

ARTICLE 9

SITE PLAN REVIEW

SECTION 9.01 GENERAL PROVISIONS

A site plan shall include documents and drawings required by the Zoning Ordinance to insure that a proposed use or activity is in compliance with local ordinance and state and federal statutes. Where the zoning ordinance requires site plan approval, the site plan, as approved, shall become part of the record of approval, and subsequent actions relating to the activity authorized shall be consistent with the approved site plan, unless a change conforming to the zoning ordinance receives the mutual agreement of the landowner and the City Planning Commission. The site plan shall be approved if it contains the information required by the zoning ordinance and is in compliance with the zoning ordinance, the conditions imposed pursuant to the ordinance, other applicable ordinances, and state and federal statutes. Conditions imposed pursuant to the ordinance shall include all conditions imposed by the City of Chelsea Planning Commission in the approval of a special use or in the approval of a planned unit development which shall be incorporated into said site plan. The City Planning Commission shall have authority to review and approve or reject preliminary and final site plans as required in the section.

SECTION 9.02 BUILDINGS, STRUCTURES AND USES REQUIRING SITE PLAN REVIEW

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

- A.** More than one two-family dwelling unit on a single lot or parcel.
- B.** One or more multiple-family buildings.
- C.** Any principal non-residential building or structure permitted in a residential or agricultural district.
- D.** A principal building or structure in an office, commercial or industrial district.
- E.** Public utility buildings and structures, not including poles.
- F.** A parking lot or addition thereto containing five or more parking spaces.
- G.** A principal use of a lot which does not involve a building or structure in any office, commercial or industrial district.

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9.02 Cont. **BUILDINGS, STRUCTURES AND USES REQUIRING SITE PLAN REVIEW**

- H.** More than one building or structure, except a sign, on a lot or parcel, or combination of lots or parcel under one ownership or any addition to a principal use in any office, commercial or industrial district and to any principal non-residential use in a residential district except that the Planning Commission may waive some or all of the information and steps required in Sections 9.03 and 9.04 herein. Said waiver shall be based on an evaluation of the following conditions and documented by the Planning Commission in its minutes:
1. Impact on existing site conditions such as topography and storm drainage.
 2. Increase in off-street parking and loading and unloading requirements.
 3. Generation of additional traffic.
 4. Impact on adjacent land use.
- I.** A principal building or structure in a Planned Events (PE) district.
- J.** Mobile home residential district - Section 4.06.
- K.** Special uses - Article 8.
- L.** Planned unit developments - Section 4.32 and Article 15.

The Planning and Zoning Administrator shall not issue a zoning compliance permit and the Building Inspector shall not issue a building permit for construction of or addition to any one of the above listed buildings, structures or uses until a final site plan has been approved and is in effect. A use not involving a building or structure, as above listed, shall not be commenced or expanded, nor shall the Planning and Zoning Administrator issue a zoning compliance permit, nor shall the Building Inspector issue a certificate of occupancy for such use until a final site plan has been approved and is in effect. No grading, removal of trees or other vegetation, land filling or construction of improvements shall commence for any development which requires site plan approval until a final site plan is approved and is in effect except as otherwise provided in this Article.

SECTION 9.03 PRELIMINARY SITE PLAN

A. Application

Any person with legal interest in a lot may apply for

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preliminary site plan approval by filing completed forms, the review fee, and twenty copies of the preliminary site plan drawing(s) with the Planning and Zoning Administrator. The Planning and Zoning Administrator upon receipt of the application, shall transmit the preliminary site plan drawings to the Planning Commission prior to its next regular meeting. Upon receipt of an application for site plan approval, one notice that a request for a site plan approval has been received shall be published in a newspaper which circulates in the City not less than 15 days prior to the meeting at which the plan will be reviewed. The notice shall:

1. Describe the improvements and/or alterations shown on the site plan approval request.
2. Indicate the property which is the subject of the site plan approval request.
3. State when and where the applications will be considered.
4. Indicate when and where written comments will be received concerning the application.
5. Indicate that a public hearing on the site plan approval will be held, if requested in writing by any person who owns or occupies property within 300 feet of the boundary of the site under review.

