

ARTICLE 24
SITE PLAN REVIEW

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Sec. 24.01 SCOPE.

Certain land uses are quite necessary to the proper development of a community, but likewise possess characteristics which warrant special treatment. These characteristics, in many situations, can easily become undesirable to some degree; basically because their intrinsic needs or appearance have a wide ranging influence beyond their own perimeter. To further the purposes of this Ordinance, it is hereby deemed prudent and necessary to apply limits and guidelines which will both encourage good development and discourage undesirable effects on surrounding development. The provisions of Article 23 shall also apply to the following requirements, as applicable.

Sec. 24.02 PRE-APPLICATION CONFERENCE.

For the purpose of expediting applications and minimizing design and development costs, applicants are encouraged to discuss a proposed development with the Zoning Administrator early in the design phase of a development so that the applicant can be made aware of the development requirements affecting the proposed development.

The Zoning Administrator may consult with the township engineer, planner, drain

commission, road commission or other agency as required, or may refer the applicant to the appropriate agency for additional information. The applicant shall not be bound by the plan reviewed in a pre-application review, nor shall the Planning Commission be bound by any such review.

Sec. 24.03 PRELIMINARY SITE PLAN REVIEW.

A property owner shall furnish a preliminary site plan to the Planning Commission in the following circumstances: (See Sec. 24.05 for Preliminary Site Plan Requirements and Sec. 24.07 for Planning Commission Review Standards of Site Plans)

- A. In connection with an application for a Special Use Permit.
- B. In connection with an application for rezoning, if applicable, or an application for Planned Unit Development.
- C. In connection with larger scale projects where the development will be undertaken in several phases.
- D. In connection with new parking lot construction or expansion and all curb cuts for driveway purposes in commercial and industrial districts.
- E. At the request of the applicant, as a precedent to submitting a final site plan.

F. If the preliminary site plan is approved, a final site plan incorporating any conditions imposed shall be submitted for review. The Planning Commission may delegate approval of the final site plan to the Zoning Administrator, if the Commission deems it to be appropriate. (See Sec. 24.06 for Final Site Plan Requirements and Sec. 24.07 for Planning Commission Review Standards of Site Plans).

Sec. 24.04 SITE PLANS.

Prior to the creation of a use or the erection of a building, a Site Plan shall be submitted for review by the Zoning Administrator or Planning Commission as provided below:

- A.** Permitted uses in the following Districts shall be subject to Site Plan Review by the Planning Commission:
 - 1. R-3 Residential
 - 2. R-4 Residential
 - 3. R-5 Residential
 - 4. C-1 Commercial
 - 5. O-Office District
 - 6. C-2 Commercial
 - 7. C-3 Commercial
 - 8. I-1 Industrial
 - 9. PID Industrial
 - 10. PUD Planned Unit Development
 - 11. Special Land uses in all Districts.
 - 12. Alterations of existing structures in all districts except one (1) and two (2) family structures, when the alteration includes exterior wall and/or roof removal or replacement including changes in exterior height, roof top height, added parapets and alterations in exterior materials.

- B.** The following shall be exempt from Planning Commission review of their site plans in all districts:
 - 1. A single or two family dwelling or mobile home on a lot on which there exists no other principle building or use.
 - 2. The removal of one thousand (1000) yards or less of topsoil, sand, gravel, or minerals.
- C.** The Planning Commission may waive site plan review for a particular project or for a particular class of projects.
- D.** All site plans exempted from review by the Planning Commission shall be subject to approval by the Zoning Administrator. The staff shall be authorized to approve, disapprove, or approve subject to conditions all site plans exempted from review by the Planning Commission. If the site plan is disapproved by the staff, the applicant shall have the right of appeal to the Planning Commission.

Sec. 24.05 PRELIMINARY SITE PLAN REQUIREMENTS.

Each preliminary site plan shall contain the following information unless specifically waived by the Zoning Administrator or Planning Commission in whole or in part:

- A.** The date, north arrow, and scale. The scale shall be not more than 1" = 20' if the subject property is less two (2) acres; 1" = 40' if the site is less than six (6) acres; and 1" = 100 feet if the site is greater than six (6) acres.

