

ARTICLE 10

SITE PLAN REVIEW

SECTION 10.01 AUTHORITY FOR SITE PLAN REVIEW

The Superior Charter Township Planning Commission shall have the authority to review and approve, approve with conditions, or reject preliminary and final site plans as required in this Article.

SECTION 10.02 GENERAL PROVISIONS

A. Developments and Uses Requiring Site Plan Approval

The following buildings, structures, and uses require site plan review and approval:

1. A building containing three (3) or more dwelling units;
2. Two (2) or more multiple-family buildings on a lot or parcel of land, or on a combination of lots under common ownership;
3. Two (2) or more two- (2-) family dwellings on a lot;
4. A mobile home park;
5. A group foster care home;
6. A site condominium development;
7. Any principal non-residential building or structure, and addition thereto, permitted in any Residential Districts and any principal building or structure and additions thereto, except single-family residences and all farm buildings and structures, permitted in Recreation-Conservation and Agriculture Districts, as defined in Article 4 (“Schedule of District Regulations”) herein;
8. Any building with a floor area greater than five hundred (500) square feet, and additions thereto, in any Business or Industrial District, as defined in Article 4 (“Schedule of District Regulations”) herein;

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9. More than one (1) building or structure, except a sign, on a lot or parcel, or combination of lots under single ownership, in any Business or Industrial District, as defined in Article 4 (“Schedule of District Regulations”) herein;
10. Any principal use of a lot in any Business or Industrial District which does not involve a building, such as, but not limited to, outdoor sales, outdoor displays, and storage of vehicles;
11. Any use in a Business or Industrial District lying contiguous to or across a street from a single-family residence or any Agricultural or R-C District, as defined in Article 4 (“Schedule of District Regulations”) herein;
12. Public utility buildings and structures, but not including poles or towers;
13. Any parking lot or addition thereto containing five (5) or more parking spaces when not part of a development or use for which site plan review and approval is required elsewhere in this Article; and
14. Any Special District as provided for and defined in Articles 4 (“Schedule of District Regulations”) and 7 (“Special District Regulations”) herein.

B. Issuance of Certificates of Zoning Compliance, Certificates of Occupancy, and Building Permits

1. The Zoning Inspector shall not issue a Certificate of Zoning Compliance and the Building Inspector shall not issue a Building Permit for construction of, or addition to, any one of the above-listed buildings or structures until a final site plan therefore has been approved and is in effect.
2. Any above-listed use not involving a building or structure shall not be commenced or expanded, nor shall the Zoning Inspector issue a Certificate of Zoning Compliance, nor shall the Building Inspector issue a Certificate of Occupancy for such use, until a final site plan has been approved and is in effect.

C. Commencement of Site Work

No grading, cutting of trees or other vegetation, excavation, land-filling, or construction of improvements shall commence for any development for which site plan approval is required until a final site plan is approved and is in effect, except as otherwise provided in this Article.

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SECTION 10.03 PRELIMINARY SITE PLAN

A. Petition

1. Initiating Petition

- a. Any person with a legal interest in a lot may apply for preliminary site plan approval. If the petitioner is not the fee simple owner of the property, the petitioner shall submit a statement signed by all of the owners consenting to the petition for preliminary site plan approval.
- b. Petition shall be made by filing all completed forms, payment of the review fee, and fifteen (15) full-size copies (24" by 36") of the preliminary site plan drawing(s) with the Township Clerk.
- c. The Township Clerk, upon receipt of all required petition materials, shall forward the preliminary site plan drawings to the Planning Commission.
- d. In the event a notice of a proposed action involving a site condominium is filed with the Clerk, the Clerk shall forward the preliminary site plan drawings to the Site Condominium Advisory Committee of the Washtenaw County Planning Commission. The Clerk shall forward the written comments of the Advisory Committee to the Superior Township Planning Commission.

2. **Fees:** The Township Board shall establish, by resolution or ordinance, fees for preliminary site plan review. Such fee shall be paid in full at the time of the filing of the petition and no part of such fee shall be returnable to the petitioner.