B. Information Required

Every preliminary site plan submitted for review shall provide the information listed below:

1. The site plan shall be a scale not greater than 1 inch equals 20 feet nor less than 1 inch equals 200 feet, and of such accuracy that the Planning Commission can readily interpret the plan.
2. Location and description of the site; dimensions and area, and vicinity map.
3. Soil information; existing topography (minimum contour interval of two feet); existing natural features such as trees, wooded areas, streams, marshes, ponds, and other wetlands. The plan shall clearly show all natural features to remain and to be removed. Groups of trees shall be shown by an approximate outline of the total canopy; individual deciduous trees of 6 inch diameter or larger and individual evergreen trees 12 feet in

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- height or higher, not a part of a group of trees, shall be accurately located on the plan.
4. Property owner's name, address; applicant's name, address, interest in property; owner's signed consent for preliminary site plan approval if applicant is not the owner.
 5. Scale, north arrow, date of plan.
 6. Proposed buildings/structures: location, outline, general dimensions, distances between, floor area, number of floors, height, and number and type of units. Elevation drawings shall be submitted illustrating the building design and height, and describing construction materials for all proposed structures.
 7. Location and size of open areas and recreation areas.
 8. Proposed streets/drives: general alignment, right-of-way, (where applicable), surface type and width.
 9. Proposed parking: location and dimensions of lots, dimensions of spaces and aisles, angle of spaces, surface type, number of spaces.
 10. Existing zoning classification of property; required yards; dwelling unit schedule, density of development, and lot area per dwelling unit for residential projects; lot coverage (percent) and floor area ratio; location and size of required transition and landscape strips; if applicable.
 11. Areas of intended filling/cutting; outline of existing buildings/structures and drives; existing natural and man-made features to be retained or removed.
 12. Adjacent land uses; location of adjacent buildings, drives and streets.
 13. Location, area of development phases, building program for each phase; projected schedule of development, by phase.
 14. Location and width of easements on site.
 15. General description of proposed water, sanitary sewer, and storm drainage systems.

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16. Landscape plan showing location, size and type of plant materials; plant list.
17. A traffic impact study which evaluates current and future traffic operations at site access points and major intersections in proximity to the site may be required for any proposed development which can reasonably be expected to generate over one hundred (100) vehicle trips during the peak hour of the traffic generator or the peak hour on the adjacent streets, or over seven hundred fifty (750) trips in an average day.

C. Standards for Review

In reviewing a preliminary site plan the Planning Commission shall consider the following standards:

1. That all required information has been provided.
2. That the proposed development as shown in the preliminary site plan conforms to all regulations of the zoning ordinance for the district(s) in which it is located.
3. That the applicant is legally authorized to apply for site plan review.
4. That the movement of the vehicular and pedestrian traffic within the site and in relation to access streets and sidewalks will be safe and convenient.
5. That the proposed development will be harmonious with, and not harmful, injurious, or objectionable to, existing and future uses in the immediate area and is compatible with the General Development Plan.
6. That natural resources will be preserved to a maximum feasible extent, and that the development as proposed will not cause soil erosion or sedimentation.
7. That the proposed development is adequately coordinated with improvements serving the subject property and with other developments.
8. The proposed site plan and building(s) comply with the design standards of Section 5.14, if applicable.

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- D. Planning Commission Action** - The Planning Commission shall study the plan and shall, within 100 days of its receipt of such plan approve or reject the preliminary site plan. The Planning Commission may require changes in the plan, and may attach conditions to its approval. The Planning Commission shall advise the applicant in writing of its actions on a preliminary site plan. The time limit may be extended upon mutual consent of the applicant and Planning Commission.
- E. Effect of Approval** - Approval of a preliminary site plan by the City Planning Commission shall indicate its acceptance of the proposed layout of buildings, streets, drives, parking areas, and other facilities and areas, and of the general character of the proposed development. The City Planning Commission may, at its discretion, and with appropriate conditions attached, authorize issuance of permits by the Building Inspector for grading and foundation work on the basis of an approved preliminary site plan. The conditions to be attached to such permit issued for grading and foundation work shall include, but are not limited to, provisions for control of possible erosion, for exempting the City from any liability if a final site plan is not approved, and for furnishing a bond for restoration of the site if work does not proceed to completion.
- F. Expiration of Approval** - Approval of a preliminary site plan shall be valid for a period of 180 days from the date of approval and shall expire and be of no effect unless an application for a final site plan for all or part of the area included in the approved preliminary site plan is filed with the Planning and Zoning Administrator within that time period. If a final site plan is submitted for only a part of the area included in the approved preliminary site plan, successive final site plans shall be filed at intervals no longer than two years from the approval of the previously approved final site plan. If such period is exceeded, the approved preliminary site plan will become invalid with respect to the remaining parts of the site, unless the applicant requests and is granted, by the Planning Commission, a one year extension. The Planning Commission may grant more than one extension for good cause shown.