- B.** The name and firm address of the professional individual responsible for the preparation of the site plan.
- C.** The name and address of the property owner or petitioner, and proof of ownership or option to purchase.
- D.** A locational sketch drawn to scale.
- E.** Legal description and common or popular description of the subject property.
- F.** The size in acres and square feet of the subject property.
- G.** All lot or property lines are to be shown with bearings and dimensions, including building setback lines on corner lots.
- H.** The location of all existing structures within one hundred (100) feet of the subject property's boundary.
- I.** The location of all existing and proposed structures on the subject property.
- J.** The location and dimensions of all existing and proposed drives, sidewalks, curb openings, parking areas including total number of parking spaces, recreation areas, common use areas, and areas to be conveyed for public use and purpose.
- K.** The location, pavement width and right-of-way width of all abutting roads, streets, alleys, or easements. Land must be reserved and shown on the site plan for any major streets proposed on the Major Street Plan that would go through any part of the site.
- L.** The existing zoning of all properties abutting the subject property.
- M.** The preliminary site development plan must be sealed by a registered professional engineer as to whether the preliminary layout of the buildings can be adequately serviced by sanitary sewer or septic system, public water or private well, and storm drainage facilities.
- N.** The location and size of any established floodplain areas, bodies of water, or other unbuildable areas if present on the site.
- O.** For all site plans, contour intervals shall be shown at five (5) foot intervals.
- P.** Summary schedules and views should be affixed as applicable in residential developments, which give the following data:
 - 1. The net residential site as defined in Article 32 expressed in acres and in square feet, including breakdowns of both measured for any sub-areas or staging areas.
 - 2. The number of dwelling units proposed (by type).
 - 3. Typical lot size dimensions if detached housing is contemplated.
 - 4. Typical elevation views of the front and side and rear of each type of building.

- 5. Proposed density of the net residential site.
- Q.** An accurate 1" = 20' or larger scale landscape design plan which, at a minimum, shall include:
 - 1. The name, address and seal of the landscape architect responsible for the preparation of the landscaping site plan.
 - 2. Property dimensions for the subject property and a north arrow.
 - 3. The location, type, and size of major existing plant materials, including all trees, with information as to which materials will be removed, retained, or relocated.
 - 4. The location, type, and size (tree, shrub, ground cover, or grass) of proposed landscaping in the proposed landscape areas.
 - 5. The location and a description of proposed earth berms, walls, fences, screens, sculptures, fountains, street furniture, and light fixtures.
 - 6. The location, size and surface materials proposed for storm water detention areas, parking areas, driveways, curb cuts, and sidewalks or pedestrian walkways.
 - 7. The location, type and other pertinent information related to the irrigation system.
 - 8. The areas proposed to be landscaped in conjunction with buildings or parking lot improvements and those areas proposed

for landscaping in connection with future development.

- 9. A certification by a licensed landscape architect that the plan satisfies the requirements of this Ordinance subsection.
- R.** Proposed phasing plans.
- S.** Solid waste disposal facilities are required and shall be designed and located in accordance with Section 24.07.I.

24.06 FINAL SITE PLAN REQUIREMENTS.

Each Final Site Plan submitted shall contain the following information, unless specifically waived by the Zoning Administrator or Planning Commission, in whole or in part:

- A.** The date, north arrow, and scale. The scale shall be not more than 1" = 20' if the subject property is less than two (2) acres; 1" = 40' if the site is less than six (6) acres; and 1" = 100 feet if the site is greater than six (6) acres.
- B.** The name and firm address of the professional individual responsible for the preparation of the site plan (including imprint of his or her professional seal).
- C.** The name and address of the property owner or petitioner, and proof of ownership or option to purchase.
- D.** A locational sketch drawn to scale.

- E.** Legal description and common or popular description of the subject property.
- F.** The size in acres and square feet of the subject property.
- G.** All lot or property lines are to be shown with bearings and dimensions, including building setback lines on corner lots.
- H.** The location of all existing structures within one hundred (100) feet of the subject property's boundary.
- I.** The location and dimensions of all existing and proposed structures on the subject property.
- J.** The location and dimensions of all existing and proposed drives, sidewalks, curb openings, signs, exterior lighting, curbing, parking areas including total number of parking spaces (show dimensions of a typical parking space), unloading areas, recreation areas, common use areas, and areas to be conveyed for public use and purpose.
- K.** The location, pavement width, and right-of-way width of all abutting roads, streets, alleys, or easements. Land must be reserved and shown on the site plan for any major streets proposed on the Street Plan that would go through or adjacent to any part of the site.
- L.** The existing zoning of all properties abutting the subject property.
- M.** An accurate 1" = 20' or larger scale landscape design plan which, at a minimum, shall include:
 - 1. The name, address and seal of the landscape architect responsible for the preparation of the landscaping site plan.
 - 2. Property dimensions for the subject property and a north arrow.
 - 3. The location, type, and size of major existing plant materials, including all trees, with information as to which materials will be removed, retained, or relocated.
 - 4. The location, type, and size (tree, shrub, ground cover or grass) of proposed landscaping in the proposed landscape areas.
 - 5. The location and a description of proposed earth berms, walls, fences, screens, sculptures, fountains, street furniture, and light fixtures.
 - 6. The location, size and surface materials proposed for storm water detention areas, parking areas, driveways, curb cuts, and sidewalks or pedestrian walkways.
 - 7. The location, type and other information related to the irrigation system.
 - 8. The areas proposed to be landscaped in conjunction with buildings or parking lot improvements and those areas proposed for landscaping in connection with future development.

