

## CHAPTER XVIII SITE PLAN REVIEW

(Ord. No. 9-89; 9/5/89)  
 (Ord. No. 95-7; 9/5/95)  
 (Ord. No. 99-5; 12/20/99)  
 (Ord. No. 00-06; 9/01/00)

(Ord. No. 02-02; 6/14/02)  
 (Ord. No. 04-06; 9/20/04)  
 (Ord. No. 19-05; 1/20/20)

**SECTION 18.01 PURPOSE.** The purposes of Site Plan Review are: to determine compliance with the provisions of this ordinance to promote the orderly development of the Township; to prevent the depreciation of land value through uses or structures which do not give proper attention to siting or area protection; to provide consultation and cooperation between the applicant and the Township Planning Commission in order that applicants may accomplish their objectives in the utilization of their land within the regulations of this zoning ordinance.

**SECTION 18.02 SITE PLAN REVIEW REQUIRED.** A site plan shall be submitted for review and approval before a building permit is issued. Site plans are required for the following uses:

- (a) Any new principal commercial, office, industrial, business, or institutional use or a residential use having more than a two family dwelling unit.
- (b) An alteration of the building or property or change in the use of a building or property which results in the increase in the intensity of the use or results in the need for more parking spaces as required by this Ordinance.
- (c) Special land uses and planned unit developments.
- (d) All other uses requiring site plan approval as required by this Ordinance.  
 (Ord. No. 02-02, 6/14/02)

### **SECTION 18.03 APPLICATION PROCEDURE.**

- (a) An application for site plan review shall be made to the Building Inspector along with a fee as required by Township Board resolution. The application shall, at a minimum, contain the following information:
  - (1) The applicant's name, address and phone number.
  - (2) Proof that the applicant is the owner of the property or has a legal or financial interest in the property such as a purchase agreement.
  - (3) The name, address and phone number of the owner(s) of record if different than the applicant.
  - (4) The address and/or parcel number of the property.
  - (5) Project description, including number of structures, dwelling units, square feet of building, parking spaces, and estimated employees.
  - (6) Gross and net size of the parcel in acres.
- (b) The Building Inspector shall forward the application and copies of the site plan to the Site Plan Review Committee ("the Committee") or Planning Commission ("the Commission") within thirty (30) days after the receipt of the application.

**SECTION 18.04 SITE PLAN CONTENT.**

- (a) Each site plan submitted for review under this chapter shall be drawn at a scale of 1"=200 or more and shall contain the following information:
- A vicinity map illustrating the location of the site within the Township.
  - Date site plan was prepared.
  - Name, address and professional seal of preparer.
  - North arrow and legal description based upon most current survey.
  - Property lines, dimensions, and building setback distances and all structures and lot lines within one hundred (100) feet of the site.
  - Existing and proposed topographic elevations at two (2) foot intervals on the site and to a distance of ten (10) feet outside the boundary lines of the site.
  - Direction of storm water drainage and how storm water runoff will be handled.
  - Location of existing and proposed buildings, their intended use, the length, width and height of each building, and the square footage of each building.
  - Location of abutting streets, rights-of-way, service drives, curb cuts, and access easements serving the site, as well as driveways opposite the site and driveways within one hundred (100) feet on either side of the site.
  - Location and size of all water and sanitary sewer lines and storm drainage lines as well as fire hydrants and catch basins, and location of septic tanks and drain fields, and utility easements.
  - Location of all sidewalks, bike paths, and other walkways.
  - Location and size of any walls, fences or other screening provisions.
  - Location of all proposed landscape materials, including size and type of planting in accordance with the Alpine Township Landscape Guidelines.
  - Location of all proposed accessory structures, including light poles or fixtures, flagpoles, storage sheds, transformers, dumpsters or trash removal areas or devices, signs, and existing and proposed utility poles.
  - Proposed parking areas and access drives showing number and size of spaces and aisles, loading areas, and handicapped access ramps. Also note method of surfacing such areas.
  - Location and type of significant existing vegetation, water courses, and water bodies including county or city drains and manmade surface drainage ways, floodplains, and wetlands. Vegetation which is to be retained on the site must be illustrated.
  - Zoning on all adjacent properties.

- Location and specifications for any existing or proposed above or below ground storage facilities for any chemicals, salts, flammable materials, or hazardous materials as well as any containment structures or clear zones required by this Ordinance or other state or federal agencies.
- A scaled drawing of any proposed outdoor lighting fixtures including all size specifications, information on watts, peak candle power at a cutoff angle of 75 degrees, location of the cut-off plane, ground or wall anchorage details, materials, colors, design of the fixture, and any other information needed to ensure compliance with Section 18.06 (c), Outdoor Lighting Standards, of this Ordinance (Ord. No. 00-06; 9/1/00).

## **SECTION 18.05 REVIEW PROCEDURE AND AUTHORIZATION.**

All site plans required under this chapter shall be subject to review as follows:

- (a) **PLANNING COMMISSION REVIEW:**
  - (1) Site plans for parcels which are five acres or greater.
  - (2) Site plans for Special Land Uses and Planned Unit Developments.
- (b) **SITE PLAN REVIEW COMMITTEE.** A Site Plan Review Committee shall review all other developments for which site plans are required under this chapter except those specified in Section 18.05(a) above.
- (c) **DISCRETIONARY REVIEW.** The Planning Commission may review, at its discretion, all site plans required under this Ordinance. The Site Plan Review Committee may also, at its discretion, refer a site plan to the Planning Commission for review and disposition.

In addition, the Township Zoning Administrator, Township Supervisor, or Planning Commission Chairperson shall have the authority to require that a site plan, which would normally be reviewed by the Site Plan Review Committee, be reviewed by the full Planning Commission. This determination shall be made before the site plan is reviewed by the Committee.

- (d) **AUTHORIZATION.** The Commission or Committee shall have the power to approve, deny, modify, or approve with conditions all site plans submitted to it under this Ordinance. A building permit shall not be issued until a site plan has been approved as required herein.
- (e) **SITE PLAN REVIEW COMMITTEE**
  - (1) This Committee shall consist of three members of the Planning Commission and the Township Zoning Administrator. The chairperson of the Planning Commission shall automatically be a member of the Site Plan Review Committee. The other members of the Committee shall be appointed by the Chairperson of the Planning Commission at the first official meeting of the Planning Commission each year. The Chairperson shall also appoint another member of the Planning Commission to the Site Plan Review Committee who shall serve as an alternate. The Committee shall select from its members its own chairperson and determine its own operating procedures. All members of the Committee shall be present in order to take any formal action on a site plan submitted for review.

