

## ARTICLE XXIV

### ARTICLE XXIV SITE PLAN REVIEW AND APPROVAL

#### SECTION 2400 INTENT

The intent of this article is to establish the procedures and consistent standards for review and approval of site plans to ensure full compliance with the regulations in this Ordinance and other applicable ordinances and state and federal regulations of development proposals. Site plan review standards are intended to encourage consultation and cooperation between the applicant and the City to balance the property owners right to a reasonable rate of return on investment with the City's overall land use goals and desire to minimize adverse impacts on the investments of surrounding landowners. Therefore, these site plan review standards insure a thorough evaluation of a development in relation to the goals of the City of Grand Blanc Master Plan and the potential impacts on the environment, drainage, utilities, traffic, aesthetics, property values and other public health, safety and welfare issues.

This section also contains special provisions to evaluate impacts of particular uses and to allow administrative approval in certain cases where there is a change in use, a minor change to an existing site or a minor change determined necessary in the field during construction.

#### SECTION 2401 RELATIONSHIP TO PLATTING AND LAND DIVISIONS OR COMBINATIONS

The City Council shall require the platting of parcels of property and/or the approval of land divisions or land combinations prior to the consideration of site plans where the City Council determines a site plan is needed to ensure capability to comply with the standards of the Zoning Ordinance or other ordinances.

#### SECTION 2402 USES REQUIRING SITE PLAN REVIEW

Except as specifically provided in Section 2403 and Section 2404, the development of any new use, the construction of any new structures, any change of an existing use of land or site, and all other building or development activities shall require site plan approval pursuant to this Article. For example, site plan review shall be required for, but not limited to, the following:

- a. Development of any non-single family use or building in the R-1 thru R-3 District.
- b. Any residential development, except construction or expansion of one single-family or two-family dwelling unit on an individual lot or parcel in the R-1 through R-3 and the R-T zoning districts, or placement of dwelling units in an approved mobile home park.
- c. Development of any nonresidential use or building.
- d. The erection, relocation, conversion or structural alteration to any non single-family or two-family building, structure or site which results in additional floor space.
- e. Any development which would establish more than one (1) principal use on a single lot, for example, a single family site condominium or similar project where a single parcel is to be developed with more than one (1) detached dwelling unit.
- f. Special Land Uses in all zoning districts.
- g. Cellular phone towers.
- h. Essential public service buildings and storage areas.
- i. Any change in the use of land or a building to a different class or type or to a more intensive use, as determined by the Building and Zoning Administrator, that may involve significant changes to features such as building appearance, parking needs, traffic flow, traffic volumes, buffering needs, hours of operation, noise, effluent discharge, drainage and similar impacts. Any significant change adjacent to, or across the street from a Single-Family Residential District shall require site plan review.

- j. A change in use on a site which does not conform to the site design standards of this Zoning Ordinance.

**SECTION 2403 PROJECTS ELIGIBLE FOR SKETCH PLAN REVIEW (I.E. ADMINISTRATIVE APPROVAL)**

- a. **Intent:** The intent of this Section is to permit submittal of sketch plan in certain specific instances where a complete site plan is not considered essential to ensure compliance with the intent and standards of this Zoning Ordinance.
- b. **Procedure:** The process for administrative approval shall involve submittal of a sketch plan and required application form and fee to the Building and Zoning Administrator. The Building and Zoning Administrator shall review the sketch plan to ensure compliance with standards of this ordinance and make a report of administrative approvals to the Planning Commission.

The Building and Zoning Administrator retains the option to require a complete site plan for review by the Planning Commission, particularly for sites which do not comply with previously approved site plans, sites with parking deficiencies, sites abutting residential districts or sites experiencing problems with drainage, traffic, noise, aesthetics or other general health and safety issues. If a full site plan is required, the Building and Zoning Administrator shall inform the applicant to submit a set of plans in accordance with Section 2406 of this Ordinance within fourteen (14) days of receipt of the application.

