

**CITY OF OAK PARK
OAKLAND COUNTY, MICHIGAN**

ORDINANCE NO. O-17-656

ORDINANCE TO AMEND ARTICLE XVII, GENERAL PROVISIONS, SECTION 1725 SITE PLAN REVIEW, APPENDIX A, ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF OAK PARK, MICHIGAN.

THE CITY OF OAK PARK, MICHIGAN ORDAINS:

SECTION 1. Article XVII, Appendix A, Zoning, of the Code of Ordinances of the City of Oak Park, is hereby amended to replace Section 1725, with the following:

Sec. 1725. - Site plan review.

This section sets forth the requirements for the site plan review process in the City of Oak Park.

- A. *Development requiring submittal of a site plan.* A site plan shall be submitted in accordance with the procedures in this section for any of the following activities, uses or development except single-family and two-family dwellings.
 - 1. All new construction, structural alteration, or substantial change in use, as determined by the department of economic development and communications, for all permitted uses in all zoning districts, except single-family and two-family dwellings.
 - 2. All special land uses in every district.
 - 3. Any use that requires a new, modified, or expanded parking lot.
 - 4. The improvement, expansion, extension, or abandonment of any public or private overhead or underground utility or utility lines or easement.
- B. *Site plan review process.* A site plan submitted to the City of Oak Park for site plan review must contain all of the information set forth in the site plan data checklist included in subsection E and F below. Deadlines for submittals are established by administrative policy.
 - 1. Administrative Review Process
 - Development requiring administrative site plan review only.
 - Site plans for the following do not require approval of the city planning commission:
 - a. New uses, changes in use, construction of additions to existing permitted uses, and alterations to existing construction, where the new building, addition or area affected by the changes in use or alterations is 2,000 square feet or less in gross floor area.
 - b. Minor changes to approved site plans and minor changes in indoor and outdoor use(s) where, in the opinion of the director of the department of technical and planning services, the proposed change(s) do not warrant planning commission review and approval.
 - c. Initiating the process. To initiate the site plan review process, the applicant must submit the following information to the department of economic development and communications:

- i. 18 copies (please fold) of the site plan.
 - ii. The site plan application form.
 - iii. Payment of all applicable fees.
 - d. Application packets will be distributed by the department of economic development and communications to other appropriate departments for review and approval as required by this ordinance.
 - e. Applications will be distributed and reviewed by the department of economic development and communications and other appropriate city departments for compliance with applicable city ordinances and regulations. After review of the application, and receipt of comments from other city departments, the department of economic development and communications will issue an approval, approval with conditions, or denial. Applications receiving an approval with conditions or denial must be revised and resubmitted to the department of economic development and communications. Approval by the department of economic development and communications under this section will constitute administrative site plan approval.
- 2. Developments requiring planning commission site plan review.
 - a. Initiating the process. To initiate the site plan review process, the applicant must submit the following information to the department of economic development and communications:
 - i. 18 copies (please fold) of the site plan.
 - ii. The site plan application form.
 - iii. Payment of all applicable fees.
 - b. Applications will be reviewed by the department of economic development and communications and other appropriate departments for compliance with applicable city ordinances and regulations. If the department of economic development and communications, or other department finds that it cannot recommend approval or conditional approval because the application is incomplete or does not meet applicable ordinances and regulations, the applicant will be notified by letter of the deficiencies in the application. The applicant may thereupon submit additional information or a revised application, as necessary.
 - c. When the application has received a recommendation for approval or conditional approval from the department of economic development and communications, the application will be placed on the agenda of a meeting of the planning commission. The applicant will be notified of the date, time and place of the meeting at which the planning commission will consider the application.
 - d. At the scheduled meeting, the planning commission will consider all review letters and reports from the applicable city department, together with such statements, evidence or argument as the applicant may present concerning the application.
 - e. The planning commission may issue an approval, conditional approval, or deny approval, of the site plan.
 - f. The applicant or a representative should attend all meetings at which their development is scheduled for discussion or action. Failure to appear at the meeting may cause the item to be tabled to the next meeting. The planning commission may take action on a scheduled agenda item regardless of the attendance of the applicant or a representative.