SECTION 9.04 FINAL SITE PLAN

- A. Application** - Following approval of a preliminary site plan, the applicant shall submit to the Planning and Zoning Administrator, the required number of sets of a final site plan and other data and exhibits hereinafter required, the review fee, and a completed

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application form. The Planning and Zoning Administrator upon receipt of the application, shall transmit the final site plan drawings to the Planning Commission prior to its next regular meeting.

B. Information Required - Each final site plan submitted for review shall provide the following information and shall meet the following specifications:

1. The site plan shall be of a scale not greater than 1 inch equals 20 feet nor less than 1 inch equals 200 feet, and of such accuracy that the Planning Commission can readily interpret the plan. More than one drawing shall be included as part of a final site plan where required by the Planning Commission for clarity.
2. Scale, north arrow, name and date of plan; date of any revisions thereto.
3. Name and address of property owner and applicant; interest of applicant in property; name and address of developer; owner's signed consent for final site plan approval application if applicant is not the owner.
4. Name and address of designer. A detailed site plan shall be prepared by a community planner, architect, landscape architect, engineer, or land surveyor registered in the State of Michigan.
5. A vicinity map, legal description of site, and dimensions and lot area. Where a metes and bound description is used, lot line angle or bearings shall be indicated on the plan and the lot line dimensions and angles or bearings shall be based upon a boundary survey prepared by a registered surveyor.
6. Existing topography (minimum contour interval of two feet); existing natural features such as trees, woods areas, streams, marshes, ponds, and other wetlands; clear indication of all natural features to remain and to be removed. Groups of trees shall be shown by approximate outline of the total canopy; individual deciduous trees of 6 inch diameter or larger and individual evergreen trees 12 feet in height or higher, not a part of a group of trees, are to be accurately located on the plan.
7. Existing buildings, structures, and other improvements, including drives, utility poles and

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- towers, easements, pipelines, excavations, ditches (elevations and drainage directions), bridges, culverts; clear indication of all improvements to remain and to be removed; deed restrictions, if any.
8. Owner, existing use and zoning classification of adjacent properties; location and outline of buildings, drives, parking lots other improvements on adjacent properties.
 9. Existing public utilities on or serving the property; location and size of water lines and hydrants; location size and inverts for sanitary sewer and storm sewer lines; location of manholes and catch basins; location and size of wells, septic tanks and drain fields and location of exterior HVAC equipment.
 10. Name and right-of-way of existing streets on or adjacent to the property; surface type and width; spot elevations of street surface, including elevations at intersections with streets and drives of the proposed development.
 11. Zoning classification of the subject property; location of required yards; total site area and floor area; total ground floor area and lot coverage (percent); floor area ratio. In the case of residential units, the plan shall note dwelling unit density, lot area per dwelling unit, and a complete schedule of the number, size and type of dwelling units.
 12. Grading plan, showing finished contours at minimum interval of 2 feet, and correlation with existing contours so as to clearly indicate cut and fill required. All finished contour lines are to be connected to existing contour lines at or before the property lines, unless grading easements off-site are obtained.
 13. Location and exterior dimensions of all proposed buildings and structures, location to be referenced to property lines or a common base point; distances between buildings; height in feet and stories; finished floor elevations and contact grade elevations.
 14. Location and alignment of all proposed streets and drives; right-of-way where applicable; dimensions, and slopes; location and typical details of curbs; turning lanes with details where applicable; location, width surface

