AGENDA 4a
DATE 3·3·20

4814 Henry Street Norton Shores, Michigan 49441 www.nortonshores.org

February 26, 2020

Council Meeting of March 3, 2020
SUBJECT: Adoption of Zoning Ordinance Amendment – Site Plan Procedure

The Honorable Mayor
and
Members of the City Council

Ladies and Gentlemen:

Pursuant to the January 28, 2020 work session discussion, City Council is requested to consider a proposed amendment to Chapter 48 of the Code of Ordinances, Section 120(b)(1), regarding the procedures of accepting site plan and other applicable materials. Please note, there will be no change in the procedure, the amendments clarify that the Zoning Administrator is to accept the site plans and other materials.

The Planning Commission held a public hearing at their meeting on February 11, 2020 and its passage was unanimously recommended to the Council. Subsequently, City Council had the zoning ordinance amendment introduced at their February 18, 2020 meeting. The City Council may use the attached resolution for their consideration.

Respectfully submitted,

Mark C. Meyers
City Administrator

MCM/tsw
Attachment

CITY OF NORTON SHORES
4814 Henry Street
NORTON SHORES, MICHIGAN 49441

Ordinance No.

AN ORDINANCE TO AMEND ARTICLE II OF CHAPTER 48 OF THE CODE OF ORDINANCES PERTAINING TO SITE PLAN REVIEW PROCEDURE

THE CITY OF NORTON SHORES ORDAINS:

Section 1. That Subsection (b)(1) of Section 48-120 captioned "Site plan review procedures" of Article II captioned "Administration and Enforcement" of Chapter 48 captioned "Zoning" of the Code of Ordinances for the City of Norton Shores is hereby amended to add the phrase "...zoning administrator or their designee by the developer..." so that section (b)(1) reads as follow:

Section 2. Prior to making application for a building permit, a site plan of a proposed development shall be submitted to the zoning administrator or their designee by the developer. Such site plan shall include the entire area proposed for development. The planning commission and/or the zoning administrator or their designee shall have the authority to require adjustments in the site plan as a condition for approval if such adjustments are deemed necessary by the commission and/or zoning administrator or their designee to ensure that the proposed development meets all standards contained herein and shall not excessively disturb the natural shore environment or the general residential character of the area.

Section 3. Severability: The provisions of this ordinance are declared to be severable in the holding of any court of competent jurisdiction that any section hereof is invalid and shall not impair or invalidate any other section.

Section 4. Repeal of Conflicting Ordinances: All ordinances in conflict with this ordinance to the extent of such conflict are hereby repealed.

Section 5. Effective Date: This ordinance will become effective ten (10) days after its adoption.

_____
Shelly Stibitz, City Clerk

Introduced: February 18, 2020
Adopted:
Published:
Effective:

city of Norton Shores

Internal Memo

February 26, 2020

TO: City Council Members

FROM: Ted Woodcock, Planning and Zoning Administrator TSW

SUBJECT: Zoning ordinance amendment, Section 48-120, Site plan review procedures

Following please find comments regarding the zoning ordinance amendment for Section 48-120, Site plan review procedures.

INTRODUCTION

Section 48-120 of the Norton Shores Code of Ordinances describes the site plan review procedure. There are multiple subsections that outline the procedures and required application materials for when a site plan is submitted to the City for review. Included in this section are descriptions of what needs to be on a site plan, public notice requirements, application and review requirements, as well as industrial plan approvals.

The Planning Commission held a public hearing on February 11, 2020 and unanimously recommended that the ordinance be amended to better reflect the process City staff follows when receiving a site plan and other applicable materials such as fees, architectural plans, and applications, etc.

CHANGE & REASONING

I am proposing two (2) amendments to this Ordinance section. Both are under Section 48-120(b)(1). This subsection explains the process for site plan reviews. Currently the verbiage says that the proposed site plan must be submitted to the planning commission instead of the Zoning Administrator. My amendments reflect the true procedure that all site plans and applications for site plan approvals should come to the Zoning Administrator or their designee. The second edit is that the planning commission as well as the Zoning Administrator or their designee should have the authority to require adjustments to the proposed plan to be consistent with City ordinances. **It should be noted that the amendments do not alter the current process of accepting site plans, applications, payments, and other applicable materials. The process is to remain the same, the amended verbiage reflects the current process.**

The reasoning for these changes is the inconsistency with submitting site plans and applications directly to the planning commission instead of the Zoning Administrator. This was brought to my attention by representatives from the Michigan Economic Development Corporation (MEDC). Currently, the City of Norton Shores is going through the Redevelopment Ready Community (RRC) process, which would certify the City as "redevelopment ready". By being "redevelopment ready" the City would then have access to tools and resources from the MEDC for future developments. This designation is crucial as it gives developers an expectation of the City's procedures when proposing a development. In this case, the MEDC said the City is "partially aligned" with the goal of who the intake professional is when accepting new applications and site plans. This change is to get the City aligned with the RRC goals so that the City is one step closer to RRC certification.