- 9. A certification by a licensed landscape architect that the submitted plan satisfies the requirements of this Ordinance subsection.
- N.** Size and location of existing and proposed hydrants and utilities, including proposed connections to public sewer or water supply systems.
- O.** The location and size of all subsurface and surface water drainage facilities, existing and proposed; and any established floodplain areas, bodies of water or other unbuildable areas if present on the site.
- P.** Topography: contour intervals shall be shown at five (5) foot intervals. If the change in contours on the site is less than ten (10) feet, the site plan shall show contours at one (1) foot intervals.
- Q.** Architectural elevations of the proposed building or buildings.
- R.** Summary schedules and views should be affixed as applicable in residential developments, which give the following data:
 - 1. The net residential site as defined as Article 32 expressed in acres and in square feet, including breakdowns of both measured for any sub-areas or staging areas.
 - 2. The number of dwelling units proposed (by type), including typical floor plans for each type of dwelling unit.

- 3. The number and location (by code if necessary) of efficiency and one or more bedroom units.
- 4. Typical elevation views of the front and side and rear of each type of building.
- 5. Proposed density of the net residential site.
- S.** Signs, existing and proposed.
- T.** Phasing plans.
- U.** Exterior lighting, including street, parking lot, and general; by location and type of fixture.
- V.** Solid waste disposal facilities are required and shall be designed and located in accordance with Section 24.07.I.

Sec. 24.07 REVIEW STANDARDS.

The following standards shall be utilized by the Planning Commission and Zoning Administrator in reviewing all site plans. These standards are intended to provide a frame of reference for the applicant in the preparation of site plans as well as for the reviewing authority in making a judgment concerning them. These standards shall not be regarded as inflexible requirements. They are not intended to discourage creativity, invention, or innovation.

- A.** Landscape Preservation: The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, and by insuring that all grade changes conform to the

general appearance of neighboring developed areas.

1. To the extent feasible, the approved landscaping shall be installed prior to the issuance of a Certificate of Occupancy.
2. The current property owner shall be responsible for the maintenance of the landscaping as originally approved and installed. This requirement includes the mowing of grass, weeding, irrigating, fertilizing, and pruning. Grass areas landscaped in conjunction with buildings or parking lots shall not exceed four (4) inches in height. Ground cover areas designed for future development shall not exceed eight (8) inches in height.
3. Landscape materials which exhibit evidence of insects, pests, diseases, and/or damage shall be promptly and appropriately treated and all dead plant material shall be promptly removed and replaced with living plant material.
4. All landscaping areas shall be kept free of refuse and debris and shall be provided with irrigation sufficient to maintain such areas in a healthy and growing condition.

B. Relation of Buildings to Environment: Proposed structures shall be related harmoniously to the terrain and to the existing buildings in the vicinity that have a visual relationship to the proposed buildings. The achievement

of such relationship may include the enclosure of space in conjunction with other existing buildings or other proposed buildings and the creation of focal points with respect to avenues of approach, terrain features, or other buildings.

C. Drives, Parking, and Circulation: 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, 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.

1. **Parking Area Locations.**

- a. All parking areas shall be located to the side or rear of the principal building or extensively screened from view from the road right-of-way in accordance with Section 24.07.C.6. In the case of a group or a cluster of buildings, which together constitute a principal use within a development, it is recommended that the development be designed with internal parking while using the building cluster or grouping to “enclose” the parking lot.

