
GUIDE TO DEVELOPMENT CITY OF GIBRALTAR

CREATED 2020



THE GUIDE TO DEVELOPMENT INCLUDES A SNAPSHOT OVERVIEW OF THE DEVELOPMENT REVIEW PROCESS IN THE CITY OF GIBRALTAR. THE DOCUMENT EXPLAINS THE REVIEW PROCESS, POLICIES, STEPS, AND OTHER RELEVANT INFORMATION FOR APPLICANTS.

THIS DOCUMENT IS NOT INTENDED TO INCLUDE ALL OF THE REQUIREMENTS OF THE CITY ORDINANCES OR CODES, NOR IS IT A REPLACEMENT FOR THE ZONING ORDINANCE OR OTHER LOCAL ORDINANCES. APPLICANTS SHOULD REVIEW THE SPECIFIC ORDINANCES AND TALK TO RESPONSIBLE STAFF ABOUT THEIR DEVELOPMENT PROJECTS.

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DEVELOPMENT CONTACTS

Department	Contact	Title	E-mail Address
Planning	Arthur Mullen	Planning Consultant	amullen@wadetrim.com
Administration	Tim McLean	City Administrator	tmclean@cityofgibraltar.net
Clerk	Cindy Lehr	City Clerk	clehr@cityofgibraltar.net
Building	Virgil Maiani	Building Official	vmaiani@trenton-mi.com
Engineering	Souheil Sabak	City Engineer	ssabak@charlesraines.com
Public Safety	Matt Lawyer	Police Chief	mlawyer@cityofgibraltar.net
Fire	Rodney Branham	Fire Chief	rbranham@cityofgibraltar.net

The City of Gibraltar does not have dedicated staff for the services of Building, Planning, and Engineering. Planning services are handled by planning consultants from Wade Trim. Engineering services are handled by consultants from C.E. Raines Co. Gibraltar contracts with the City of Trenton for Building Department services.

TABLE OF APPROVAL AUTHORITIES

	Planning Commission Recommendation	Planning Commission Approval	City Council Approval	Zoning Board of Appeals
Rezoning & Conditional Rezoning	X		X	
Planned Unit Development	X		X	
Special Land Use	X			
Site Plan		X		
Variance				X

SITE PLAN REVIEW

SITE PLAN REVIEW PROCESS

Single and Two-Family Residential developments can be approved administratively through the Trenton Building Department. Commercial, Industrial, and Multiple-Family Residential developments must go through the site plan approval process with the Gibraltar Planning Commission.

CONCEPT MEETING

While not required, it is **strongly recommended** that an applicant first schedule a concept meeting with the City Administrator. The concept meeting is intended to determine if a proposed development is permitted in a given zoning district. Additionally, this meeting can clarify if a proposed development can meet terms and conditions of the zoning ordinance. There is no cost to hold a concept meeting with the City Administrator.

PRE-APPLICATION MEETING

Prior to submitting an application for site plan review, the applicant will be required to hold a pre-application meeting with the City Planning Consultant and the City Administrator. An applicant would be charged an hourly fee to meet with the City Planning Consultant.

The purpose of the pre-application meeting is to determine if a site plan meets the minimum level of information that is required before it can be placed on the next Planning Commission Agenda.

APPLICATION FOR SITE PLAN REVIEW

THE FOLLOWING INFORMATION IS REQUIRED FOR ALL SITE PLANS FOR NEW CONSTRUCTION:

SITE PLAN REVIEW CHECKLIST NEW CONSTRUCTION	Submitted	Not Required
A. APPLICATION FORM:		
Name, address, and phone number of the applicant and property owner.		
Address and common description of property and complete legal description.		
Dimensions of land and total square footage.		
Zoning on site and all adjacent properties.		
Description of proposed project or use, type of structures, and name of proposed development if applicable.		
Name and address of architect or engineer who prepared the site plan.		
Proof of property ownership.		
B. SITE PLAN DESCRIPTIVE & IDENTIFICATION DATA		
Site plans shall consist of an overall plan for the entire development, drawn to an engineer's scale of not less than 1" = 50' for property less than 3 acres, or 1" = 100' for property 3 acres or more in size. Sheet size shall include 11x17" copies as well as 24x36"		
Seal of architect and/or engineer who prepared the plans.		
Title block with sheet number/title; name, address, phone/fax numbers, of the applicant and firm or individual who prepared the plans; and date(s) of submission and any revisions (month, day, year).		
An appropriate descriptive legend, including north arrow, scale, legal description.		
Location map drawn to a separate scale with north-point, showing surrounding land, water features, zoning and streets within ¼ mile.		
Zoning classification of applicant parcel and all abutting parcels.		
Phasing plan, if applicable.		
Proximity to section corner and major thoroughfares.		
Net acreage (minus rights-of-way) and total acreage.		
C. SITE DATA		
Existing lot lines, building lines, structures, parking areas, driveways and other improvements on the site and within 100' of the site.		
On parcels more than 1 acre in size topography on the site and within 100' of the site.		
Proposed lot lines; lot dimensions; property lines; front, rear, and side setback dimensions; structures; and other improvements within 100'.		

SITE PLAN REVIEW CHECKLIST NEW CONSTRUCTION	Submitted	Not Required
SITE DATA (continued)		
Location of existing drainage courses, floodplains, lakes, streams, and wetlands with elevations;		
All existing and proposed easements.		
Location of exterior lighting (site and building lighting).		
Location of trash receptacle(s) and transformer pad(s) and method of screening.		
Extent of any outdoor sales or display areas.		
Types of soils.		
D. PARKING AND CIRCULATION		
Location of all existing and proposed drives and parking areas including types of surfacing, parking layout, loading areas, and dimensions		
Calculations for required number of parking and loading spaces.		
Designation of fire lanes.		
Traffic regulatory signs and pavement markings.		
Location of existing and proposed sidewalks/pathways within the site or right-of-way.		
Location, height, and outside dimensions of all storage areas and facilities.		
E. LANDSCAPE PLANS		
Location, sizes, and types of existing trees 6” or greater in diameter, measured at 3’ off the ground and the general location of all other existing plant materials, with an identification of materials to be removed and materials to be preserved.		
Description of methods to preserve existing landscaping; circulations must be provided on the site plan based upon the replacement rate of (1) replacement tree for every 4” of tree diameter removed or any fraction thereof.		
The location of existing and proposed lawns and landscaped areas.		
Landscape plan, including the location all proposed shrubs and trees.		
Planting list for proposed landscape materials with caliper size or height of material, method of installation, common names, and quantity.		
Landscape maintenance schedule.		