B. Information Required

Each preliminary site plan submitted for review shall provide the following information:

1. Scale, north arrow, and date of plan;
2. Property owner's name and address; petitioner's name and address and interest in the property; owner's signed consent for preliminary site plan approval petition if the petitioner is not the owner;
3. Location and description of the site; dimensions and area;
4. General topography and soil information, including delineation of slopes

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- over twelve (12) percent and slopes over eighteen (18) percent;
5. Proposed buildings and/or structures (other than single-family dwellings): location, outline, general dimensions, floor area, number of floors, height, number and type of dwelling units (where applicable) and distances between all;
 6. Open areas and recreation areas: location and size;
 7. Existing natural and man-made features to be preserved, added, or removed, including trees, upland brush, hedgerows, woodlands, prairies, and meadows;
 8. Delineation of the 100-year floodplain, and all lakes, ponds, stream courses, and wetlands, including the on-site watershed for such on-site water features;
 9. Delineation of any wetlands or watercourse set-backs required under this Ordinance or the Superior Charter Township Wetlands Ordinance;
 10. Delineation of all vegetation within twenty-five (25) feet of all on-site and off-site surface water features, including wetlands;
 11. Description of groundwater recharge areas located on property and rough delineation of their borders;
 12. Proposed and existing streets and/or drives: general alignment, rights-of-way (where applicable), surface type, and width, and indication whether proposed streets are to be public or private;
 13. Proposed parking: location and dimensions of lots, typical dimensions of spaces and aisles, angle of spaces, surface type, number of spaces;
 14. Areas of intended filling or cutting;
 15. Outline of existing buildings, structures, and drives with a clear indication of which are to remain and which are to be removed;
 16. Existing zoning classification of property;
 17. Delineation of required yards;
 18. Dwelling unit schedule, gross and net density of development, and lot area per dwelling unit for residential projects;
 19. Lot coverage (percent) and floor area ratio;

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20. Location and size of required transition and landscape strips, if applicable;
21. Adjacent land uses, including location of adjacent buildings, drives, and streets;
22. Location and area of development phases; building program for each phase; projected schedule of development by phase;
23. Location, width, and purpose of all existing and proposed easements on the site; and
24. General description of proposed water, sanitary sewer, and storm drainage system.

C. **Standards for Review**

1. In reviewing a preliminary site plan, the Planning Commission shall determine that the following standards are met:
 - a. That all required information has been provided;
 - b. That the proposed development as shown in the preliminary site plan and as reviewed by the Township Zoning Inspector conforms to all regulations of the Zoning Ordinance for the district(s) in which it is located and all other applicable sections of the Zoning Ordinance and is compatible with the adopted Growth Management Plan;
 - c. That the petitioner is legally authorized to apply for site plan review;
 - d. That the proposed development will be harmonious with, and not harmful, injurious, or objectionable to, existing and future uses in the immediate area or to the environment;
 - e. That natural resources will be preserved to the maximum feasible extent, and that the development as proposed will not cause soil erosion or sedimentation;
 - f. That the proposed development respects natural topography to the maximum feasible extent and minimizes the amount and extent of cutting and filling required;
 - g. That organic, wet, or other soils which are not suitable for development will be undisturbed or will be modified in such

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fashion as to make development feasible;

- h. That the movement of the vehicular and pedestrian traffic within the site and in relation to access streets and sidewalks will be safe and convenient;
 - i. That the proposed development is adequately coordinated with improvements serving the subject project and with other existing or future developments in the general vicinity;
 - j. That a satisfactory and harmonious relationship will exist between the proposed development and the existing and prospective development of contiguous lands and adjacent neighborhoods; and
 - k. That phases of development are in logical sequence so that any phase will not depend upon a subsequent phase for adequate access, public utility service, drainage, or erosion control.
2. If the Planning Commission, in its discretion, determines that the prior or current uses of, or activities on, the land indicate the possibility of environmental contamination, it may require that the petitioner provide evidence that no such contamination exists (e.g., through a Level II investigation or such other environmental assessment as the Planning Commission, in its discretion, shall deem advisable). In the event that investigation reveals that contamination is present on the property, the petitioner shall take such remedial actions as are required by law, and shall provide proof of same to the Planning Commission, prior to receiving preliminary site plan approval.