Developments should be designed to give attention to the principal use and buildings not

parking lots. By locating the parking to the side and rear and siting the buildings to the front, the developments will become more pedestrian friendly, create a development façade with high quality aesthetically pleasing buildings, become community and neighborhood connected both physically and socially, give lasting value to the quality of life of the townships residents, and places the residents and neighborhoods ahead of the drive through vehicle traffic.

Exception: There are a number of uses that simply function better and are more suited to front and side parking rather than rear parking. The following are example of uses that might require a certain amount of front yard parking:

- Uses that include substantial ground mounted mechanical equipment for refrigeration, cooling, heating, outdoor storage of product or other equipment.
- Uses that include truck loading and unloading docks with overhead doors and possibly overnight parking.
- Large places of assembly such as theaters, churches, gymnasiums, motels, etc.

- b. Relationship of front yard parking areas to the building elevations. If the planning commission finds that the proposed use, or group of uses, is similar to uses listed above and, as a result, front yard parking is necessary, the building elevations plan must reflect a relationship between the horizontal depth of the front parking area and the vertical height of the exterior walls of the building. The vertical height of the exterior walls of the building must comply with the following:

the minimum vertical height of the exterior walls of the building(s) must be equal, in dimension, to fifty percent of the horizontal distance of the front yard parking area, measured from the parking area curbing at the road right of way to the parking area curbing at the building, for a minimum of one half of the length of the walls or forty percent of the horizontal distance for the entire length of the walls.

2. All parking areas consisting of twenty (20) or more spaces shall have a minimum of twenty (20) square feet of interior landscaping per parking space. Such landscape areas shall consist of soil, ground cover, shrubs, trees and be protected from vehicle access by the

- installation of a raised concrete curb.
3. All internal landscaped areas shall be located so as not to impede drainage or traffic circulation.
 4. All parking area perimeters shall be constructed with continuous concrete curbing.
 5. The developer shall install sidewalks, designed to Ottawa County Road Commission standards, along the development side of all public streets on which the development has frontage. In cases where a sidewalk, or a portion of a sidewalk, is outside of the public street right-of-way, a public easement for sidewalk purposes is required.
 6. All front yard parking areas shall be screened from view from the road right-of-ways by a continuous landscaped hedge, a minimum of three (3) feet high, at the time of planting, consisting of plant material that will maintain it's green foliage year around. Constructed in conjunction with the hedge, and between the hedge and the road right-of-way shall be a wall, no less than thirty inches high which shall consist of brick, block, stone, iron fencing or a combination of the same for at least 50% of the length of the parking lot.
 7. All commercial retail and service establishments shall include a pedestrian walkway adjoining the

establishment's front wall and running the length of the front wall and interconnected to the pedestrian walkway(s) along the public or private roads and driveways. All developments shall include walkways along public or private roads and driveways, both internal and external to the development.

a. Storefront walkways

1. All pedestrian storefront walkways are to be a minimum of fourteen (14) feet wide of which the first two (2) feet will be the curb zone, the next four (4) feet will be the tree, light and furniture zone, the next six (6) feet will be the pedestrian zone and the two (2) feet against the building to be a frontage zone.
 - a. All pedestrian store front furniture zones to include columnar deciduous trees a minimum of thirty (30) feet on center, located in the center of the furniture zone and protected by landscape planters or grates and are to be two (2") inch caliper at the time of planting. The furniture zone shall also include pedestrian lighting, trash receptacles, and pedestrian benches. Any pedestrian crossings through the furniture zone shall be constructed with stamped concrete or brick pavers and

be a minimum of five (5) feet wide with dubbed down curb.

driveway ie: colored and/or stamped concrete, brick pavers, etc.

b. Internal walkways

1. Internal walkways shall interconnect the storefront walkways and the pedestrian walkways along the public or private roads and driveways.

a. All internal pedestrian walkways when extending through the parking driveways shall be continuous through the driveways and constructed of dissimilar materials than that of the parking lot or driveway ie: colored and/or stamped concrete, brick pavers, etc. The planning commission may require additional lighting at the internal pedestrian walkways if additional walkway lighting is necessary to avoid any dark areas. All such walkways shall be a minimum of five (5) feet wide.

b. External pedestrian walkways shall be installed along all public or private roadways or internal driveways to interconnect the structures and the public way. All such walkways shall be a minimum of five (5) feet wide, run continuous through the driveways and be constructed of dissimilar material than that of the

D. Surface Water Drainage: Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. If practical, storm water shall be removed from all roofs, canopies, and paved areas and carried away in an underground drainage system. Temporary on-site storage to reduce peak run-off from the site is encouraged. Surface water in all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic, and will not create puddles in the paved areas.