- (2) The Zoning Administrator shall not be a voting member of the Committee.
- (3) A site plan which is not unanimously approved or denied by a vote of the Committee shall be referred to the full Planning Commission for a final decision.
- (4) Following a unanimous vote by the Committee on a site plan the Township Zoning Administrator, Township Supervisor, or Chairperson of the Planning Commission shall have the authority to appeal this vote to the full Planning Commission. This appeal must be made in writing to the Township Clerk within ten days of a decision by the Site Plan Review Committee. The Clerk shall then schedule the appeal for review by the Planning Commission. The Commission upon hearing the appeal may affirm, modify or reverse the decision of the Site Plan Review Committee. Further appeals shall be as permitted by Section 18.11 of this Ordinance.
- (f) **MEETINGS.** The Committee shall meet to review site plans within thirty (30) days after receipt of the site plan by the Building Inspector who shall arrange for such meeting. The Building Inspector shall also send a notice of this meeting to all members of the Planning Commission. All meetings of the Committee shall conform to the provisions of the Open Meetings Act being Act 267 of the Michigan Public Acts of 1976 as amended.
- (g) **REVIEW PERIOD.** The Committee and/or Planning Commission shall render a decision on a site plan within sixty (60) days of its initial review of the site plan unless an extension of time is agreed to by the Committee or Commission and the applicant.
- (h) **REVIEW STANDARDS.** The Committee or Commission shall review each site plan according to the standards for site plan review as contained in this chapter and any other applicable regulations of this Ordinance. In addition, the Committee or Commission is empowered to seek the review and recommendation of appropriate county, state or federal agencies, the Township Engineer and Planner, or other professionals, consultants, or agencies as the Committee or Commission deems necessary to assist it in its review.
- (i) **APPROVAL.** Upon approval of a site plan, two copies of the plan shall be signed and dated by the applicant and the chairperson of the Committee or Planning Commission. One copy of the plan shall be retained by the applicant and one shall be submitted to the Building Inspector as part of the building permit review process.

## **SECTION 18.06 STANDARDS.**

- (a) **GENERAL STANDARDS.** The Site Plan Review Committee or Planning Commission shall review the site plan for compliance with the requirements of this ordinance and conformance with the following general standards:
  - (1) All elements of the site plan shall be harmoniously and efficiently organized in relation to topography, the size and type of the lot, the character of adjoining property, and the type and size of buildings. The site shall be so developed as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.
  - (2) The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, and by topographic modifications which result in maximum harmony with adjacent areas.



- (3) Special attention shall be given to proper site drainage so that removal of storm waters will not adversely affect neighboring properties.
- (4) The site plan shall provide reasonable, visual, and sound privacy for all dwelling units located therein. Fences, walks, barriers, and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.
- (5) All buildings or groups of buildings shall be so arranged as to permit emergency vehicle access by some practical means as required by the Township Fire Department.
- (6) Every structure or dwelling unit shall have access to a public street, walkway, or other area dedicated to common use.
- (7) There shall be provided a pedestrian circulation system which is insulated as completely as reasonably possible from the vehicular circulation system.
- (8) All loading and unloading areas and outside storage areas including areas for the storage of trash, which face or are visible from residential districts or public thoroughfares, shall be screened by a vertical screen consisting of structural or plant materials no less than six (6) feet in height.
- (9) Exterior lighting shall be arranged so that it is deflected away from adjacent properties and so that it does not impede the vision of traffic along adjacent streets.
- (10) With respect to vehicular and pedestrian circulation, including walkways, interior drives, and parking, special attention shall be given to location and number of access points, general interior circulation, separation of pedestrian and vehicular traffic, particularly the avoidance of building corners next to access drives, and arrangement of parking areas that are safe and convenient, and insofar as practicable, do not detract from the design of the proposed buildings and structures and the neighboring properties. Streets and drives which are part of an existing or planned street pattern which serve adjacent development shall be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way equal to that specified in the Alpine Township Master Plan.
- (11) All streets shall be built in accordance with the requirements of the Alpine Township Subdivision Ordinance and the specifications of the Kent County Road Commission.
- (12) Site plans shall conform to all applicable requirements of state and federal statutes and approval may be conditioned on the applicant receiving necessary state and Federal permits before final site plan approval or an occupancy permit is granted.
- (13) The Commission or Committee shall review the proposed landscaping for conformance to the Alpine Township Landscape Guidelines.

(b) **ACCESS MANAGEMENT STANDARDS.** (Ord. No. 19-05; 1/20/20)

The Planning Commission, the Site Plan Review Committee and staff shall review site plans according to the access management standards contained in this Section relating to vehicle access and circulation. The standards contained in this Section are intended to balance the right of property owners to reasonably use their property with the need to enhance vehicular safety and ingress-egress on public roadways. It is the judgment of the Township that the adoption and implementation of these standards is in the best interest of the Township in order to increase traffic safety, lessen congestion, provide safe and adequate access, promote community character, enhance the value of property and ensure orderly and inter-connected development.

In addition to vehicular access, all site development plans shall ensure the safe and efficient use for all travel modes including pedestrian, bicycling and public transit.

The Township, in conjunction with other governmental agencies with appropriate jurisdiction, may require service drives for contiguous parcels along Alpine Avenue and on other streets. The Township may also limit the number of driveways for a site, require parking lots on contiguous parcels be shared, and require opposite driveways be directly aligned, all as required by the particular circumstances of a development project.

As part of site plan review, direct access to M-37 may be approved on a temporary basis by the Alpine Township Planning Commission or Committee in instances where access roads or adjoining parcels are not yet developed. Such conditional approval shall specify the future means of access, location (if known) and date the change will be made. Any such Alpine Township approval shall be memorialized within a Site Development Agreement and recorded with the County Register of Deeds.

While a parcel shall not be denied reasonable access, the public good shall be considered paramount and public safety addressed via the application of the access management standards contained in this Section and cooperation between Alpine Township, the Michigan Department of Transportation (MDOT), the Kent County Road Commission (KCRC), and the developer.

These access management standards do not seek to supplant the permitting authority of MDOT and the KCRC. Rather, these standards have been developed in partnership with MDOT and the KCRC to facilitate vehicular movement and safety within the context of inter-governmental cooperation during the site plan review process.