- c. **Eligibility:** A sketch plan, rather than a complete site plan package, may be submitted for minor modifications to a legally existing and conforming use and building which is permitted in the zoning district (i.e. Special Land Uses are not eligible) including alterations to a building or site that do not result in expansion or substantially affect the character or intensity of the use, vehicular or pedestrian circulation, drainage patterns, the demand for public infrastructure or services, significant environmental impacts or increased potential for hazards; including the following uses and situations:
1. Group day care homes.
  2. Home occupations.
  3. Temporary uses, sales and seasonal events.
  4. An increase in the floor area on the site by up to one thousand (1,000) square feet or five percent (5%) of the existing floor area, whichever is less, with no required increase in parking area. Administrative approval is not permitted if the cumulative total of the proposed expansion and any expansion within the last five (5) years, as determined by the Building and Zoning Administrator, exceeds this amount.
  5. An existing building and site are to be re-occupied by a use permitted in the subject zoning district and the new use will not require any significant changes in the existing site facilities such as parking, landscaping, lighting, signs, bikepaths or sidewalks.
  6. Improvements to outdoor recreational uses and parks.
  7. Expansion, replanting or alterations of landscaping areas consistent with the other requirements of this Ordinance.
  8. Improvements or installation of walls, fences, lighting or curbing consistent with the other requirements of this Ordinance.
  9. Alterations to the off-street parking layout or installation of pavement or curbing improvements provided the total number of spaces shall remain constant, and the construction plans and lot construction are approved by the City Engineer.
  10. Relocation of a waste receptacle to a more inconspicuous location or installation of screening around the waste receptacle.
  11. Changes to the facade or architectural features (an elevation plan describing changes and construction materials is required).

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12. Construction or relocation of a permitted accessory building of less than one hundred (100) square feet.
  13. Approved changes to utility systems.
  14. Grading, excavation, filling, soil removal, creation of ponds or clearing of trees.
  15. A change in use in a nonconforming use building or site to a more conforming situation.
  16. Modifications to upgrade a building to improve barrier free design, or to comply with the Americans with Disabilities Act or other federal, state or county regulations. *(amended 2/14/96)*
  17. Accessory structures *(amended 2/14/96)*
  18. Wireless communication facilities as described in section 334.*(as amended 6-10-98)*
- d. **Requirements for a Sketch Plan:** A "sketch plan" submittal shall include at least the following:
1. Application form and review fee.
  2. Name, address and telephone number of the applicant and the person(s) responsible for preparing the plot plan.
  3. North arrow.
  4. Legal description of the property.
  5. The "sketch plan" shall be drawn at an engineers scale. Any building expansion over five hundred (500) square feet within a five (5) year period involving public safety issues, as determined by the Building and Zoning Administrator, shall require a professional seal of an architect, landscape architect or engineer.
  6. Property lines and dimensions.
  7. Existing and proposed buildings and structures with dimensions, setbacks and details or elevations where appropriate.
  8. Existing and proposed parking including number of spaces provided v. needed according to Article XXII. If changes are made to the parking area, a detail of pavement, stormwater runoff calculations and description of detention methods shall be provided.
  9. Details on any new driveways or changes to existing driveways (radii, throat width, slope, boulevard design, etc).
  10. Location of existing signs and details on any proposed changes or new signs.
  11. General illustration of existing landscaping; location, size and species of any new landscaping.
  12. Layout of any proposed changes to utilities.
  13. Description of any proposed changes to drainage.
  14. Floor plan of any new building area or building elevations, if applicable.
  15. Any other items requested by City staff or the Planning Commission.

### **SECTION 2404 EXCEPTIONS TO SITE PLAN REVIEW**

Site plan review shall not be required for the following:

- a. Construction or erection of permitted accessory buildings and structures accessory to a single- or two- family dwelling unit.

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- b. Construction or erection of permitted accessory buildings and structures less than one hundred (100) square feet in area accessory to a multiple family, commercial, office, essential service, municipal or industrial use.
- c. Grading, excavation, filling, soil removal, creation of ponds or clearing of trees within an area up to one hundred (100) square feet, provided such activity is normally and customarily incidental to single-family uses on the site.
- d. Permitted family foster care homes, family day care homes and adult day care homes in single family zoning districts.
- e. Keeping of animals, except kennels.
- f. Internal construction or change in the floor plan that does not increase gross floor area, increase the intensity of use or affect parking requirements on a site which meets all site design standards of the Ordinance.
- g. Repairing or curbing of parking lots.
- h. Construction or erection of signs, retaining walls, fences, waste receptacles, sidewalks, antennas, lights, poles, cooling/heating or other mechanical equipment, telephone booths, newspaper boxes, landscaping and similar structures which conform to other City standards.