D. Planning Commission Action

1. The Planning Commission shall study the plan and shall, within one hundred eighty (180) days of the filing date, if the submitted petition is complete, approve or reject the preliminary site plan. The Planning Commission may require changes in the plan and may attach conditions to its approval.
2. The Planning Commission shall advise the petitioner in writing of its actions on a preliminary site plan. The minutes of the meeting at which action was taken may constitute the written notification.
3. The time limit for Planning Commission study and action may be extended upon a written request by the petitioner and approval by the Planning Commission.

E. Effect of Approval

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1. Approval of a preliminary site plan by the Township Planning Commission shall indicate its general acceptance of the proposed layout of buildings, streets, drives, parking areas, and other facilities and areas in accordance with the standards set forth in Section 10.03C above.
2. The Township Planning Commission may, at its discretion and with appropriate conditions attached, authorize issuance of permits by the Building Inspector for preliminary site work to begin for soils exploration and incidental clearing necessary thereto. The conditions which may be attached to such permits shall include, but shall not be limited to:
 - a. measures to control erosion;
 - b. exemption of the Township from any liability if a final site plan is not approved; and
 - c. provision of a bond for site restoration if work does not proceed to completion.

F. Expiration of Approval

1. Approval of a preliminary site plan shall be valid for a period of one hundred eighty (180) days from the date of approval and shall expire and be of no effect unless a petition for a final site plan for all or part of the area included in the approved preliminary site plan is filed with the Township Clerk within that time period.
2. If a final site plan is submitted for only part of the area included in the approved preliminary site plan, successive final site plans shall be filed at intervals no greater than two (2) years from the date of approval of the previously-approved final site plan. If such period is exceeded, the Township Planning Commission may declare the approved preliminary site plan invalid with respect to the remaining parts of the site. In such case, the Township Planning Commission may require a new preliminary site plan be submitted, unless good cause can be shown for the delay.
3. The Township Planning Commission may, at its discretion and upon showing of good cause by the petitioner, extend the time limits of Section 10.03F (1) and (2).

SECTION 10.04 FINAL SITE PLAN

A. Petition

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1. **Initiating Petition**

- a. Application shall be made following preliminary site approval and by filing all completed forms, payment of the review fee, and fifteen (15) copies of the final site plan drawing(s) and other data and exhibits hereinafter required with the Township Clerk.
 - b. The Township Clerk, upon receipt of all required petition materials, shall forward the final site plan drawing(s) and other data and exhibits to the Planning Commission.
2. **Fees:** The Township Board shall establish, by resolution or ordinance, fees for final site plan review. Such fee shall be paid in full at the time of the filing of the petition for final site plan approval and no part of such fee shall be returnable to the petitioner.

B. **Specifications**

Each final site plan submitted for review shall meet the following specifications:

1. The site plan shall be of a scale not greater than one (1) inch equals two hundred (200) feet, and of such accuracy that the Planning Commission can readily interpret the plan. The information shall be presented on more than one (1) drawing where required by the Planning Commission for the purposes of clarity.
2. Each final site plan shall be prepared by an architect, community planner, engineer, landscape architect, or land surveyor registered or licensed in the State of Michigan and shall bear the professional seal of the preparer.

C. **Information Required**

Each final site plan submitted for review shall provide the following information, where applicable:

1. Scale, north arrow, name and date of plan; date of revisions thereto.
2. Property owner's name and address; petitioner's name and address and interest in the property; owner's signed consent for final site plan approval petition if the petitioner is not the owner; name and address of developer.
3. Name and address of designer.
4. A vicinity map; legal description of the property; dimensions and lot area. Where a metes and bounds description is used, lot line angles or bearings

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shall be indicated on the plan. Lot line dimensions and angles or bearings shall be based upon a boundary survey prepared by a registered surveyor and shall correlate with the legal description.