(1) **Access Management Plan Maps**

Maps 1 - 6 (found at the end of this Section) graphically display the access management standards applicable by the Township during site plan review. It shall be the responsibility of the Alpine Township Planning Commission, Site Plan Review Committee and staff to implement the access management standards shown on Maps 1-6 consistent with the terms of this Section.

Figures A, B and C (found at the end of this Section) provide conceptual references for designing service drives, parking lot cross access and rear service drives.

***In its review of future public road and access point needs as shown on Maps 1 - 6, the relevant Township body or individual shall examine the zoning***

***designations, master planning considerations, pre-existing and proposed land uses for the specific site and vicinity. The goal of any review shall be to facilitate an interconnected, safe and efficient public road network. Recommendations and requirements of Kent County Road Commission and MDOT shall be gathered as part of the public road planning and development process.***

In situations where Maps 1 - 6 do not identify specific access management requirements for a particular parcel, the Township shall, in consultation with MDOT and the KCRC, develop and implement such standards, relying on MDOT access management methodology.

In determining such access management methods and requirements, the following criteria shall be considered:

- The type and location of existing and proposed uses on the site
- The location and design of existing and proposed parking areas
- The existing and projected traffic volume on adjacent roadways
- Compatibility between adjacent land uses
- Land ownership and location of lot lines
- The general area recommendations of Maps 1 - 6
- Topography and sight distance along adjacent roadways and on the site
- Location of median crossings on Alpine Avenue
- Distance from intersections
- Location of driveways opposite the site
- Width of roadway and number of lanes.
- Such other factors as deemed appropriate by the relevant Township body or individual

Subject to the provisions of this Section, the Planning Commission or its Committee, upon the recommendation of the Planning Director, shall have the power to waive or alter the provisions of this Section where all of the following conditions are found to exist:

- (i) There are exceptional or extraordinary circumstances or conditions applying to the property which impacts access to or from the property. Exceptional or extraordinary circumstances or conditions include:
  - (A) Exceptional narrowness, shallowness, or the shape of a specific piece of property on the effective date of this ordinance amendment; or
  - (B) Exceptional topographic, environmental or similar conditions or situations; or
  - (C) Those created by reason of the use, development or legal restrictions on the property or immediately adjoining property.
- (ii) The waiver or alteration will not be detrimental to adjacent properties or the surrounding neighborhood.

- (iii) The waiver or alteration will not adversely impact the intent and purpose of the overall access management plan.

(2) **Service Drives**

Service drives shall be constructed according to the following requirements:

- (i) A service drive shall have a minimum width of 24 feet and be constructed to Kent County Road Commission standards for base and thickness of asphalt.
- (ii) A minimum of 10 feet snow storage/landscaping area must be reserved along both sides of the service drive with the edge of the service drive located a minimum of 10 feet from the edge of the public road right-of-way (see Figure A).
- (iii) All driveway radii shall be concrete curbs.
- (iv) The entrance of the service drive from a public road other than Alpine Avenue shall be at least 200 feet measured from the tangent point of the driveway radius along the public road to the tangent point of the public street radius to provide for adequate stacking and maneuvering. For service drives from Alpine Avenue, see Figures A and C. The Planning Commission or Committee shall have the authority to waive or modify the aforementioned spacing requirements when strict adherence to them would result in unreasonable access to a site.
- (v) The service drive shall be a private roadway maintained by adjoining property owners or user who shall enter into a formal agreement together for the joint maintenance of the service drive. This agreement shall first be reviewed and approved by the Township. This agreement shall then be recorded with the Kent County Register of Deeds and shall be binding upon all future property owners.
- (vi) Landscaping along the service drive shall be determined by the Planning Commission or its Committee during site plan review. Installation and maintenance of landscaping shall be the responsibility of each lot owner or user.

(3) **Driveways**

All driveways proposed onto Alpine Avenue/M-37 and other public streets require a permit from MDOT and/or the Kent County Road Commission.

A right turn lane and taper shall be required for driveways in accordance with MDOT and/or the Kent County Road Commission.

(4) **Traffic Studies**

As part of the site plan review process for a project, the Township may require a developer to commission a traffic study or the Township may commission a traffic study. The purpose of such a study is to review the access management plan's requirements and to test the plan for ongoing viability with respect to a particular

development. The traffic study shall be funded by the developer and conducted by a firm with traffic planning expertise approved by the Township and as applicable, MDOT. The results of the study shall be shared with the Planning Commission, MDOT and the Kent County Road Commission for comparison purposes and to support site plan review decisions.

The level of detail required in a traffic study shall be based upon the expected amount of traffic to be generated by the proposed use, based on generally accepted traffic engineering sources such as the Michigan handbook, "Evaluating Traffic Impact Studies", and the Institute of Transportation Engineers (ITE) "Trip Generation" sourcebook (current edition).

- (i) Traffic Impact Assessment: A Traffic Impact Assessment is required for any proposed development expected to generate between 50 and 99 peak hour directional trips or at the discretion of the MDOT Region/TSC Traffic and Safety Engineer. A Traffic Impact Assessment should include estimated traffic generated by the proposed use, existing traffic volumes during peak hours adjacent to the site, locations of existing and proposed drives identified, and trip distribution/assignment for the proposed drives. The Traffic Impact Assessment shall describe proposed access design and other mitigation measures that will positively affect traffic operations at these points.
- (ii) Traffic Impact Study: A Traffic Impact Study is a complete analysis and assessment of traffic generated by a proposed development and of the impact a proposed development would have on the surrounding transportation system. A Traffic Impact Study is required for any proposed development expected to generate over 100 peak hour directional trips or at the discretion of the MDOT Region/TSC Traffic and Safety Engineer.

The Traffic Impact Study should include estimated traffic volumes generated by the proposed use, a transportation system inventory (physical, functional and operational characteristics) of the study area and, where pertinent, local transit services. To be included should be data on peak-hour volumes for individual movements (existing and projected), a capacity analysis of each access point. Any proposed signalized access point within 1 mile of an existing signalized intersection shall be analyzed in coordination with the exiting signal timing along the entire signalized corridor. A traffic impact study shall be analyzed with and without the proposed development on the existing system, and with the proposed development for both existing and projected traffic volumes.