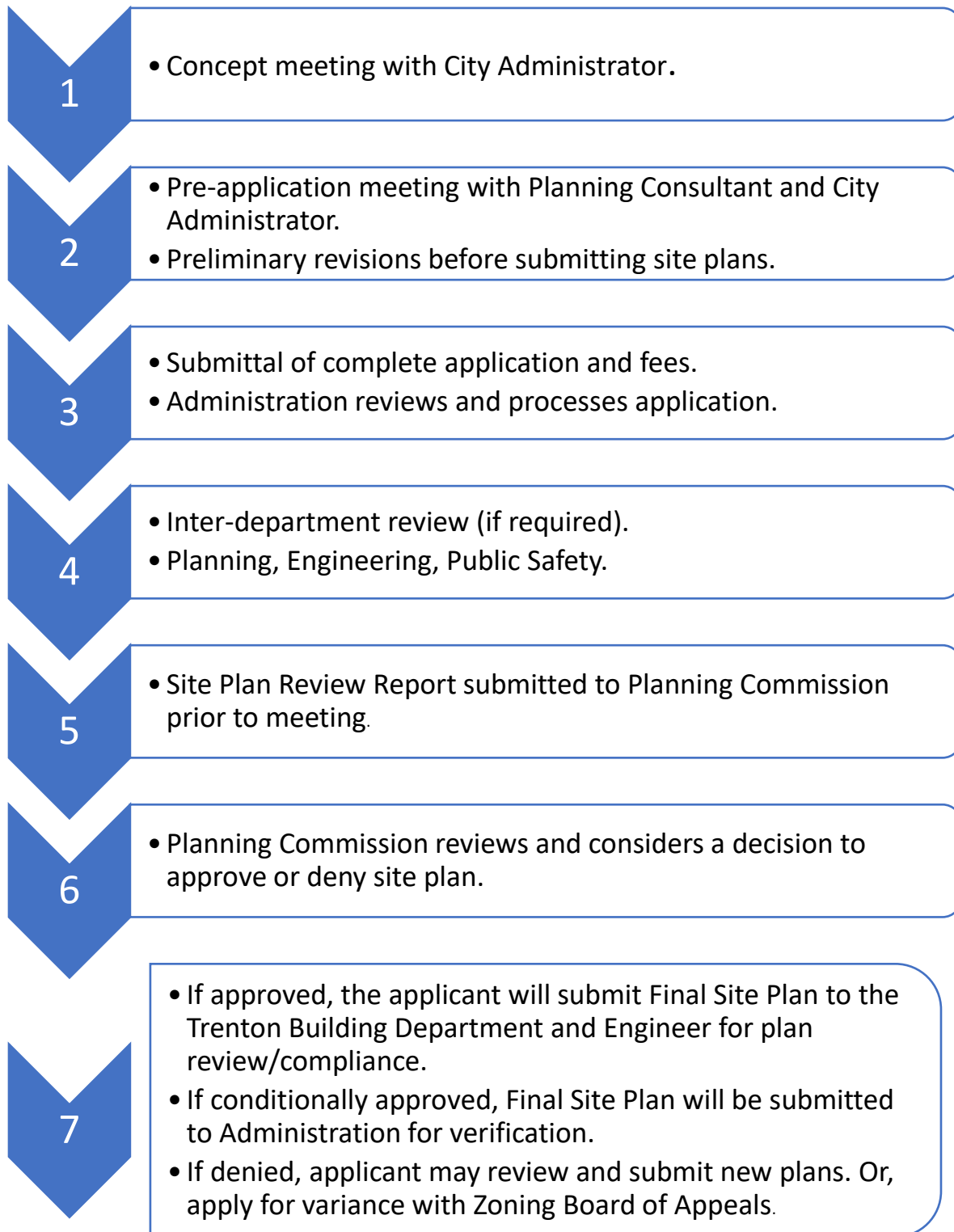
SITE PLAN REVIEW CHECKLIST NEW CONSTRUCTION	Submitted	Not Required
F. BUILDING & STRUCTURE DETAILS		
Location, height, and outside dimensions of all proposed buildings and structures, including front, rear, and side setbacks.		
Building floor plans and total floor area.		
Locations, height, and dimensions of existing and proposed accessory structures.		
Proposed fences and exterior screening walls, including material, typical cross-sections, height above the ground.		
Docking and boat storage facilities (if applicable).		
Location, size, height, and lighting of all proposed signage.		
Size, height, and method of shielding for all site and building lighting.		
Elevation drawings of all sides of existing and proposed building drawn to a legible scale including proposed façade materials.		
G. UTILITIES		
Stormwater engineering including: existing and proposed grading of the site, location of existing and proposed utilities, stormwater calculations for a 100-year storm, the drainage area on site that will detail the 10-year storm, and a profile of the sanitary sewer.		
Assessment of potential impacts from the use, processing, or movement of hazardous materials or chemicals, if applicable.		
H. ADDITIONAL INFORMATION REQUIRED FOR MULTIPLE-FAMILY RESIDENTIAL DEVELOPMENT		
The number and location of each type of residential unit.		
Density calculations by type of residential unit (dwelling units per acre).		
Garage and/or carport locations, if proposed.		
Mailbox clusters		
Location, dimensions, floor plans, and elevations of typical building and common buildings (recreation, laundry), if applicable.		
Location and size of recreation and open/green spaces areas.		
Lot coverage calculations.		
I. ADDITIONAL INFORMATION FOR MANUFACTURED HOUSING DEVELOPMENTS		
Location and number of pads for manufactured homes.		