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- elevations and grades of all surface type and width and typical cross section of same showing base and sub-base materials, entries and exits; curve-radii.
15. Location and dimensions of proposed parking lots; number of spaces in each lot; dimensions of spaces, and aisles; drainage pattern of lots; typical cross section showing surface, base, and sub-base materials; angle of spaces.
 16. Location, width, and surface of proposed sidewalks and pedestrian ways.
 17. Location, use, size, and proposed improvements of open spaces and recreation areas; maintenance provisions for such areas.
 18. Location and type of proposed screens and fences; height, typical elevation and vertical section of screens, showing materials and dimensions.
 19. Location of proposed outdoor trash container enclosures; size, typical elevations, and vertical sections of enclosure, showing materials and dimensions. (See section 5.17)
 20. Location, type, size, area, and height of proposed signs.
 21. Layout, size of lines, inverts, hydrants, drainage flow patterns, location of manholes and catch basins for proposed utilities; location and size of retention ponds and degree of slope of sides of points; calculations for sizing of storm drainage facilities; location of electricity and telephone poles and wires; location and size of surface mounted equipment for electricity and telephone service; location and size of underground tanks where applicable; location and size of outdoor incinerators; location and size of wells, septic tanks and drains fields, if on-site facilities are to be used. Final engineering drawings for all site improvements, such as but not limited to water, sanitary sewer systems, streets, drives, and parking lots, retention ponds and other ponds or lakes, retaining walls, are to be submitted to and approved by the City Engineer prior to Planning Commission approval of the final site plan.
 22. Landscape plan showing location, size and type of plant materials.

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23. Plan for the control of soil erosion and sedimentation during grading and construction of operations and until a permanent ground cover is established. Such plan shall be approved by the designated Soil Erosion and Sedimentation Control Enforcing Agent.
24. Location of proposed retaining walls, and dimensions and materials of same, fill materials, typical vertical sections; restoration of adjacent properties where applicable.
25. Right-of-way expansion where applicable; reservation or dedication of right-of-way to be clearly noted, dedication of right-of-way where applicable shall be executed, or provisions made for same prior to approval of the final site plan by the Planning Commission.
26. Architectural floor plans and elevation drawings shall be submitted that illustrate the building design and height, and describe construction materials for all proposed structures. Elevations shall be provided for all sides. The Planning Commission may require color renderings of the building. Proposed materials and colors shall be specified on the plan and color chips or samples shall be provided at the time of final site plan review. These elevations, colors and materials shall be considered part of the approved site plan and may not be changed without approval by the Planning Commission.
27. Management plans for storm water systems and maintenance of open space.
28. Location and details of exterior lights; fixtures and poles; and a photometric plan. (See Lighting Standards, Section 5.16, herein)

C. Standards for Review - In reviewing the final site plan, the Planning Commission shall determine whether the plan meets the following specifications and standards:

1. That the final site plan conforms to the preliminary site plan as approved by the City Planning Commission.
2. That all required information is provided.
3. That the plan complies with all zoning ordinance regulations.

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4. That the plan, including all engineering drawings, meet specifications of the City for fire and police protection, water supply, sewage disposal or treatment, storm drainage, and other public facilities and services.
5. That the plan meets all specifications of this Section.
6. That any grading or filling will not destroy the character of the property or the surrounding area and will not adversely affect the adjacent or neighboring property.
7. The erosion will be controlled during and after construction and will not adversely affect adjacent or neighboring property or public facilities and services.
8. The proposed site plan and building(s) comply with the design standards of Section 5.14.

D. Planning Commission Action - The Planning Commission shall study the final site plan and shall within 100 days of its receipt of said plan approve or reject the final site plan. This time limit maybe extended upon mutual consent of the applicant and the Planning Commission. The Commission may suggest and/or require changes or modifications in the proposed site plan as are needed to gain approval. The Planning Commission shall include in its study of the site plan, consultation with the Planning and Zoning Administrator, the City Fire Chief, the City Engineer, other governmental officials and departments and public utility companies that might have an interest in areas being affected by the proposed development. All engineering drawings and plans shall be approved by the City Engineer before a final site plan shall be approved.

