

**ARTICLE 21**  
**SITE PLAN REVIEW PROCEDURES**

**Section 21.01 Application**

1. Prior to the establishment of a new use, change of use, addition to an existing use, or the erection of any structure in any zoning district, subject to the conditions listed below, a site plan shall be submitted and approved, approved with conditions, or disapproved by the Planning Commission or Zoning Administrator in accordance with the requirements of this Article.

a. The Planning Commission shall review all site plans for all permitted principal uses and structures over 11,999 (eleven thousand nine hundred and ninety-nine) square feet and where this Ordinance does not specifically list the Zoning Administrator having site plan review authority.

Site plan reviews may be performed concurrently with special land use permit approval.

b. The Zoning Administration shall review site plans for uses and structures that meet the following criteria:

- 1) No variances to the Ordinance are required.
- 2) The proposed construction does not cause the total building gross floor area (including multiple stories) to exceed 11,999 (eleven thousand nine hundred and ninety-nine square feet).
- 3) This zoning ordinance specifically states that the Zoning Administrator has site plan review authority.

The Zoning Administrator may refer a project to the Planning Commission for site plan approval when desired.

Nothing in this section shall be deemed to diminish the applicant from meeting all the applicable standards in this ordinance.

c. Every site plan submitted for review shall be in accordance with the requirements of this Ordinance. Administrative review procedures are not intended to modify any ordinance, regulation, or development standard. The Zoning Administrator shall notify the Planning Commission of all site plans in the process or scheduled for administrative review.

d. The decision of an administrative review or site plan review may be

- appealed to the Planning Commission.
2. The Planning Commission by majority vote of its total membership may recommend revoking the Zoning Administrator's ability to review and issue land use permits (excepting single family detached and two-family dwellings and their accessory structures) to the Township Board for transgressions. The Township Board upon holding a hearing shall approve or deny the Planning Commission's recommendation. The Planning Commission will assume the responsibility for Administrative reviews upon revocation of the Zoning Administrators duties.
    - a. For those cases requiring site plan review solely as a result of building re-occupancy, site plan review procedures may be modified, at the discretion of the Zoning Administrator, to provide for an administrative review by the Zoning Administrator in lieu of a formal review by the Planning Commission. The Zoning Administrator may conduct an administrative review, provided all of the following conditions are met:
      - 1) No variances to the ordinance are required.
      - 2) Such use is conducted within a completely enclosed building.
      - 3) Re-occupancy does not create additional parking demands beyond ten (10) percent of that which exists.
      - 4) Re-occupancy will not substantially alter the intended character of the site and/or the use is permitted in the zoning district.

### **Section 21.02 Required Data**

1. A site plan shall consist of an overall plan for the entire development. Sheet size shall be at least twenty-four (24) by thirty-six (36) inches with the plan drawn to a scale of not less than one (1) inch equals fifty (50) feet for property under three (3) acres, and at least one (1) inch equals one hundred (100) feet for properties (3) acres or more. Twelve (12) complete sets shall be submitted for Planning Commission review. Two (2) complete sets and one (1) 11 X 17 sized set is required for Administrative review.
2. All site plans with the exception of single-family residential, two-family residential and agricultural uses shall be prepared and sealed by a professional engineer or surveyor and shall be clear and legible. This requirement may be waived by the Zoning Administrator for site plans receiving administrative review solely as a result of building re-occupancy or minor improvement.
3. Site plans shall contain the following information:
  - a. The name and firm address of the professional land surveying civil engineering or architectural firm(s) or person(s) in the case of building re-

occupancy, responsible for the preparation of the site plan.

