to make the improvements for which the performance guarantee was required within the time period established by the Township, the Township shall have the right to use the performance guarantee and any accrued interest to complete the improvements. If the performance guarantee is not sufficient to allow the Township to complete the improvements for which it was posted, the applicant shall be required to pay the Township the amount by which the cost of completing the improvements exceeds the amount of the performance guarantee deposited. Should the Township use all or a portion of the performance guarantee to complete the required improvements, any amounts remaining after the improvements are made shall be applied first to cover the Township's administrative costs related to the completion of the improvements, with the balance being refunded to the applicant.
5. Performance Guarantees Required by Other Agencies: If the applicant has been required to post a performance guarantee with another governmental agency other than the Township to ensure the completion of an

improvement associated with the approved site plan, the applicant shall not be required to deposit with the Township a performance guaranteed for that specific improvement.

6. Performance Guarantee Agreement: At the time the performance guarantee is deposited with the Township and prior to the issuance of a building permit, the applicant and Township shall enter into an agreement incorporating the provisions of this Section.

#### ***Section 13.11 Validity and Revocation of Site Plan Approval***

1. Validity of Approval: An approved site plan shall be valid for a period of 12 months from the date of issuance of the land use permit. If construction has not commenced and proceeded meaningfully toward completion by the end of this period, the Building Official shall notify the applicant in writing of the expiration of said permit; provided, however, that the Township Board may waive or extend the period of time in which the permit is to expire if it is satisfied that the owner or developer is maintaining a good faith intention to proceed with construction.
2. Permit Revocation: The Township Board shall have the authority to revoke site plan approval following a hearing, if construction of the approved improvements does not proceed in conformance with the approved site plan. Upon discovery of a violation, the Building Official may issue a stop work order and a notice to appear for a hearing before the Township Board. Notice of the hearing date shall be provided to the applicant no less than 10 days prior to the date of the meeting.

#### ***Section 13.12 Fees***

An application fee shall be established by resolution of the Township Board. Before issuance of a building permit, any costs incurred by the Township shall be paid for by the applicant.