After Planning Commission approval of a final site plan, the applicant shall submit the required number sets of the final site plan to the Planning and Zoning Administrator which show all the changes required by the Planning Commission for approval. The Planning and Zoning Administrator shall review the plan for compliance with all conditions and design criteria. If the plan is approved after review, the Planning and Zoning Administrator shall stamp and sign the plans. If the final site plan is rejected, the Planning Commission shall notify the applicant in writing of such action and reasons therefore, within ten days following such action.

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- E. Effect of Approval** - Approval of a final site plan authorizes issuance of a zoning compliance permit and issuance of a building permit, provided all other requirements for a building permit have been met. In the case of uses without buildings or structures, approval of a final site plan authorizes issuance of a zoning compliance permit and issuance of a certificate of occupancy, provided all other requirements for such certificate have been met. Any development that does not comply with the approved final site plan, except as provided in Section 9.07 following, shall be a violation of the Zoning Ordinance as provided in Article 11 herein.
- F. Expiration of Approval** - Approval shall expire and be of no effect unless a building permit shall have been taken out within 180 days of the date of approval of the final site plan. Approval of a final site plan shall expire and be of no effect 545 days following the date of approval unless construction has begun on the property and is diligently pursued in conformance with the approved final site plan. The approval period may be extended by the Planning Commission for a period not to exceed one year, upon written application for an extension by the applicant. The Planning Commission may approve more than one extension for good cause shown.

SECTION 9.05 COMBINING PRELIMINARY AND FINAL SITE PLANS

An applicant may, at his discretion and risk, with approval of the City Planning Commission combine a preliminary and final site plan in application for approval. The City Planning Commission shall have the authority to require submittal of a preliminary site plan separate from a final site plan, where, in its opinion, the complexity and/or size of the proposed development if so warranted. A preliminary and final site plan shall not be combined for any development consisting of two or more phases.

SECTION 9.06 AMENDMENT OF APPROVED SITE PLAN

A site plan may be amended upon application and in accordance with procedure and requirements provided in Section 9.03, herein, for a preliminary site plan and in Section 9.04, herein, for a final site plan. Minor changes in a preliminary site plan may be incorporated into a final site plan without an amendment to the approved preliminary site plan, at the discretion of the Planning Commission. The Planning Commission may require, in case of minor changes in an approved preliminary or final site plan, that a revised preliminary or final site plan drawing(s) be submitted showing such minor changes, for purposes of record. The Planning Commission shall have the authority

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AMENDMENT OF APPROVED SITE PLAN

to determine if a proposed change is minor or major and if such change requires an amendment to an approved preliminary or final site plan.

SECTION 9.07 MODIFICATION OF PLAN DURING CONSTRUCTION

All site improvements shall conform to the final site plan. "Improvements" means those features and actions associated with a project which are considered necessary by the City Planning Commission in the granting of approval for special use, planned unit developments, or site plans, to protect natural resources, or the health, safety, and welfare of the residents of the City and future users or inhabitants of the proposed project or project areas, including roadways, lighting, utilities, sidewalks, screening, landscaping, grading and drainage. Improvements shall not include the entire project for which approval is sought. If the applicant makes any changes during construction in the development in relation to the approved final site plan, he shall do so at his own risk, without any assurance that the Planning Commission will approve the changes. It shall be the responsibility of the applicant to notify the Planning and Zoning Administrator, the Building Inspector and the Planning Commission of any such changes. The Planning Commission may require the applicant to correct the changes so as to conform to the approved final site plan, and shall notify the applicant within 30 days of any required corrections.

SECTION 9.08 PHASING OF DEVELOPMENT

The applicant may divide the proposed development into two or more phases. In such cases, the preliminary site plan shall cover the entire property involved and shall clearly indicate the location, size and character of each phase. A final site plan shall be submitted for review and approval for each phase.