- C. *Site plan review criteria.* In reviewing site plans, city departments and the planning commission shall consider and endeavor to assure the following:
1. The location of development features, including principal buildings, and open spaces, and the location, design, width, and adequacy of curb cuts, parking areas, driveways, and sidewalks within the site and their relationship to nearby connecting streets and sidewalks providing access to and egress from the site, are such as to minimize possible adverse effects on adjacent properties and so as to relate properly to pedestrian vehicular traffic safety.
 2. On-site circulation of both vehicular and pedestrian traffic will achieve both safety and convenience of persons and vehicles using or visiting the site.
 3. Landscaping, earth berms, fencing, signs, and obscuring walls are of such a design and location that the proposed development is aesthetically pleasing and is harmonious with nearby existing or proposed developments.
 4. Utility service, including proposed water, sanitary sewer and stormwater runoff systems are sufficient to fulfill the projected needs of the development and the recommendation of the city engineer and director of public safety. Approval by a state or county department having jurisdiction, such as the department of health, drain commission or road commission, may also be a prerequisite to approval.
 5. Notwithstanding any other provisions of this ordinance, the city may require as a condition of site plan approval, landscaping, berming, fencing, construction of walls, marginal access drives or other appurtenances as necessary or desirable to promote the health, safety, and welfare of the community, to provide adequate protection to surrounding properties, to preserve and promote the character of the district and the intent of this chapter, and to achieve a lasting and desirable improvement to the community.
- D. *Expiration of site plan approval.* The approval of any site plan under the provisions of this ordinance shall expire and be considered revoked one year after the date of such approval unless actual construction has commenced in accordance with the issuance of a valid building permit.
- E. *Site plan application checklist..*
1. Applicant's name, address and phone number.
 2. Name of proposed development.
 3. Common description of property and complete legal description.
 4. Land acreage and frontage on public roads or rights-of-way.
 5. Existing zoning of subject and adjacent properties.
 6. Detailed description of the proposed use of the land.
 7. Name, address, and phone number of:
 - a. Firm or individual who prepared site plan.
 - b. Legal owner of property.
 8. Signature of applicant and legal owner of property, if not the applicant.
- F. *Site plan data required.*
1. Name of development and title block.

2. Location map at a scale of one inch equals 2,000 feet, showing site location, major roads, and railroads.
3. A scale of not less than one inch equals 50 feet if the subject property is less than three acres, and one inch equals 100 feet if there are three acres or more.
4. Date, north point, and scale (graphic and written).
5. Seal of registered architect, landscape architect, land surveyor, or civil engineer who prepared the plan. In cases of minor structural alterations where professional services are not required, or for changes in the use of existing buildings, the department of economic development and communications may waive this requirement.
6. Property identification number(s) and the dimensions of all lot and property lines, showing the relationship of the subject property to abutting properties.
7. Location of all existing and proposed structures, uses, number of stories, gross building area, setback lines, distances between structures, and location of loading areas on the subject property.
8. Location of all existing structures within 100 feet of the subject property lines.
9. All existing and proposed aisles, drives, pedestrian paths, roadways, parking areas and number of parking spaces on the subject property. Interior walks and pedestrian or bicycle paths within right-of-way.
10. All existing and proposed roadways, drives, parking areas, and pedestrian paths within 100 feet of the subject property.
11. Location and height of all walls, fences, and screen planting, including a plan for landscaping of the development and the method by which landscaping is to be maintained.
12. Location and widths of all abutting streets, existing and proposed rights-of-way, easements, and pavements.
13. Types of existing and proposed surfacing, such as asphalt or concrete paving.
14. Types of facing materials to be used on structures.
15. Elevations (front, sides, and rear views) of all sides of the building(s).
16. A floor plan drawing showing the specific use areas of all existing and proposed building on-site.
17. Density calculations (for multiple family projects).
18. Principal and accessory buildings.
19. Exterior lighting locations, type of fixtures, and methods of shielding from projecting onto adjoining properties.
20. Trash receptacle and transformer locations and method of screening.
21. Drive or street approaches including acceleration, deceleration and passing lanes, where appropriate.
22. All utilities located on or serving the site, including sizes of water and sewer lines.
23. Loading and unloading areas.
24. Estimated number of full-time and part-time employees.