5. Existing topography (minimum contour interval of two [2] feet); existing natural features, such as trees, shrubs and bushes, wooded areas, streams, marshes, ponds, and other wetlands; clear indication of all natural features to remain and to be removed. A complete listing of tree species present on the site shall be included on the plan. Groups of trees shall be shown by an approximate outline of the total canopy, with landmark trees to be indicated by species, location, and size; individual deciduous trees of six (6) inch diameter or larger and individual evergreen trees six (6) feet in height or higher, where not a part of a group of trees, shall be accurately located on the final site plan.
6. Existing buildings, structures, and other improvements, including drives, utility poles and towers, easements, pipelines, excavations, ditches (elevations and drainage directions), bridges, and culverts; clear indication of all improvements to remain and to be removed.
7. Description of deed restrictions, if any.
8. Owner, use, and zoning classification of adjacent properties; location and outline of buildings, drives, parking lots, and other improvements on adjacent properties.
9. Existing public utilities on or serving the property; location and size of water lines and hydrants; location, size, and inverts for sanitary sewer and storm sewer lines; location of manholes and catch basins; location and size of wells, septic tanks, and drain fields, where applicable.
10. Layout, size of lines, inverts, hydrants, drainage flow patterns, location of manholes and catch basins for proposed sanitary sewer, water, and storm drainage utilities; location and size of retention ponds and degrees of slopes of sides of ponds; calculations for size of storm drainage facilities; location of electricity and telephone poles and wires; location and size of surface-mounted equipment for electricity and telephone services; location and size of underground tanks where applicable; location and size of outdoor incinerators.
11. Name and rights-of-way of existing streets on or adjacent to the property; surface type and width; spot elevations of street surface, including elevations at intersections with streets and drives of the proposed development.
12. Zoning classification of the subject property; location of required yards;

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total ground floor area and lot coverage (percent); floor area ratio. In the case of residential units, the plan shall note dwelling unit net density, lot area per dwelling unit, and a complete schedule of the number, size, and type of dwelling units.

13. Grading plan, showing finished contours at a minimum interval of two (2) feet, and correlated with existing contours so as to clearly indicate cut and fill required. All finished contour lines are to be connected to existing contour lines at the property lines.
14. Location and exterior dimensions of proposed buildings and structures with the location to be referenced to property lines or to a common base point; distances between buildings, height, and feet in stories; finished floor elevations and contact grade elevations.
15. Location and alignment of all proposed streets and drives; proposed street names; rights-of-way where applicable; surface type and width, and typical cross section of same showing surface, base, and sub-base materials and dimensions; location and typical details of curbs; turning lanes, with details; location, width, surface elevations, and grades of all entries and exits; curve-radii.
16. Location and dimensions of proposed parking lots; numbers of spaces in each lot; dimensions of spaces and aisles; drainage pattern of lots; typical cross-section showing surface, base, and sub-base materials; angle of spaces.
17. Location and size of proposed improvements of open spaces and recreation areas, and maintenance provisions for such areas.
18. Location, width, and surface of proposed sidewalks and pedestrian ways.
19. Location and type of proposed screens and fences; height, typical elevation and vertical section of screens, showing materials and dimensions.
20. Location of proposed outdoor trash container enclosures; size, typical elevation, and vertical section of enclosures, showing materials and dimensions.
21. Location, type, size, area, and height of proposed signs.
22. Landscape plan showing location, size, and type of plant materials.
23. Description of measures to control soil erosion and sedimentation during grading and construction operations and until a permanent groundcover is

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established. Recommendations for such measures may be obtained from the County Soil Conservation Service.

24. Location of proposed retaining walls; dimensions and materials of same; fill materials, typical vertical sections; restoration of adjacent properties, where applicable.
25. Right-of-way expansion, where applicable; reservation or dedication of right-of-way to be clearly noted.
26. If on-site water and sewer facilities are to be used, a letter of approval of same, or a copy of the permit from the Washtenaw County Environmental Health Division; if public water and sanitary sewer facilities are to be used, a letter of approval from the Superior Township Utility Department.
27. A letter of approval from the Superior Township Fire Chief or other designated official.