- b. The name and address of the petitioner and property owner, if different.
- c. Date of preparation, revision dates, north arrow, and scale.
- d. Location of the development drawn at a scale of one (1) inch equal two thousand (2,000) feet with north point indicated. This location map shall depict the proposed development site, as well as all section lines and number, major roadways, and other significant area features.
- e. All lot and/or property lines, lot and easement dimensions, and a legal description of the lot. Required yard setbacks shall also be depicted and dimensioned on the plan.
- f. The location and height of all existing and proposed structures on and within one hundred (100) feet of the subject property and the names of all abutting properties within one hundred (100) feet of the subject property.
- g. The location and dimensions of all existing and proposed drives, sidewalks, curb openings, signs, exterior lighting, trash receptacles, parking areas (including dimensions of a typical parking space), unloading areas, and natural features.
- h. The location, pavement type, and right-of-way width of all abutting roads, roads, or alleys.
- i. The location and dimensions of all greenbelts, berms, fences, and and/or walls.
- j. Size and location of existing and proposed utilities including proposed connections to public sewer or water supply systems, and location of all fire hydrants.
- k. Size and location of all surface drainage facilities.
- l. Proposed building elevations and floor plan *for all structures except for single family*. (Amendment 104-05-08-01; Effective April 26, 2008)
- m. For multiple-family development site plans, there shall be shown typical elevation views of the front and side of each type of building proposed, as well as typical dimensioned floor plans for each type of dwelling unit.
- n. Site data chart comparing the existing and proposed improvements with the schedule of regulations for the appropriate zoning district, as well as parking and landscape requirement calculations.

- o. A summary schedule should be affixed, if applicable, which gives the following data:
    - 1) The number of dwelling units proposed, including the number, size, and location of one-bedroom units, two-bedroom units, mobile home sites, etc.
    - 2) The residential area of the site in acres and in square feet, including the breakdowns for any subareas or staging areas (excluding all existing rights-of-way).
  - p. Location and function of both developed and undeveloped open spaces, as well as the layout of facilities to be included on developed open spaces.
  - q. Depiction of major wooded areas and description of how they will be preserved.
  - r. Site grading plans.
  - s. Landscaping plans.
  - t. Description of the areas to be preserved in a natural state.
  - u. Existing and proposed contour shall be shown on all site plans as may be required by the Township Engineer or Zoning Administrator.
  - v. Additional Required Information: The following information shall be submitted if requested by the Zoning Administrator:
    - 1) A landscape plan identifying trees twelve (12) inches or larger in caliper.
    - 2) A description of all exterior building materials.
    - 3) Population profile for the development.
    - 4) Proposed financing.
    - 5) Traffic Impact Study.
3. In lieu of the site plan data requirements enumerated above, the following

information is required for those site plans receiving administrative review solely as a result of building re-occupancy or minor improvement.

- a. An accurate description of the subject property.
  - b. A description of the proposed use including number of employees, nature of the proposed use, floor plan sketch, and other general information describing the use.
  - c. A description of existing and proposed parking serving the site, including parking area improvements (paving, landscaping, etc.), existing and contemplated.
  - d. A description of existing and proposed landscaping, sidewalks, and other site amenities.
  - e. A description of buffering (i.e., berms, walls, greenbelts) between the use and adjacent residential properties both existing and proposed.
  - f. A description of site ingress and egress both existing and proposed.
  - g. Any other information as required by the Zoning Administrator that will assist in evaluating the new use.
4. The requirements of this section are basic to all uses that require site plan approval. In addition, all site plans must demonstrate conformance with the applicable development requirements contained elsewhere in this Ordinance, such as off-road parking, loading, landscaping, unless specific requirement of this Zoning Ordinance is waived or modified by the decision making body as provided in this Ordinance.

### **Section 21.03 Standards for Approval**

(Amendment 104-05-08-05, Effective January 29, 2009)

A site plan shall be reviewed and approved by the Planning Commission upon finding that the following conditions are met:

1. That the proposed use will not be detrimental to the adjacent property or the surrounding neighborhood, including properties located in adjacent municipalities.
2. *For all roads governed under this Ordinance, there shall be a proper relationship between existing roads and highways and proposed deceleration lanes, service drives, ingress and egress drives, and parking areas to assure the safety and convenience of pedestrian and vehicular traffic. Public roads are not governed by this Ordinance.*
3. That buildings, structures, parking areas, utility areas, walls, and fences are so

designed and located to minimize the adverse effects of such development on users of such development and occupants of adjacent properties.