E. Utility Service: New electric and telephone distribution lines shall be underground. Any existing utility installations remaining above ground shall be located so as to have a harmonious relationship to neighboring properties and the site. Connection to public sewer and water facilities in accordance with township standards shall be provided where available. On-site sewage systems shall be approved by the Ottawa County Health Department.

F. Advertising Features: The size, location, and lighting of all permanent signs and outdoor advertising structures or features shall be shown on the site plan.

G. Special Features: Exposed storage areas, exposed machinery installations, fuel

storage tanks, product storage tanks, outdoor mechanical equipment, roof top mechanical equipment, service areas, truck loading areas utility buildings and structures, and similar accessory areas shall be subject to such setbacks, screen planting, or other screening methods as may reasonably be required to prevent their being incongruous with the existing or contemplated environment and the surrounding properties. In the case of roof top equipment, all site plans shall include exterior wall parapets, a minimum of four (4) feet high, measured vertically up from the roof top to which the equipment is stationed. All building exterior elevations plans must include these parapet walls to screen any existing or future roof top equipment. All ground mounted equipment, shall be shown on the site plans as well as the proposed appropriate screening and materials.

- H. Appearance: In granting site plan review approval, the Zoning Administrator or Planning Commission may require certain designs, textures, colors, or architectural treatments for any building or structures, which in its judgment produce a harmonious, substantial, distinctive, and inviting appearance with beauty of materials and architectural design creating a strong, sturdy, adaptable and lasting environment.

The following materials represent and advance the intent and objective of the above descriptions.

Commercial and Mixed Use

Buildings: Brick, architectural masonry block, stone, cement board and glass. These materials shall be used to complete all exterior walls. Every attempt should be made to avoid creating an “ugly side” or to avoid a “that’s only the rear wall” approach. Glass should be limited to not more than forty (40%) percent of the wall area.

Residential: Brick, architectural masonry block, cement board and stone. These materials shall be used for a minimum of fifty (50%) percent of all exteriors wall areas in combination with dryvit, stucco, vinyl, EFIS, metal with enclosed fasteners, and similar materials.

Industrial: Brick, architectural masonry block, cement board and stone shall be used for a minimum of fifty (50%) percent of all exterior walls fronting and/or facing a public or private roadway. The balance of the building can be done in or in combination with dryvit, stucco, EFIS, metal with enclosed fasteners and similar materials.

The imposing of masonry requirements enhances the durability and aesthetic value of local properties, increases the attractiveness (both economically and physically) of the local community, this benefits both local residents and local business.

- I. Waste Disposal Facilities. A site plan shall identify the location of one or more solid waste disposal facilities and provide details for each solid waste

disposal facility showing compliance with the following requirements.

1. Dumpsters, Containers. All solid waste including recycling materials shall be placed in a dumpster or other appropriate container for pick-up. Every dumpster or container shall be equipped with a lid or other top covering.

2. Enclosures. All dumpsters and other appropriate containers shall be placed in an enclosure constructed as follows:

- A. An enclosure shall be constructed with materials that match the materials used in the principal structure.
- B. An enclosure shall provide a solid visual screen on all four sides.
- C. The front of the enclosure shall be gated and shall be protected with steel bump guard posts at the front entrance area.
- D. The interior back wall of the enclosure shall be protected with steel bump guard posts located at least one (1) foot and six (6) inches in from the interior of the side and back walls. The bump guard posts shall be spaced three (3) feet on center apart.
- E. For an enclosure containing a single dumpster or other appropriate container, the minimum interior width of the

enclosure shall be ten (10') feet and the minimum interior length shall be thirteen (13') feet.

Enclosures containing more than one dumpster or container shall have a minimum interior length of thirteen (13') feet and a minimum interior width equal to the combined widths of the dumpster/container plus a minimum of two (2') feet clearance from each side wall of the enclosure.

F. All enclosures shall be located in the rear yard or the side yard.

- 3. Access Lane. The site plan shall provide an open space as an access lane to an enclosure. Such access lane shall be paved and shall be parallel with and the same width as the outside width of the enclosure extending for a length of sixty (60) feet from the front of the enclosure.
- 4. Turning Lane. The site plan shall also provide an open space connected to and more or less perpendicular to the access lane to provide an area in which waste hauling vehicles may maneuver to change direction in order that vehicles shall not back into or back out of the site from a road right-of-way. Such turning lane shall be paved and shall be a minimum of fourteen (14) feet in width and thirty-five (35) feet in length.
- 5. Parking restrictions. No parking spaces shall be permitted in the access lane or the turning lane.