SITE PLAN REVIEW CHECKLIST NEW CONSTRUCTION	Submitted	Not Required
I. ADDITIONAL INFORMATION FOR MANUFACTURED HOUSING DEVELOPMENTS (continued)		
Distance between homes.		
Density calculations (dwelling units per acre).		
Garage and carport locations and details.		
Community building locations, dimensions, floor plans, and façade elevations (if applicable).		
Lot coverages		
Vehicular circulation system, including names of proposed roads.		
Pedestrian circulation system.		
Swimming pool fence details, including height and type of fence (if applicable).		
Location and size of open/green space.		
Proposed recreation facilities.		
J. ADDITIONAL INFORMATION FOR COMMERCIAL AND INDUSTRIAL DEVELOPMENTS		
Type of commercial or industrial use being proposed.		
Estimated number of employees.		

OTHER DATA

The Planning Commission may require additional information to determine compliance with the Zoning Ordinance. Such information includes, but is not limited to: traffic studies, market-analysis, environmental assessments, evaluation of the demand on public facilities and services.

SITE PLAN REVIEW FLOWCHART



REZONING

THE PLANNING COMMISSION WILL UTILIZE THE FOLLOWING CRITERIA IN EVALUATING AN APPLICATION FOR REZONING:

- The Planning Commission should first consider whether or not the map change is appropriate; that is, whether the proposed use could be better accommodated by amending the zoning ordinance text itself to allow the use as permitted use or as a special condition land use.
- The applicant should demonstrate that there is evidence of a changed condition. This evidence can be provided in terms of an evaluation of land use trends in the vicinity or through the submittal of a marketing study.
- The rezoning request should be evaluated for consistency with the adopted master plan. This includes the future land use plan map, any adopted sub-area development plan, as well as for consistency with the master plan narrative.
- The proposed zoning should be evaluated for its compatibility with the existing land use pattern. The community should ask itself if uses in the proposed zone are equally, less, or better suited to the area.
- The evaluation of the rezoning should also consider if the proposed use could be built on the subject site if it were to be rezoned. Is the parcel size sufficient? Are there few environmental restrictions (i.e. soils, wetlands, floodplains, etc.) that would make the site buildable or are they showing that the property cannot be used as presently zoned due to these limitations?
- Is the site served by adequate public facilities or is the petitioner able to provide them?
- Are there sites nearby already properly zoned that can be used for the intended purposes?
- Is the proposal consistent with the established zoning pattern or does it represent spot zoning? Spot zoning is defined as the assignment of a zoning classification different from the surrounding zoning classifications to a relatively small land parcel, intended to benefit a particular property owner, which is incompatible with the surrounding area and is also in violation of the community's master plan.
- A lesser district classification may be more appropriate; that is, the petitioner may want a C-2 district; however, a C-1 district may permit the proposed use.
- The community should evaluate whether other local remedies are available which are better suited to the circumstances of the petition, such as the granting of a use variance.

PLANNED UNIT DEVELOPMENT

- A. The granting of a planned unit development application shall require a rezoning (i.e., an amendment of the zoning map) so as to designate the property which is the subject to the application as planned unit development. Further, an approval granted under this article, including all aspects of the final plan, and conditions imposed, shall constitute an inseparable part of the rezoning amendment.
- B. Prior to the submission of an application for planned unit development approval, the applicant shall meet with the city administrator, the chairman of the planning commission and the building inspector and director of the department of public works of the city, together with such consultants as either deem appropriate. The applicant shall present at such conference, at least a sketch plan of the proposed planned unit development, as well as the following information:
 - 1. A legal description of the property in question; the total number of acres in the project;
 - 2. A statement of the approximate number of residential units, if any, the approximate number and type of nonresidential units, and the approximate number of acres to be occupied by each type of use; the known deviations from the chapter regulations to be sought;
 - 3. The number of acres to be preserved as open or recreational space; and
 - 4. All known natural resources and natural features to be preserved.
- C. Thereafter, seven copies of a preliminary plan, including preliminary site plan, conforming with section 44-809, shall be submitted within 90 days of the preapplication conference required in the immediately preceding subsection. Such submission shall be made to the city clerk on behalf of the planning commission, which shall present the same to the planning commission for consideration at a regular or special meeting.
- D. The planning commission shall review the preliminary plan and shall be entitled to make reasonable inquiries of and receive answers from the applicant. Following review, the planning commission shall provide the applicant with written comments which shall be part of the official minutes of the planning commission. The action of the planning commission shall take place within 60 days of receipt of all materials required in the application, unless mutually agreed upon between the planning commission and the applicant.
- E. The planning commission shall forward the preliminary plan, together with its written comments, to the city clerk, who shall notice the preliminary plan for a public hearing before the city council as provided by law. Within a reasonable time following the public hearing, the city council shall approve, approve with conditions or deny the preliminary plan. The effect of the approval or approval with conditions shall be to authorize the concept embodied in the preliminary plan, subject to submission, review and approval of the final plan as provided below. In reviewing the preliminary plan, the city council shall make a finding and determination with respect to compliance with the PUD regulations set forth in section 44-806 and generally review and determine whether the basic concept of the