4. That any adverse effects of the proposed development and activities which will impact adjoining occupants or owners shall be minimized by appropriate landscaping, fencing, or other screening.
5. That as many natural landscape features as possible are retained, particularly where they provide a barrier or buffer between the development and adjoining properties used for dissimilar purposes, and where they assist in preserving the general appearance of the neighborhood.
6. The proposed development provides for the proper development of public utilities and infrastructure.
7. All buildings or groups of buildings are arranged to permit emergency vehicle access.
8. Site plan approval may be conditioned upon *the applicant* providing evidence that the necessary permits have been applied for. A land use permit shall not be issued until the Zoning Administrator receives a copy of the required permit(s).
9. The Planning Commission may require *additional* landscaping, fences, and walls in pursuit of these objectives and same shall be provided and maintained as a condition of the use to which they are appurtenant.
10. The Planning Commission may recommend that escrow money be placed with the Township so as to provide for a marginal service drive equal in length to the frontage of the property involved. Zoning compliance permits shall not be issued until the improvement is physically provided or monies having been deposited with the Township Clerk.
11. Where the Township has adopted a specific area or neighborhood improvement or redevelopment plans and recommendations involving, but not limited to, public rights-of-way, utilities and storm drainage, parking facilities, building placement, access drives, floor space density allocations, building facade and architectural treatment, no site plan shall be approved unless there is general compliance with such Township plan.

#### **Section 21.04 Revocation of Site Plan Approval**

1. Any site plan approval shall be revoked when construction of the development is not in conformance with the approved plans. The Planning Commission shall notify the applicant of site plan approval revocation process at least ten (10) days prior to review of the violation by the Planning Commission and the Zoning Administrator shall issue a stop work order. After conclusion of the Planning

Commission's review, the Planning Commission shall revoke its approval of the development if the Planning Commission feels that a violation exists.

2. The approval of any site plan under the provisions of this Ordinance shall expire and be considered automatically expired one (1) year after the date of the approval unless actual construction has commenced and is proceeding in accordance with the issuance of a valid building permit. If construction activity ceases for any reason for a period of more than one (1) year, any subsequent use of the land shall be subject to review and approval of a new site plan for the property in conformance with the regulations specified by this Ordinance.

*Except that the Zoning Administrator may, at his/her discretion, upon application by the owner and for cause shown, provide for up to two (2) successive twenty-four (24) month extensions. The Zoning Administrator may refer an extension request to the Planning Commission when desired. If there have been changes to the application and/or Zoning Ordinance, the Zoning Administrator shall refer the application to the Planning Commission. (Amendment 104-05-09-04; Effective October 6, 2009)*

### **Section 21.05 Site Plan Approval for Special Uses**

All approvals for site plans reviewed in conjunction with a special land use application shall be conditioned upon the approval of the special land use by the Township Board.

### **Section 21.06 Review and Approval of Condominium Projects**

(Text Added. Amendment 104-05-07-03; Effective January 28, 2008)

#### *1. Initial Information*

*Concurrently with notice required to be given, Blair Township, pursuant to Section 71 of the Condominium Act, Act 59 of the Public Acts of 1978, as amended, a person, firm, or corporation intending to develop a condominium project shall include the information required by Section 166 of the Condominium Act and the following:*

- a. *The name, address, and telephone number of:*
  - 1) *All persons, firms, or corporations with an ownership interest in the land on which the condominium project will be located and a description of the nature of each entity's interest (for example, fee owner, optionee, or land contract vendee).*
  - 2) *All engineers, attorneys, architects, landscape architects, or registered land surveyors associated with the project.*
  - 3) *The developer or proprietor of the condominium project.*

- b. *The legal description of the land on which the condominium development will be developed together with any proposed expansion plans and appropriate tax identification numbers.*
- c. *The acreage of the land on which the condominium development will be developed.*
- d. *Proposed project land use(s) (for example, residential, commercial, industrial, etc.) and the number of acres of each type of land use proposed.*
- e. *Number of condominium units to be developed on the subject parcel.*
- f. *Description of water system to be provided.*
- g. *Description of sanitary waste disposal system to be provided.*
- h. *Information required in Section 21.02*
- i. *Name of proposed site condominium*
- j. *Names of abutting subdivisions/site condominiums*