25. Where large equipment or machinery is to be installed as part of the development, the location, type, horsepower, fuel, dimensions, noise, vibration, and emission levels, and other data of all such equipment or machinery.
26. General location type, and size of proposed signs for all buildings and uses on site.
27. Such other reasonable and relevant information as may be required by the city to assist in the review of the proposed development.
28. Proposed fire lanes and fire lane signs.
29. Proposed traffic circulation pattern and proposed signs and specifications for control of traffic.
30. Measures to be taken to protect existing on-site trees not proposed for removal as part of the development.
31. Landscape plan showing species, spacing, and size of each tree and plant material and ground cover and including required irrigation method.
32. Final site plan approval may be conditioned on approvals being obtained from outside agencies.
33. Site engineering plans prepared by a registered civil engineer. Submission of final engineering plans may be a condition of site plan approval. Plans shall include the following:
 - (a) A proposed grading and drainage plan. The plan should show proposed finished floor elevations, finished grades at structures, proposed storm collection system, storm outlet(s), ultimate downstream outlet, and, when required, retention/detention basin design calculations. Any areas of filled or reclaimed land shall be identified and all development shall detain stormwater so that the runoff from the property does not negatively impact upon adjacent properties or public and private rights-of-way. Compliance with engineering standards shall be determined by the city engineer. The planning commission shall require compliance with engineering standards, subject to the city engineer's final approval, as a condition of site plan approval.
 - (b) All utilities located on or serving the site, including sizes of water and sewer lines, proposed hydrants, proposed meter size, and proposed fire suppression line into building. Proposed sanitary leads, proposed sanitary sewers or on-site disposal systems must also be shown, as applicable.
 - (c) Proposed streets and drives showing types of surfacing, whether public or private, and grade elevations.
 - (d) If connected to a city water system, show existing invert elevation or lateral at proposed tap manhole and approximate invert; otherwise, Location of existing or proposed well.
 - (e) If connected to a city sanitary system, show existing invert elevation or lateral at proposed tap man-hole and approximate invert
 - (f) Preliminary storm system layout and flow arrows demonstrating that storm flow connections and disposal methods are feasible.
 - (g) Typical cross-sections for streets, roads, alleys, parking lots, etc., as applicable.
 - (h) Existing and proposed ground contours at intervals of one foot.

- G. *Fees.* Any application for site plan approval shall be accompanied by a fee as determined from time to time by resolution of the city council. Such fee may be utilized by the city to determine if the development will conform to the applicable city ordinances, policies, and standards, and for investigation and report of any objectionable elements.
- H. *Performance guarantees.* To insure compliance with the provisions of this ordinance and any conditions imposed by the planning commission, the department of technical and planning services may require that a performance guarantee be deposited with the city to insure the faithful completion of improvements, in accordance with Section 505 (1) of the Michigan Zoning Enabling Act of 2006, Public Act 110 of 2006, as amended. Improvements for which the city may require a performance guarantee include, but are not limited to, landscaping, berms, screen walls, lighting, surfacing of drives, parking areas, and acceleration/deceleration lanes, traffic control devices, sewer or water line improvements, and storm water management systems.

SECTION 2. Conflicting Provisions Repealed

All ordinances in conflict with the provisions of this ordinance are repealed only to the extent necessary to give this ordinance full force and effect; provided that all other provisions of the Oak Park Code of Ordinances as heretofore amended shall remain in full force and effect.

SECTION 3. Severability

No other portion, paragraph or phrase of the Code of Ordinances of the City of Oak Park, Michigan shall be affected by this ordinance except as to the above sections, and in the event any portion, section or subsection of this ordinance shall be held invalid for any reason, such invalidation shall not be construed to affect the validity of any other part or portion of this ordinance or of the Code of Ordinances of the City of Oak Park, Michigan.

SECTION 4. Effective Date

This ordinance shall be published as required by the Charter of the City of Oak Park and shall become effective ten (10) days from the date of its passage or upon the expiration of seven (7) days after its publication, whichever is later.

MADE, PASSED AND ADOPTED by the Council of the City of Oak Park on this 4th day of December, 2017.

T. EDWIN NORRIS
City Clerk

MARIAN McCLELLAN
Mayor

I, T. EDWIN NORRIS, the duly authorized Clerk of the City of Oak Park, Michigan, do hereby certify that the foregoing ordinance was adopted by the Council of the City of Oak Park at its regular meeting held on December 4, 2017.

T. EDWIN NORRIS, City Clerk

First Reading:	November 20, 2017
Second Reading:	December 4, 2017
Adopted:	December 4, 2017
Published	December 8, 2017