The Traffic Impact Study must also describe and support proposed access design and other mitigation measures that will positively affect traffic operations at the site and nearby intersections. The Traffic Impact Study shall also evaluate pedestrian access, circulation and safety; and must take into account plans within the Alpine Township Master Plan in analyzing future traffic developments.

# Map 1: 2019 Access Management Plan



Alpine Twp. Planning Dept. using 8-2019 REGIS data & 2017 photo



18 - 11



Alpine Twp. Planning Dept. using 8-2019 REGIS data & 2017 photo



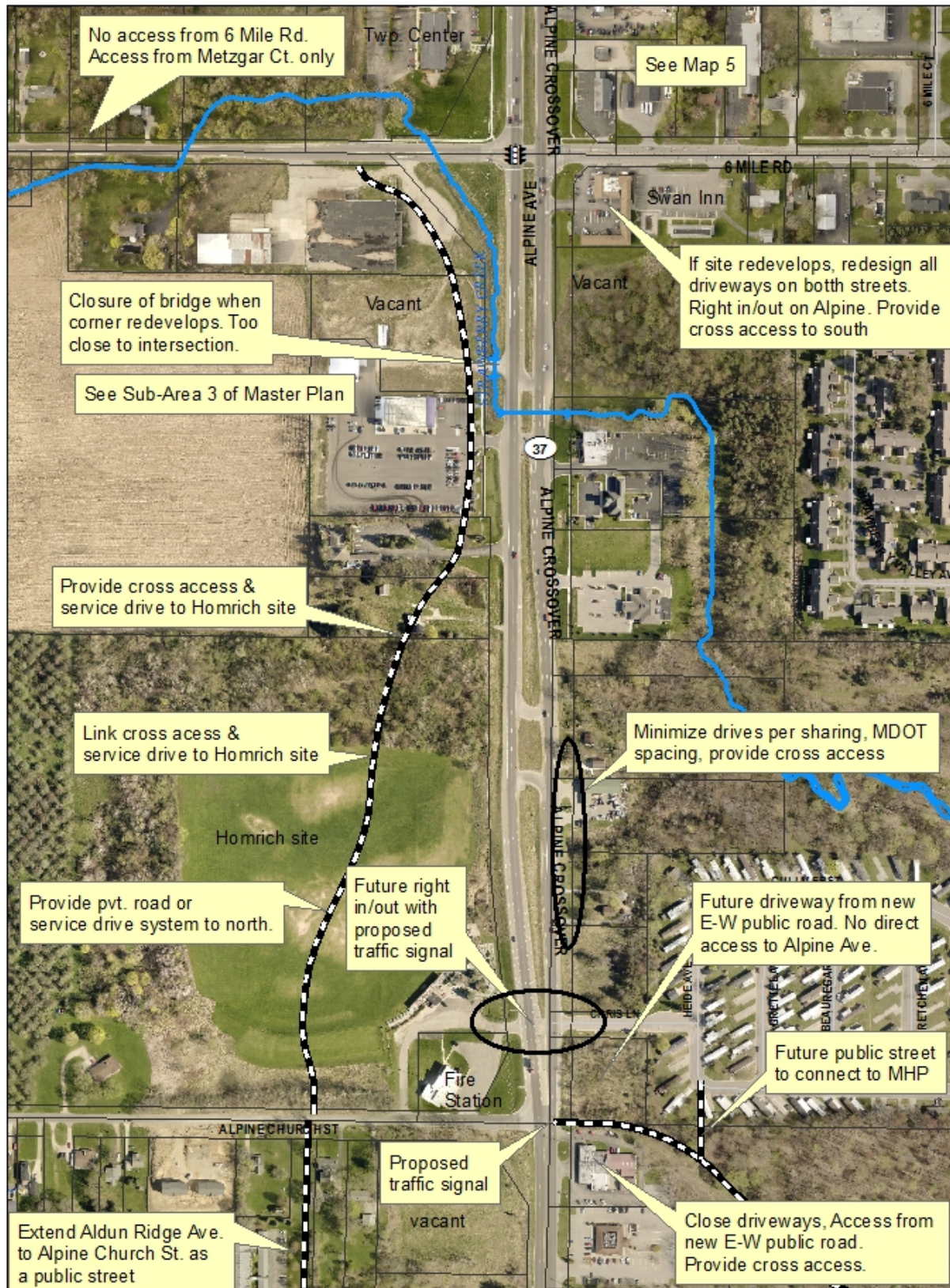
## Map 3: 2019 Access Management Plan



Alpine Twp. Planning Dept. using 8-2019 REGIS data & 2017 photo



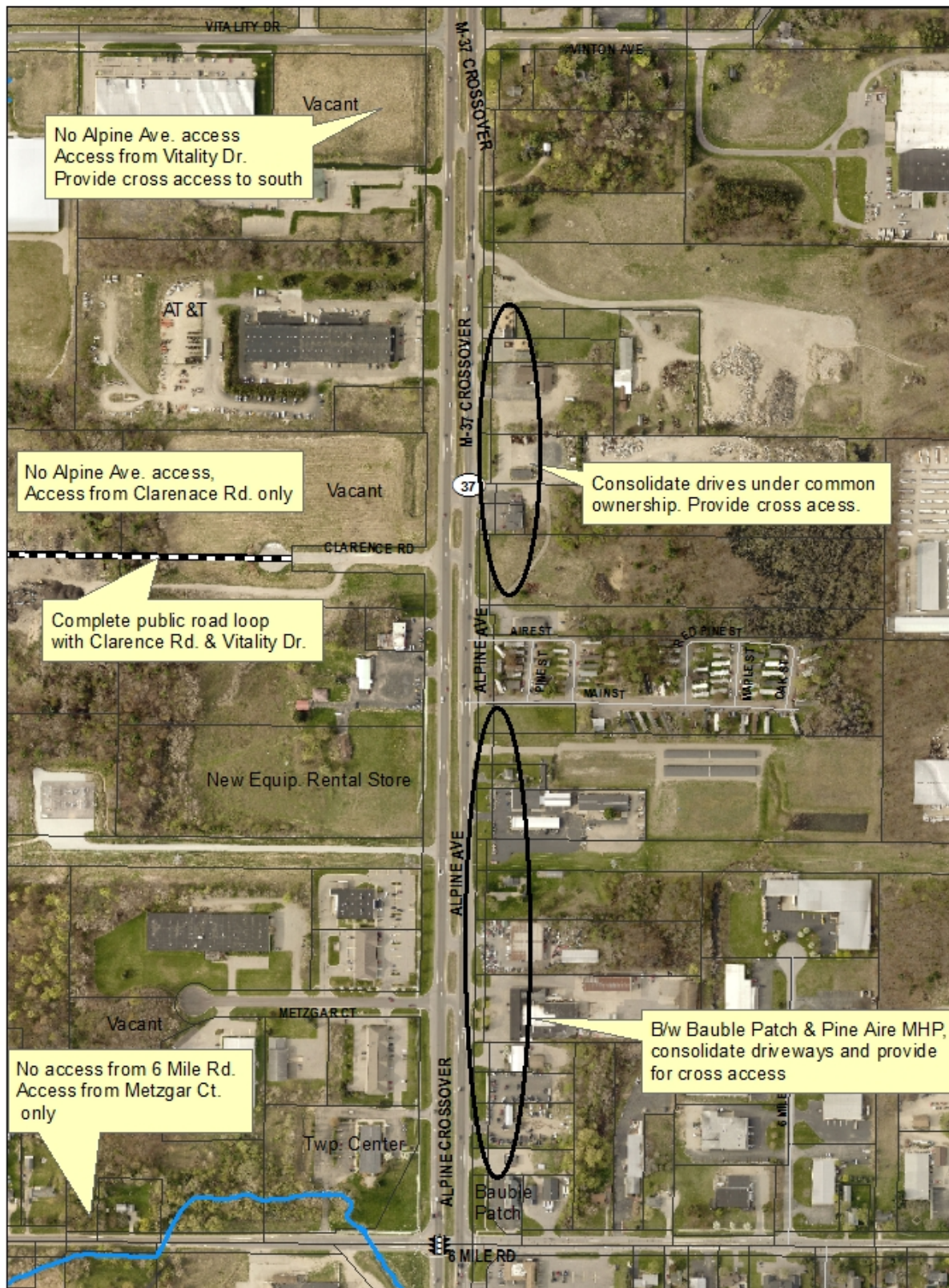
## Map 4: 2019 Access Management Plan



Alpine Twp. Planning Dept. using 8-2019 REGIS data & 2017 photo



## Map 5: 2019 Access Management Plan



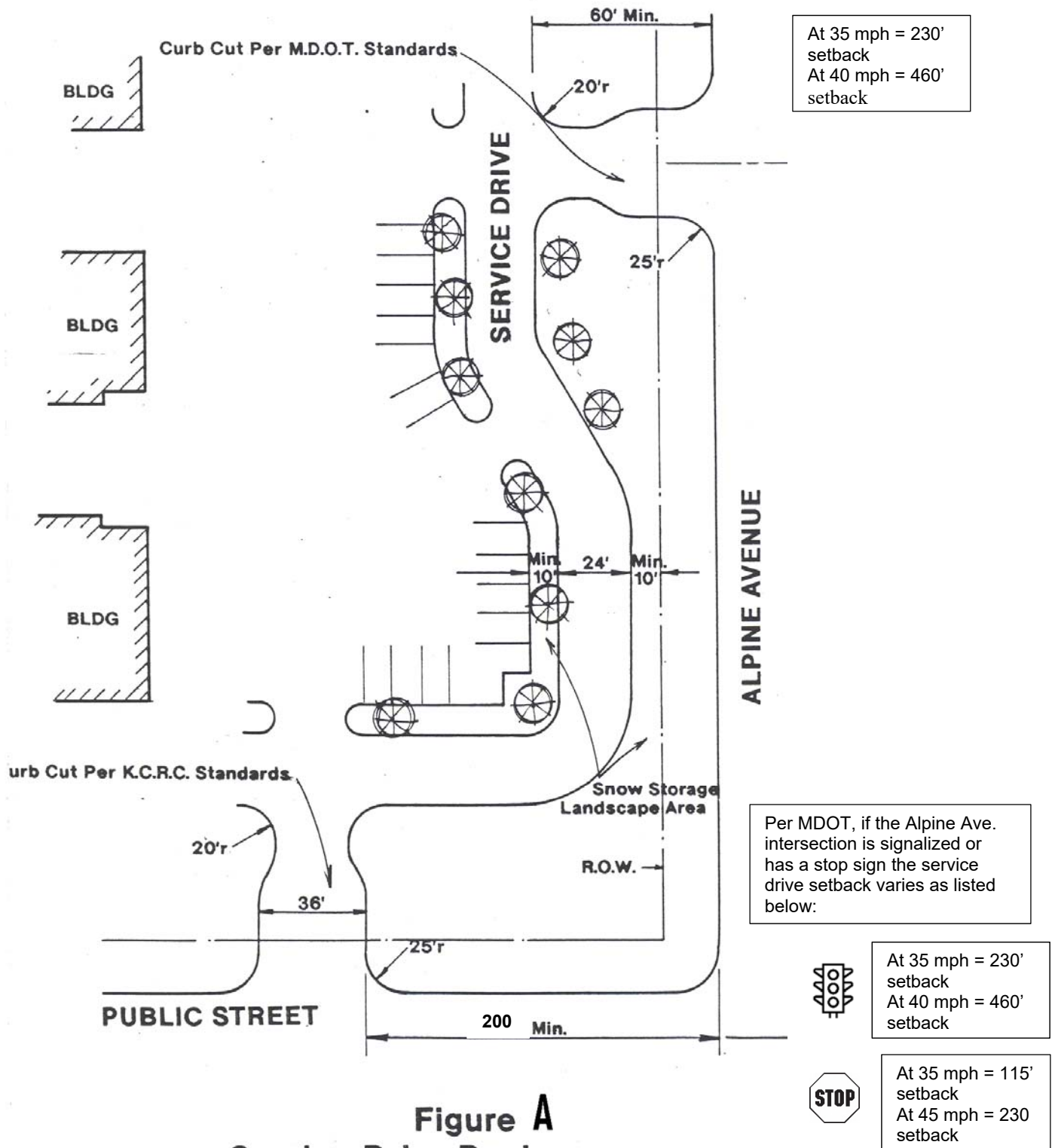
Alpine Twp. Planning Dept. using 8-2019 REGIS data & 2017 photo