SECTION 9.09 ADMINISTRATIVE AMENDMENTS TO APPROVED SITE PLANS

A minor change to a site plan may be approved administratively if the Planner, Planning and Zoning Administrator, and the City Engineer agree in writing that the change will not significantly alter or will not conflict with the condition of the site plan approval and is one of the following:

- A.** New fire escape.
- B.** Change in building height that does not create new floor area.
- C.** Relocation of sidewalks.

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9.09 Cont. ADMINISTRATIVE AMENDMENTS TO APPROVED SITE PLANS

- D.** Change of location or type of landscape materials.
- E.** Relocation of refuse collection stations.
- F.** Internal rearrangement of parking lot.
- G.** Decrease in building size.
- H.** Moving a building no more than 10 feet or 5 percent of the distance to the closest property line, whichever is smaller.
- I.** Accessory structure less than 200 square feet in size and without utility services.
- J.** Change in site lighting.
- K.** Changes to accommodate barrier free regulations.

If the amendment is not approved administratively, the applicant shall have the right to appeal to the Planning Commission.

SECTION 9.10 INSPECTION

The Planning and Zoning Administrator shall be responsible for inspecting all improvements for conformance with zoning regulations. All other improvements shall be inspected by the appropriate department, inspector or agency as needed. The Planning and Zoning Administrator shall obtain inspection assistance from the City Fire Chief, County Building Inspector, City Engineer and other departments as needed.

SECTION 9.11 PERFORMANCE GUARANTEES

- A.** Cash bonds or reasonable alternatives, acceptable to the City shall be provided by the applicant. The guarantee shall be provided after a final site plan is approved by the Planning Commission but prior to issuance of a certificate of occupancy for any building that is covered by the site plan. The guarantee shall cover site improvements shown on the approved final site plan that were not completed prior to issuance of the certificate of occupancy. Site improvements shall include, among other items, streets and drives, parking lots, sidewalks, grading, required landscaping, required visual screens, storm drainage facilities, exterior lighting, and utilities.
- B.** The applicant shall provide a cost estimate of the improvements to be covered by the guarantee and such estimate shall be verified as to the amount by the

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City Engineer. The form of the guarantee shall be approved by the City Attorney.

- C.** If the applicant shall fail to provide any site improvement according to the approved plans within the time specified in the guarantee, the City Council shall be entitled to enter upon the site and complete the improvements. The City Council may defray the cost thereof by the use of the deposited security, or may require performance by the bonding company.
- D.** If a cash deposit is used, the applicant and City Planning & Zoning Administrator shall decide at the time of deposit on the means of rebating portions of the deposit in proportion to the amount of work completed. At no time shall the amount of deposit remaining be less than 125 percent of the estimated cost of completing. The inspections for improvements for which the cash deposit is to be rebated shall have been completed before funds are rebated.
- E.** The Planning and Zoning Administrator may refuse to sign a certificate of occupancy until compliance with the approved final site plan and approved engineering plans related thereto is achieved, or until adequate security is deposited as provided in this section.

SECTION 9.12 AS-BUILT DRAWINGS

- A.** The applicant shall provide as-built drawings of all sanitary sewer, water, and storm sewer lines and all appurtenances which were installed on a site for which a final site plan was approved. The drawings shall be in the form of dimensionally stable originals and electronic files. The drawings shall be submitted to the Planning and Zoning Administrator and shall be approved by the City Engineer prior to the release of any performance guarantee or part thereof covering such installations or prior to issuance of a certificate of occupancy.
- B.** The as-built drawings shall show, but not be limited to, such information as the exact size, type and location of pipes, location and size of manholes, and catch basins; location and size of valves, fire hydrants, tees and crosses; depth and slopes of retention basins; and location and type of other utility installations. The drawings shall show plan and profile views of all sanitary, storm sewer lines and plan views of all water lines.
- C.** The as-built drawings shall show all work as actually installed and as field verified by a registered engineer or his/her representative. The drawings

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AS-BUILT DRAWINGS

shall be identified as "as-built drawings" in the title block of each drawing and shall be signed and dated by the owner of the development or the owner's representative and shall bear the seal and signature of a registered engineer.

SECTION 9.13 FEES

Fees for the review of site plans, and inspections as required by this Section shall be established and may be amended by resolution of the City Council.