D. Standards for Review

In reviewing a final site plan, the Planning Commission shall determine that the following standards are met:

1. That the final site plan conforms to the preliminary site plan as approved by the Township Planning Commission;
2. That all required information has been provided;
3. That the proposed development as shown in the final site plan and as reviewed by the Township Zoning Inspector conforms to all regulations of the Zoning Ordinance for the district(s) in which it is located;
4. That the plan, including all engineering drawings, meets specifications of Superior Township for fire and police protection, water supply, sewage disposal or treatment, storm drainage, and other public facilities and services, and has been approved by the Township Fire Chief or designated official and the Township Engineer.
5. That grading or filling will not destroy the character of the property or the surrounding area, and will not adversely affect the adjacent or neighboring property;
6. That erosion will be controlled during and after construction and will not adversely affect adjacent or neighboring property or public facilities or services; and

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7. That natural features will be preserved and protected to the maximum extent feasible; and
8. That the plan meets the standards of other government agencies, where applicable, and that the approval of these agencies has been obtained or is assured.

E. Planning Commission Action

1. The Planning Commission shall study the final site plan and shall, within one hundred eighty (180) days of the filing date, if the submitted petition is complete, approve or reject the preliminary site plan. The Planning Commission may require changes in the plan and may attach conditions to its approval.
2. As part of its study of the final site plan, the Planning Commission shall consult with the Township Zoning Inspector, the Township Fire Chief or designated official, the Township Engineer, and such other government officials and departments and public utility companies that might have an interest in or be affected by the proposed development.
3. If the final site plan is rejected, the Planning Commission shall notify the petitioner in writing of such action and reasons therefore within ten (10) business days following such action. The minutes of the meeting at which action was taken may constitute the written notification.
4. If the final site plan is approved, the petitioner and owner(s) of record, or the legal representative(s) thereof, and the Planning Commission Secretary shall each sign five (5) copies of the approved final site plan. The Planning Commission Secretary shall transmit two (2) signed copies of the approved final site plan and any conditions attached to such approval to the Zoning Inspector and one (1) signed copy to each to the Township Clerk and the petitioner. One (1) signed copy shall be retained in the Planning Commission's files.
5. The time limit for Planning Commission study and action may be extended upon a written request by the petitioner and approval by the Planning Commission.

F. Effect of Approval

1. Approval of a final site plan by the Township Planning Commission authorizes issuance of a Certificate of Zoning Compliance, and authorizes the execution of a Development Agreement between the Township and the property owner(s)/developer(s). Execution of the Development Agreement authorizes issuance of a Building Permit, provided all other requirements

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for a Building Permit have been met. No site work or construction shall begin prior to the execution and recording of the Development Agreement.

2. In the case of uses without buildings or structures, approval of a final site plan authorizes issuance of a Certificate of Zoning Compliance and issuance of a Certificate of Occupancy, provided all other requirements for such Certificate of Occupancy have been met.

G. Expiration of Approval

1. A final site plan shall expire and be of no effect unless, within three hundred sixty (360) day of the Planning Commission's approval, a fully executed Development Agreement has been recorded and the construction drawings have received detailed engineering final approval.
2. Approval of a final site plan shall expire and be of no effect five hundred forty (540) days following the date of approval unless construction has begun on the property and is diligently pursued in conformance with the approved final site plan.
3. The Township Planning Commission may, at its discretion and upon showing of good cause by the petitioner, extend the time limits of Section 10.04F (1) and (2).

SECTION 10.05 COMBINING PRELIMINARY AND FINAL SITE PLANS

A. When Permitted

1. A petitioner may, at the petitioner's discretion and risk, with approval of the Township Planning Commission, combine a preliminary and final site plan in a petition for approval. The petitioner shall pay the usual fees for both preliminary and final site plan review.
2. The Planning Commission shall have the authority to require submittal of a preliminary site plan separate from a final site plan, where, in its opinion, the complexity and/or size of the proposed development so warrant.

B. Phased Developments

A preliminary and final site plan shall not be combined for any development consisting of two (2) or more phases.