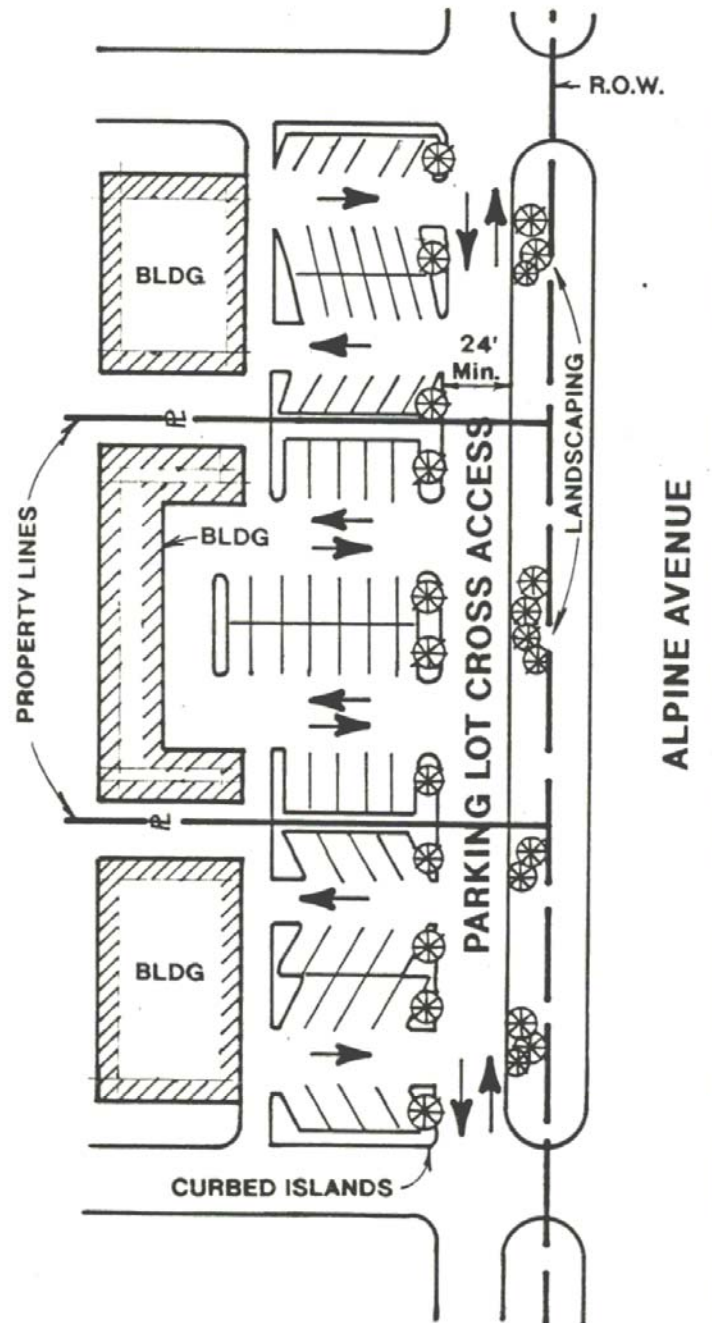
## Map 6: Access Management Plan



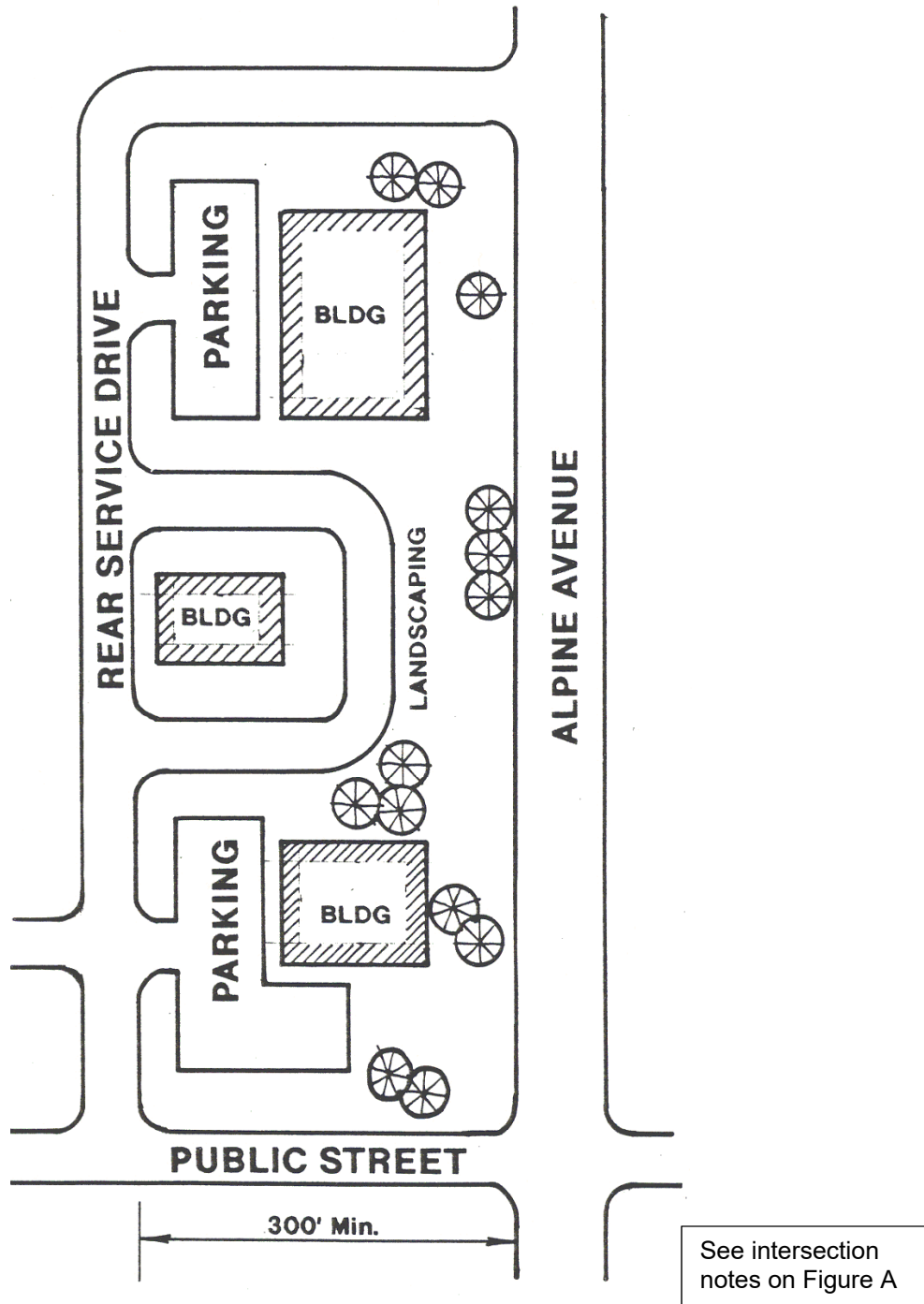
Alpine Twp. Planning Dept. using 8-2019 REGIS data & 2017 photo







**Figure B**  
**Parking Lot Cross Access**



**Figure C**  
**Rear Service Drive**

(c) **OUTDOOR LIGHTING STANDARDS** (Ord. No. 00-06; 9/1/00):

The following regulations shall apply only to uses for which site plan review is required under this Chapter.