Sec. 48-120. - Site plan review procedures.

(a) *Notice requirement.* All owners per tax roll records within 300 feet, or 20 separate parcels of property regardless of the distance, on date of application shall be entitled to notice that a described adjoining parcel of land will be subject to site plan review on or before a time, date and place certain by the planning commission, and their review of the proposed plan and remarks are invited in writing or in person on date of review.

(b) *Application and review.*

(1) Prior to making application for a building permit, a site plan of a proposed development shall be submitted to the zoning administrator or their designee by the developer. Such site plan shall include the entire area proposed for development. The planning commission and/or the zoning administrator or their designee shall have the authority to require adjustments in the site plan as a condition for approval if such adjustments are deemed necessary by the commission and/or zoning administrator or their designee to ensure that the proposed development meets all standards contained herein and shall not excessively disturb the natural shore environment or the general residential character of the area.

(2) Except as otherwise waived by the planning commission said site plan shall show and include the following, either existing or proposed:

a. Site plan drawn to scale;

b. Property dimensions;

c. Size, shape and location of existing and proposed buildings;

d. Existing vegetation;

e. Topographical information;

f. Hydrographical information;

g. Soil types;

h. Photographs (optional);

i. Streets and highways;

j. Parking areas;

k. Loading zones;

l. Entrances to public streets;

m. Anticipated amount of traffic to be generated and circulation of traffic;

n. Building location, dimensions and proposed uses;

o. Description of building design, including proposed construction materials;

p. Drainage facilities;

q. Location and description of method to dispose of sanitary wastes;

r. All landscaping;

s. Sidewalks;

t. Anticipated market to be served by the proposed development, demonstrating that all proposed uses serve the ordinary needs of the surrounding residential area;

u. Signs proposed;

v. Any additional information such as a legal survey, engineering or architectural drawings or other information deemed by them to be necessary to carry out their duties; and

w. Current zoning on all adjacent land.

(c) *Industrial district preliminary plan approval procedures.*

(1) In the event an owner of land or interested party within the district zoned GI-General Industrial wishes to submit a development plan for site plan review but does not have a particular development ready, a site plan review shall occur according to regular procedures, if the preliminary plan contains the following features:

a. Plat or survey of lots;

b. Water and sewer installation plans;

c. Electrical and telephone utilities locations;

d. Roads, drives and sidewalks;

e. Covenants or agreements imposed on use of the land governing:

1. Landscaping;

2. Storage;

3. Berms, screens and fences;

4. Parking and loading facilities;

5. Drainage;

6. Fill and cuts;

7. Maintenance; and

8. Signs.

(2) The planning commission may take into consideration the standards for site plan approval contained in section 48-121, site and performance standards and conditions in section 48-122(b) and conditions and plan approval in section 48-123, and may require such acts or conditions they feel necessary to preserve the spirit and intent of

this chapter. The planning commission may waive any requirement contained in section 48-120(b), if unnecessary to maintain the spirit and intent of this chapter.

(3) Upon presentation of a detailed plan for development of a specific site within the area previously granted preliminary plan approval, the chairperson of the planning commission, or, in his absence, the vice-chairperson, together with two additional members of the planning commission appointed by the chairperson, or, in his absence, the vice-chairperson, may review such plan to further ensure the specific site plan complies with the spirit and intent of the requirements of this chapter. No further public hearing shall be required to enable him to grant final plan approval. He shall be empowered to require additional site conditions or agreements be made to ensure compliance with the spirit and intent of this chapter. Such conditions or agreements may be required to be made in writing and recorded in the form he prescribes.

(Ord. No. 369, § 15.808(11.101), 6-26-1981; Ord. No. 378, 4-6-1982; Ord. No. 522, 12-4-1992)