SECTION 10.06 AMENDMENT AND REVISION

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A. In General

1. A developer may request a change in an approved preliminary site plan or an approved final site plan.
2. Any change in an approved preliminary or final site plan which results in a major change as defined in Paragraph B(1) below, in the approved petition, shall require an amendment to the approved petition. All such amendments shall follow the procedures and conditions herein required for original submittal and review in full.
3. Any change which results in a minor change as defined in Paragraph C(1) below shall require a revision to the approved petition, including, at the Planning Commission's discretion, revised site plan drawings.
4. The Planning Commission shall have authority to determine whether a requested change is major or minor, in accordance with this Section. The Planning Commission shall record its determination and reasons therefor in the minutes at the meeting at which the action is taken.
5. The burden shall be on the petitioner to show good cause for any requested change.

B. Major Changes

1. "Major Change" Defined

Changes to be considered major, for which amendment is required, shall include, but shall not be limited to, the following:

- a. change in concept of the development;
- b. change in use or character of the development;
- c. change in type of dwelling unit or other structure as identified on the approved area plan;
- d. increase in the number of dwelling units or other structures;
- e. increase in non-residential floor area of over five (5) percent;
- f. increase in GFC and FAR of more than one (1) percent;
- g. rearrangement of lots, blocks, or building tracts;

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- h. reduction in land area set aside for common area open space or the relocation of such area(s);
- i. increase in building height; and
- j. any change that will have an adverse impact on environmental features or on neighboring properties or uses.

2. Procedure

- a. A request for an amendment shall be made in writing to the Planning Commission and shall clearly state the reasons therefore. Such reasons may be based upon considerations such as changing social or economic conditions, potential improvements in layout or design features, unforeseen difficulties, or advantages mutually affecting the interest of Superior Township and the developer, such as site conditions, state or federal projects or installations, and statutory revisions.
- b. The Planning Commission, if it finds such reasons and request reasonable and valid, shall so notify the petitioner in writing.
- c. Following payment of the appropriate fee as required for original submittal, the developer shall submit the required information to the Planning Commission for review.
- d. If the request is for amendment to the petition, the Planning Commission shall immediately notify the Township Board.

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C. Minor Changes

1. "Minor Change" Defined

Modifications considered to be minor changes shall include, but shall not be limited to, the following:

- a. a change in residential floor area;
- b. an increase in non-residential floor area of five (5) percent or less;
- c. minor variations in layout which do not constitute major changes;
- d. an increase in GFC and FAR of one (1) percent or less; and
- e. a decrease in the number of approved dwelling units.

2. Procedure

- a. A developer may request Planning Commission approval of changes which constitute minor changes, as defined in this Section, in an approved petition, approved preliminary site plan, and approved final site plan.
- b. The Planning Commission shall notify the Township Board and other applicable agencies if it approves such a minor change.
- c. If revised drawings are requested by the Planning Commission, the revised drawings as approved shall each be signed by the petitioner and the owner(s) of record or the legal representative(s) of such owner(s).

SECTION 10.07 AS-BUILT DRAWINGS

- A. The petitioner shall provide as-built drawings of all sanitary sewer, water, and storm sewer lines and all appurtenances which were installed on a site for which a final site plan was approved. The drawings shall be submitted to the Township Building Inspector and shall be approved by the Township Engineer prior to the release of any site plan bond or part thereof covering such installation.
- B. The as-built drawings shall show, but shall not be limited to, such information as the exact size, type, and location of pipes; location and size of manholes and catch basins; location and size of valves, fire hydrants, tees and crosses; depth and slopes of retention basins; and location and type of other utility installations. The drawings shall show plan and profile views of all sanitary and storm sewer lines

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and plan views of all water lines.

- C. The as-built drawings shall show all work as actually installed and as field-verified by a professional engineer or a representative thereof. The drawings shall be identified as "As-Built Drawings" in the title block of each drawing and shall be signed and dated by the owner of the development or the owner's legal representative and shall bear the seal of a professional engineer.

SECTION 10.08 PHASING OF DEVELOPMENT

A. Phasing Permitted

The petitioner may divide the development into two (2) or more phases.