All outdoor light fixtures shall be shielded fixtures except those exempted under Section 18.06(c)(2). The intensity of light emitted from the fixture at any angle above a cut-off angle of 75 degrees from the vertical must be less than 10% of the peak candle power of the outdoor light fixture, as shown in Figure 1 of this Section. Light shall not be emitted above a horizontal plane running through the lowest point on the fixture where light is emitted, as shown in Figure 1.

All outdoor light fixtures shall be installed and placed to ensure that light does not spill onto adjacent properties or roadways and does not produce a glare.

Parking lot light poles shall not exceed a height of 35 feet above the average grade of the surrounding parking lot surface, except for parking lot light poles used to illuminate outdoor recreation uses such as ball fields, tennis courts, golf driving ranges, or similar outdoor recreation uses. Parking lot light poles within 150 feet of a public or private street right-of-way or any residentially zoned property, shall not exceed a height of 23 feet above the average grade of the surrounding parking lot surface.

An outdoor light fixture shall not have a light source which is greater than 400 watts except for outdoor light fixtures used to illuminate those outdoor recreation uses which require site plan review.

Exemptions. The following outdoor light fixtures are exempt from the provisions of this ordinance.

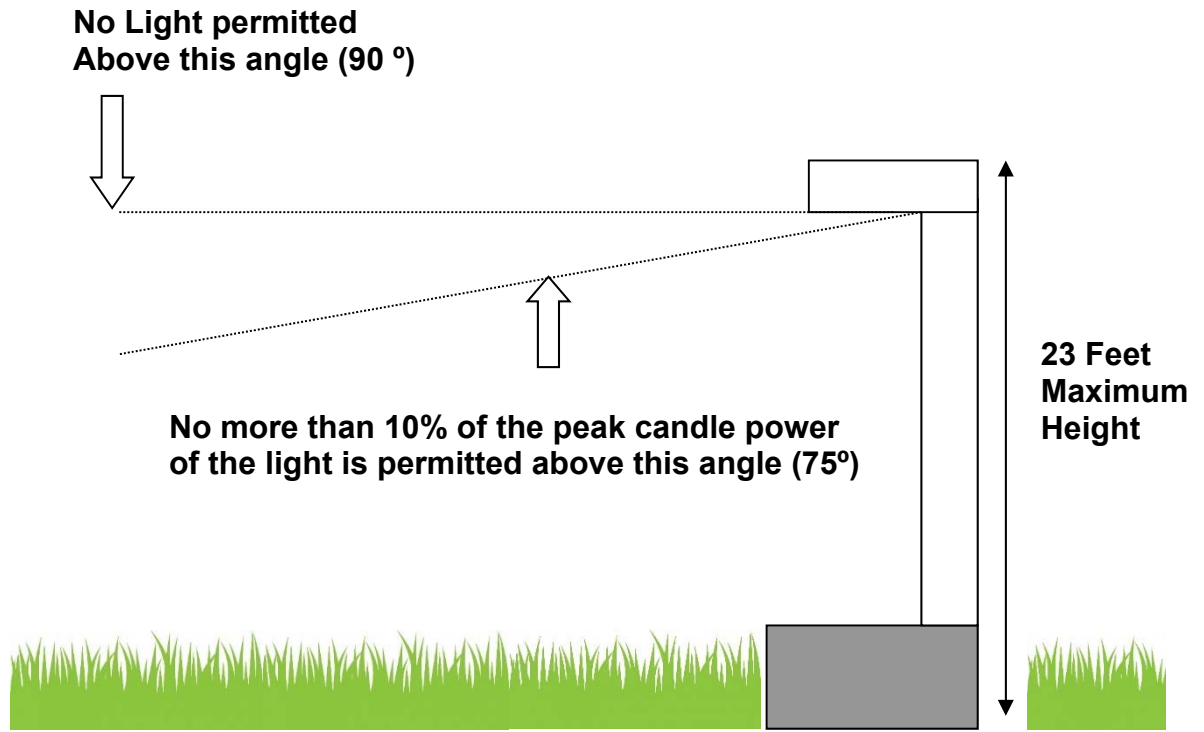
Outdoor light fixtures installed prior to the effective date of this Ordinance are exempt from the provisions of this ordinance; provided, however, that when there is any change in the use, or any replacement, structural alteration or restoration of such outdoor light fixture, then the fixture shall thereafter conform to all provisions of this ordinance.

Fossil fuel light produced directly or indirectly by the combustion of natural gas or other utility -type fields.

Outdoor light fixtures which use an incandescent light bulb of 150 watts or less except where they create a hazard or nuisance from glare or spill light.

Night Lighting. Outdoor light fixtures for off-street parking lots shall be turned off no later than one hour after the ending of the use on the site, except for lights which are necessary for security purposes.

**Figure 1**  
**SHIELDED LIGHT FIXTURE**



### **SECTION 18.07 CONDITIONAL APPROVAL**

- (a) The Committee or Planning Commission may condition approval of a site plan on conformance with the standards of another local, county, state, or federal agency. It may do so when such conditions:
- (1) Would ensure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity.
  - (2) Would protect the natural environment and conserve natural resources and energy.
  - (3) Would ensure compatibility with adjacent uses of land.
  - (4) Would promote the use of land in a socially and economically desirable manner.
- (b) The Committee or Planning Commission may conditionally approve a site plan upon conformance with fencing, screening, buffering, or landscaping proposals of the Alpine Township Landscape Guidelines and may collect a performance guarantee consistent with the requirements of Section 18.08 herein to ensure conformance. When so doing, the following finding shall be made and documented as part of the review process:



- (1) That such fencing, screening, buffering, or landscaping would mitigate negative effects of noise, dust, lighting, vehicular or pedestrian traffic, loading or unloading, parking, or other similar impact on adjoining parcels.
- (2) That absent such conditions, the development would adversely affect the reasonable use, enjoyment, and value of adjoining lands in light of similar benefits enjoyed by other properties in the area.