2. *Information To Be Kept Current*

*The information shall be furnished to the Zoning Administrator and shall be kept updated until such time as a zoning compliance permit has been issued.*

3. *Site Plans for New Projects*

*Prior to recording of the Master Deed required by Section 72 of PA 59 of 1978, as amended, the condominium project shall undergo site plan review and approval pursuant to Article 21, Site Plan Review Procedures. In addition, the Township shall require appropriate engineering plans and inspections prior to the issuance of any zoning compliance permit.*

4. *Site Plans for Expandable or Convertible Projects*

*Prior to the expansion or conversion of a condominium project to include additional land, the new phase of the project shall undergo site plan review and approval pursuant to Article 21, Site Plan Review Procedures. The conversion of any development to the condominium form of ownership shall require all standards and requirements of the Ordinance regarding condominiums to be met.*

5. *Master Deed, Restrictive Covenants, and "As Built" Survey to be Furnished*



*The condominium project developer or proprietor shall furnish the Zoning Administrator with the following: one (1) copy of the recorded Master Deed, one (1) copy of all restrictive covenants, and two (2) copies of an "as built" survey. The "as built" survey shall be reviewed by the Zoning Administrator for compliance with Ordinances. Fees for this review shall be established by resolution of the Township Board.*

6. *Monuments Required*

*All condominium projects, which consist in whole or in part of condominium units which are building sites, mobile home sites, or recreational sites, shall be marked with monuments as provided in this subsection.*

- a. *All monuments used shall be made of solid iron or steel bars at least one-half (1/2) inches in diameter and thirty-six (36) inches long and completely encased in concrete at least four (4) inches in diameter.*
- b. *Monuments shall be located in the ground at all angles in the exterior boundaries of the condominium development; at the intersection of the lines of roads with the exterior boundaries of the condominium development.*
- c. *If the required location of a monument is 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 plans and referenced to the true point.*
- d. *If a point required to be monumented is on a bedrock outcropping, a steel rod, at least one-half (1/2) inch in diameter, shall be drilled and grouted into solid rock to a depth of at least eight (8) inches.*
- e. *All required monuments shall be placed flush with the ground where practicable.*
- f. *All unit corners and the intersection of all limited common elements and all common elements shall be monumented in the field by iron or steel bars or iron pipes at least eighteen (18) inches long and one-half (1/2) inch in diameter, or other approved markers.*
- g. *The Township Board may waive the placing of any of the required monuments and markers for a reasonable time, not to exceed one (1) year, on the condition that the proprietor deposits with the Township cash or a certified check, or irrevocable bank letter of credit to Blair Township, whichever the proprietor selects, in an amount to be established by resolution of the Township Board. Such cash, certified check, or irrevocable bank letter of credit 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.*

7. *Compliance with Federal, State, and Local Law*

*All condominium projects shall comply with federal and state statutes and local ordinances.*

8. *Occupancy of Condominium Project*

*The Zoning Administrator may allow occupancy of the condominium project before all improvements required by this Ordinance are installed provided that cash, a certified check, or an irrevocable bank letter of credit is submitted sufficient in amount and type to provide for the installation of improvements before the expiration of the Temporary Occupancy Permit without expense to the Township.*

9. *Site Condominiums*

a. *A single-family detached condominium project shall be subject to all requirements and standards of the applicable zoning district.*

b. *The design of a site condominium project shall be subject to the following requirements. Should there be unusual topographic or other natural feature constraints, these standards may be modified to achieve either greater or lesser conformance in accordance with the judgment of the Planning Commission.*