B. Requirements

Phasing shall be subject to the following requirements:

1. In the case of a phased development, the preliminary site plan shall cover the entire property involved and shall clearly indicate the location, size, and character of each phase.
2. In the case of a phased development, a final site plan shall be submitted for review and approval for each phase.
3. A phase shall not be dependent upon subsequent phases for safe and convenient vehicular and pedestrian access, adequate utility services, or open spaces and recreation facilities, and shall be capable of substantial occupancy, operation, and maintenance upon completion of construction and development.

C. Posting of Bond

The Planning Commission may require the petitioner to post a performance bond or provide such other financial assurance as the Planning Commission deems acceptable, in an amount deemed adequate by the Planning Commission and the Township Engineer, to ensure that vehicular and pedestrian ways, utility services, open space and recreation facilities, and other amenities and infrastructure planned for later phases of the development are completed in a timely fashion.

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SECTION 10.09 INSPECTION

A. Inspection by Zoning Inspector

1. The Zoning Inspector or his or her designated official shall be responsible for inspecting all improvements for conformance with the approved final site plan.
2. All sub-grade improvements, such as utilities, sub-based installations for drives and parking lots, and similar improvements shall be inspected and approved prior to covering.
3. The petitioner shall be responsible for requesting all necessary inspections.
4. The Zoning Inspector shall obtain inspection assistance from the Township Fire Chief, Building Inspector, and Township Engineer, where applicable.

B. Notification of Inspections

1. The Zoning Inspector shall notify the Township Board, Township Planning Commission, and the Building Inspector, in writing, when any development for which a final site plan is approved has passed inspection with respect to the approved final site plan.
2. The Zoning Inspector shall notify the Township Board, Township Planning Commission, and the Building Inspector, in writing, of any development for which a final site plan is approved, which does not pass inspection with respect to the approved final site plan, and shall advise the Township Board, Township Planning Commission, and Building Inspector of steps taken to achieve compliance. In such case, the Zoning Inspector shall periodically notify the Township Board, Planning Commission, and Building Inspector of progress toward compliance with the approved final site plan and when compliance is achieved.

SECTION 10.10 PERFORMANCE GUARANTEE

A. General Provisions

1. Performance bonds, bank letters of credit, cash deposits, or other forms of security in an amount and form deemed satisfactory by the Township and its Engineers shall be provided to the Township Treasurer by the petitioner after a final site plan is approved and prior to issuance of a Building Permit for any buildings in the project.

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2. The performance guarantee shall cover site improvements shown on the final site plan. Site improvements shall mean streets and drives, parking lots, walkways, grading, required landscaping, required screens, and storm drainage systems.
3. The petitioner shall submit a cost estimate of the improvements to be covered by the guarantee, and such estimate shall be verified as to amount by the Township Engineer.

B. Failure to Perform

1. If the petitioner shall fail to provide any site improvement according to the approved plans, the Township Board shall have the authority to have such work completed. The Township Board shall reimburse itself for the costs of such work by appropriating funds from the deposited securities, or may require performance by the bonding company.
2. The Zoning Inspector may refuse to sign a Certificate of Occupancy in order to achieve compliance with the approved final site plan and approved engineering plans. In such cases, a Certificate of Occupancy shall be signed upon compliance with the approved plans or upon provision of adequate security to guarantee compliance following occupancy.

SECTION 10.11 FEES

Fees for the review of development agreements, site plan compliance and inspections as required by this Article shall be established and may be amended by resolution of the Township Board.

SECTION 10.12 VIOLATIONS

- A. A preliminary or final site plan approved under this provisions of this Article shall have the full force of this Ordinance. Any violation of such approved plan shall be grounds for the Township Board or Zoning Inspector to order that all work be stopped and to order that Building Permits and/or Certificates of Occupancy be withheld until the violation is removed or adequate guarantee of such removal is provided to the Township Board.
- B. Any violation of any provision of this Article, and any violation of any plan approved under this Article, including any agreements and conditions attached to any approved plan, shall be deemed a violation of this Ordinance, as provided in Article 11 (“Administration and Enforcement”) herein, and shall be subject to all penalties provided therein.

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