## **SECTION 18.08 PERFORMANCE GUARANTEE**

The Committee or Planning Commission may require a performance bond, letter of credit, or certified check in an amount equal to the estimated cost of road, lighting, utility, sidewalk, landscaping, drainage, and other required improvements associated with the project. The estimated amount shall be determined by the applicant. Such performance guarantee shall be deposited with the Clerk of the Township at the time of the issuance of the permit authorizing the activity or project to ensure faithful completion of the improvements indicated with the approved site plan; if not, the performance guarantee shall be forfeited. The Township shall rebate a proportional share of cash deposits only when requested by the depositor, based on the percent of improvements completed, as attested to by the depositor and verified by the Building Inspector. In cases where the provisions of this Chapter have not been met, the amount of the aforementioned performance guarantee shall be used by the Township to complete the required improvements; and the balance, if any, shall be returned to the applicant.

## **SECTION 18.09 AMENDMENT OF AN APPROVED SITE PLAN**

Any person or agency for which a site plan has been approved shall notify the Building Inspector of any proposed amendment to the approved site plan. Any minor change such as dimension changes, increase in parking, drive relocation, landscaping changes, or movement of lighting or signs may be approved by the Building Inspector who shall notify either the Planning Commission or Committee in writing of such amendments. A copy shall be placed in the file of the original permit request.

Any major changes to an approved site plan shall comply with the filing procedures contained herein for site plan review. Major changes shall include but are not limited to increasing the density or number of dwelling units, increasing the number of buildings or land area and the addition of another use or uses not initially authorized under the original site plan. The Building Inspector shall determine if other similar changes constitute a major amendment.

## **SECTION 18.10 ISSUANCE OF BUILDING PERMIT**

The Building Inspector shall, upon receipt of notice of approval from the Committee or Planning Commission and upon application by the applicant, issue a building permit provided all other applicable Township regulations have been met.

## **SECTION 18.11 APPEAL**

- (a) **COMMITTEE DECISION.** Any person or party aggrieved by a decision of the Committee under this section may appeal such decision to the full Planning Commission. Such appeal shall be filed with the Township Clerk within ten (10) days of the date of a final decision on the site plan by the Committee. The Clerk shall schedule the appeal for the next regular meeting of the Planning Commission. Further appeal shall be to the Alpine

Township Board of Trustees within ten (10) days of a decision by the Planning Commission. The Board of Trustees shall affirm, reverse, or modify the action of the Planning Commission and shall state its findings in writing to the applicant.

- (b) **PLANNING COMMISSION DECISION.** An appeal of a site plan decision rendered by the Planning Commission shall be made to the Board of Trustees within ten (10) days of such decision in the same manner as noted in 18.11(a) above. The Board of Trustees shall affirm, reverse, or modify the decision of the Planning Commission and shall state its findings in writing to the applicant.

**SECTION 18.12 EXPANSION OF EXISTING USE, STRUCTURE or BUILDING.** (Ord. No. 93-6; 8/5/93)

It is recognized that there are existing land uses, buildings, and structures which do not conform to the current regulations of this Ordinance and as such do not achieve the intended purposes of this Ordinance. When these uses, buildings, and structures are expanded, enlarged or increased in intensity so that a site plan review is required per Section 18.02 herein, the following regulations shall apply.

- (a) The Planning Commission or Site Plan Review Committee shall require that the site development standards used in reviewing site plans be applied to existing uses, structures or buildings. Those standards shall be applied if it is determined that any of the following situations exist:
  - (1) Existing stormwater drainage provisions on site are inadequate.
  - (2) There is insufficient on-site parking to satisfy current Zoning Ordinance requirements and/or a hard surface parking area is needed to reduce dust and reduce gravel and dirt runoff into the public stormwater drainage system.
  - (3) Existing driveways may result in hazardous vehicle movements.
  - (4) Additional plantings are needed in order to comply with the intent of the Alpine Township Landscape Guidelines or replace trees and shrubs previously removed and screening is needed in the form of fencing or landscaping to provide a buffer between uses, particularly to screen materials stored outside.
  - (5) Access to adjoining properties is inadequate and can be improved by way of parking lot connections or installation of a service drive to improve traffic circulation and reduce the number of turning movements onto the public street system.
  - (6) Safety for pedestrians can be improved and better emergency vehicle access can be provided.
  - (7) Better lighting conditions are needed to reduce or eliminate nuisance lighting situations for drivers and nearby residents.
  - (8) Screening of dumpsters is needed to improve the appearance of a site and reduce the likelihood of windblown trash.
  - (9) Sidewalks are needed to improve pedestrian safety. (The criteria of Section 11.04 (g) herein shall be considered in addition to the criteria of this Section.)

- (b) In determining how to apply the site plan review standards to address the above deficiencies found on a site, the Planning Commission or Site Plan Review Committee shall be guided by the following criteria:
- (1) Whether or not compliance would ensure safer on site conditions, protect the natural environment, improve traffic circulation, achieve compatibility with adjacent land uses, promote the use of the land in a socially and economically desirable manner and generally accomplish the purposes of site plan review as described in this chapter.
  - (2) The practicality of requiring compliance with the applicable regulations of this Ordinance based on the existing design, layout, and operation of the existing use and size of the site.
  - (3) Whether or not requiring compliance would have a negative impact on the character, safety, and welfare of the neighborhood or surrounding area.

### **SECTION 18.13 VALIDITY OF FINAL SITE PLANS**

Approval of the final site plan is valid for a period of not longer than one year unless extended as allowed herein. The one-year period shall commence on the date when the site plan is signed for approval by the chairperson of the Planning Commission or Site Plan Review Committee as the case may be. If actual physical construction of a substantial nature of the improvements included in the approved site plan has not commenced and proceeded meaningfully toward completion during that period, the approval of the final site plan shall be terminated.

Upon written application, filed prior to the termination of the one year review period, the Planning Commission or Site Plan Review Committee, whichever granted final site plan approval, may authorize a single extension of the time limit for approval of a final site plan for a further period of not more than one year. Such extension shall only be granted based on evidence from the applicant that there is a likelihood of construction commencing within the one-year extension.