1. *Streets shall be arranged in proper relation to topography so as to result in usable units, safe streets, and reasonable gradients.*
2. *Where a subdivision abuts or contains a primary street, the Township may require marginal access streets approximately parallel to and on each side of the right of way.*
3. *An outlot shall be provided to connect streets and utilities to adjacent properties for future development. The outlot streets shall be constructed of the same material and width as other streets within the site condominium. These connections shall allow for unobstructed emergency access and shall be completed before any land use permit for a structure issued. This outlot shall be recorded in the Master Deed to remain unobstructed indefinitely.*
4. *Easements shall provide for utilities when necessary.*
5. *Lands subject to flooding or otherwise deemed by the Township to be uninhabitable shall not be developed or used for uses that may increase the danger to health, life, or property or increase the flood hazard. Such land within a site condominium may be set aside for other uses, such as parks or other open space.*

6. *All units shall front upon a street.*
7. *Existing natural features which add value to a residential development and enhance the attractiveness of the community (such as trees, water courses, historic spots, and similar irreplaceable assets) should be preserved, insofar as possible, in the design of the subdivision.*
8. *Common open space provided shall remain permanently open for recreational and conservational purposes.*
9. *Open space in any one residential site condominium shall be laid out, to the maximum feasible extent, so as to connect with open space, existing or proposed, in the vicinity whether such are or will be public or private.*
10. *All site condominium projects shall obtain approval from all applicable governing agencies.*

c. *All proposed site condominium units within the water and/or sewer district shall be required to connect to the Blair Township system.*

#### 10. *Final Documents to be Provided*

*After submittal of the condominium plan and by-laws as part of the Master Deed, the proprietor shall furnish to the Township a copy of the site plan on a Mylar sheet of at least thirteen (13) by sixteen (16) inches and an image not to exceed ten and one-half (10-1/2) by fourteen (14) inches.*

#### 11. *Amendments*

*An order approving a site condominium may be amended as follows:*

a. *Minor amendments. Minor amendments are those which will have no foreseeable effect beyond the project boundary such as minor changes in the location of buildings, the alignment of utilities, and the alignment of interior roadways and parking areas. Minor amendments for good cause may be authorized by the Zoning Administrator provided no such changes shall increase the size or height of structures, reduce the efficiency or number of public facilities serving the site condominium, reduce usable open space, or encroach on natural features proposed by the plan to be protected.*

b. *Major amendments. Any amendment not qualifying as a minor amendment is considered to be a major amendment and must be approved by the Planning Commission according to the procedures authorized by this section for approval of a site condominium.*

#### **Section 21.07 Performance Guarantees**

*(Amendment #104-05-14-01), Effective 2/14/2014*

1. *To ensure compliance with the Zoning Ordinance and any conditions imposed thereunder, the Planning Commission or Zoning Administrator may require that*

*a cash deposit, certified check, unconditional irrevocable bank letter of credit, or surety bond acceptable to the Township covering the estimated cost of improvements associated with a project for which site plan approval is sought **or demolition for project(s)** be deposited with the Township to ensure faithful completion of the improvements, and also be subject to the following:*

- a. The performance guarantee shall be deposited at the time of the issuance of the building permit authorizing the activity of the project. The Township may not require the deposit of the performance guarantee prior to the time when the County is prepared to issue the permit. The Township shall establish procedures whereby a rebate of any cash deposits in reasonable proportion to the ratio of work completed on the required improvements will be made as work progresses. This does not relieve the applicant from satisfying all applicable maintenance warranties and/or guarantees necessary to ensure the proper functioning of said public improvements.*
- b. This section shall not be applicable to improvements for which a cash deposit, certified check, irrevocable bank letter of credit, or surety bond has been deposited pursuant to the Subdivision Control Act, Act 288 of the Public Acts of 1967, as amended.*
- c. As used in this section, "improvements" mean those features and actions associated with a project which are considered necessary by the body or official granting zoning approval, to protect natural resources, or the health, safety, and welfare of the residents of the Township and future users or inhabitants of the proposed project or project area, including roadways, lighting, utilities, sidewalks, screening, landscaping, and surface drainage.*

### ***Section 21.08 Required Fees***

*Fees for the review of site plans shall be established by resolution of the Township Board.*