Sec. 24.08 SUBMITTAL AND APPROVAL.

The Site Plan, including additional or related information required by the Planning Commission, shall be presented to the Zoning Administrator by the petitioner or property owner or his designated agent, in twelve (12) copies. The Zoning Administrator shall place the submittal on the agenda of the next work session Planning Commission meeting, if necessary. The Planning Commission shall not act on a request for site plan approval until the applicant has paid the appropriate processing fee.

The Zoning Administrator or Planning Commission have the responsibility and authority to approve, disapprove, or approve subject to conditions, all site plans submitted to it under this Chapter.

Any conditions or modifications desired by the Planning Commission shall be recorded in the minutes of the appropriate Planning Commission meeting. The Planning Commission or Zoning Administrator may as it deems necessary to promote the purpose of this Ordinance, require landscaping, walls, fences, drives, and other improvements. When approved, at least two (2) copies of the final approved Site Plan shall be signed and dated by the Zoning Administrator. One of these two (2) approved copies shall be kept on file by the Zoning Administrator and the other approved copy shall be returned to the petitioner or his designated representative. A Site Plan Review approval granted pursuant to this ordinance shall be valid for one (1) year from the date of approval. If

construction has not commenced and proceeded meaningfully toward completion by the end of this period, the Site Plan Approval will expire. Expired Site Plans must be resubmitted for Planning Commission Approval.

Sec. 24.09 PLAT REQUIREMENTS.

In those instances in which Act 288, Public Acts of 1967, as amended, The Subdivision Control Act of 1967, is involved, the owner shall, after Site Plan approval, submit the preliminary and final plats to the proper officer in conformance with Act 288, and in accordance with all other applicable codes, acts, and ordinances. Such plats shall conform to the approved Site Plan.

Sec. 24.10 CHANGES IN THE APPROVED SITE PLAN.

Major changes (increased density, additional buildings, and other changes determined by the Zoning Administrator to be major), to the approved final Site Plan shall be applied for by the applicant to the Planning Commission. Any major changes approved in the final site plan shall be recorded with the site plan and shall bear the signature of the Zoning Administrator and the date of approval. Any minor changes (minor dimension changes, building location, parking, and drives, etc.), may be approved by the Zoning Administrator. The approved changes shall be noted on the site plan and bear the signature of the Zoning Administrator.

No changes are to be considered as a waiver of conditions or covenants, and all rights to enforce such conditions or covenants against

any changes permitted by this Ordinance are expressly reserved.

Sec. 24.11 APPEAL.

If any person shall be aggrieved by the action of the Planning Commission as a result of Site Plan Review, appeal in writing to the Township Board may be taken within ten (10) days after the date of such action. The Township Board shall fix and notify the appellant of a time and place for a public hearing to be published in a newspaper of general circulation in the Township not less than fifteen (15) days prior to the hearing. All parties in interest shall be afforded the opportunity to be heard thereat. After such hearing, the Township Board shall affirm or reverse the action of the Planning Commission, stating its findings and the reasons for its action and a written copy of such findings, reasons and actions shall be given to the appellant.

Sec. 24.12 PERFORMANCE BOND REQUIREMENT.

A surety company performance bond acceptable to the Township, irrevocable bank letter of credit, certified check or cash deposit, conditioned upon construction and development in accordance with the requirements of this Ordinance and the Final Approved Site Plan and all of its

components, may be required by the Planning Commission to be filed with the Zoning Administrator at the time of issuance of a building permit. The bond, letter of credit, certified check or deposit shall be in such amount and for such period of time as, in the discretion of the Planning Commission, appears adequate to ensure compliance with the requirements of this Ordinance and the Final Approved Site Plan and all of its components.

Such bond, letter of credit, certified check or deposit shall be security for the completion of those improvements upon which approval is conditioned for the protection of natural resources or the health, safety, and welfare of the residents of the Township and future users or inhabitants of the proposed project or project area, including roadways, lighting, utilities, sidewalks, screening and drainage. Where a cash deposit is made in lieu of a bond, certified check or letter of credit, the Township shall rebate the same in reasonable proportion to the ratio of work completed for which the deposit has been required, provided that the amount remaining on deposit still provides reasonable security for the completion of the unfinished improvements germane to the deposit.