proposal is consistent with the intent and spirit of this article. Inasmuch as the specific details of a project plan are at the very essence of the concept of planned unit development, approval of the preliminary plan shall not constitute a final approval, and preliminary plan approval shall be subject to review and approval of the final plan as provided for in this article.

- F. Within 12 months following receipt of preliminary plan approval, the applicant shall submit to the city clerk on behalf of the planning commission ten copies of a final plan, including final site plan, conforming with section 44-809. This plan shall constitute an application to rezone the parcel, and shall be noticed for public hearing before the planning commission and otherwise acted upon by the planning commission, the county and the city council as and to the extent provided by law. If the final plan has not been submitted within such period, the preliminary plan approval shall lapse and the applicant must recommence the review process, provided the city council may extend the time for submission of the final plan upon a showing by the applicant that no material change of circumstance has occurred.

VARIANCES

WHAT YOU SHOULD KNOW BEFORE APPLYING FOR A VARIANCE:

- State and local laws require that the city notify the newspaper and all neighbors within 300 feet of your property that you intend to request a variance.
- Variances are divided into use (undue hardship) and nonuse (practical difficulty) variances. Both types of variances require that the applicant prove that s/he can't use or build on his/her property in a lawful way because the property is very different from the neighbors and that granting the variance will not cause problem for the neighborhood. *The burden of proof is on an applicant to provide an undue hardship or practical difficulty.*
- **Undue Hardship Example:** You bought a historic home that is located in an area zoned for industrial uses; however, City Code says that residential uses are not permitted in the industrial district. You want to live in the house and refurbish it. Refurbishing a historic home would benefit the neighborhood. It is a unique resource. The house was built before the ordinance was written.
- **Practical Difficulty Example:** A house was built in 1930, 2 feet from the lot line. City Code says that 5 feet is now required. The lot next door is vacant. City Code also says that homes must be 15 feet apart. It would benefit the neighborhood and the city to have a new house built on that vacant lot that is contextual. The house was built before the ordinance was written.
- All of the information you provide is duplicated and given to all ZBA members.
- ZBA members review the information and visually inspect each property prior to the meeting.
- The ZBA cannot consider financial hardship in its decision.
- State and local law set forth the standards that must be met in order to grant a variance.
- The application you complete has the standards or tests the ZBA is obligated to consider.
- The ZBA can hear cases regarding the sign ordinance and the zoning ordinance.
- The State of Michigan Zoning Enabling Act establishes how the Gibraltar ZBA must operate.
- The burden of proof is on an applicant to provide an undue hardship or practical difficulty.
- Fees charged when applying for a variance cover the cost of processing your application and review by the City Planning Consultant. Fees are not refundable.
- The ZBA's decision can only be appealed to Wayne County Circuit Court
- The ZBA is a board composed of 7 residents. Board members are unpaid and are appointed by the City Council.

ADDITIONAL RESOURCES

[GIBRALTAR CODE OF ORDINANCES](#)

[GIBRALTAR MASTER PLAN](#)

[ZONING MAP](#)

[SITE PLAN REVIEW APPLICATION](#)

[REZONING APPLICATION](#)

[LOT SPLIT APPLICATION](#)

[DIMENSIONAL VARIANCE APPLICATION](#)