### **SECTION 2405 CRITERIA OF SITE PLAN REVIEW**

The Planning Commission (and City Council for Special Land Uses) shall review the site plan to insure that it complies with all of the criteria below:

- a. The proposed use will not be injurious to the surrounding neighborhood.
- b. The location of buildings, outside storage receptacles, parking areas, fences or obscuring walls, and utility areas will minimize adverse effects of the proposed use for the occupants of that property and the tenants, owners, and occupants of surrounding properties.
- c. There is a proper relationship between major thoroughfares and proposed service drives, driveways, and parking areas to encourage the safety and convenience of pedestrian and vehicular traffic. The site plan includes the minimum number of driveways required to provide reasonable access. Driveways are spaced as far apart from intersections and other driveways as practical to reduce accident and congestion potential. Sharing with adjacent uses is encouraged. The Planning Commission may require a traffic impact study as outlined in Section 329.
- d. The site plan provides for proper development of roads, easements, and public utilities and protects the general health, safety, and welfare of the City and its residents.
- e. Building architecture, materials, roof line, colors, windows and similar elements shall be consistent with the majority of other buildings in the City, as determined by the Planning Commission (or City Council for Special Land Uses). Brick construction or brick trim, varying facade depths and peaked roofs, is encouraged. Stark white or bold colors and reflective glass are discouraged. The intent of this standard is to provide a harmonious, unified community to help create a sense of place and contribute to the image and quality of life in the City.
- f. The proposed site plan complies with all City codes and ordinances. Site plans for Mobile Home Park Districts shall comply with the preliminary plan requirements established in the Michigan Mobile Home Commission Acts.

### **SECTION 2406 APPLICATION FOR SITE PLAN REVIEW**

The detailed site plan presented for consideration shall contain all information required in this Ordinance.

- a. Application form provided by the City and required fee established by resolution of the City Council.
- b. Site Plan Drawings and Illustrations (Fully Dimensioned):

Site plans shall contain all of the required data prior to approval of such plans by the City. Site plans shall consist of an overall plan for the entire development. Sheet size shall be at least 24" x 36", with the plan view drawn to a scale

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of 1" = 20' for property less than three (3) acres or 1" = 100' for property of three (3) or more acres. Included on the site plan will be all of the following data as applicable.

<b>Data Required</b>	<b>Multiple-Family</b>	<b>Commercial, Industrial, Public, and Semi-Public Development</b>
1. Applicant's name, address, and telephone number.	●	●
2. Date (month, day, year) including dates of any revisions.	●	●
3. Title block.	●	●
4. Engineers Scale.	●	●
5. Northpoint.	●	●
6. Location map drawn at a scale of 1" = 2,000', with northpoint indicated sufficient to indicate general surroundings and street network.	●	●
7. Name of the proposed development.	●	●
8. Common description of the property and complete legal description (also address, if available).	●	●
9. Dimensions of site including width, length, frontage and acreage exclusive of rights-of-ways.	●	●
10. Name, address, signature, and seal of Architect, Engineer, Surveyor, or Landscape Architect, who was responsible for the preparation of the site plan.	●	●
11. Zoning classification of Applicant's parcel and all abutting parcels.	●	●
12. A site analysis map illustration, current drainage flows (with arrows), boundaries of any wetland regulated by the MDNR, location and elevation of bodies of water, trees over eight inches (8") caliper, steep slopes, floodplain boundaries and elevation and existing structures	●	●
13. Proximity to major thoroughfares and/or section corner.	●	●
14. Location of any required fire lanes.	●	●
15. Existing and proposed contours of the site in sufficient detail to determine drainage.	●	●
16. Location and elevation of existing drainage courses, floodplains, and lakes and streams.	●	●
17. Existing and proposed lot lines, property lines.	●	●
18. Existing and future right-of-way lines and easements.	●	●
19. All buildings, structures, signs, parking areas, sidewalks, etc. on the site and within 100 feet.	●	●
20. Proposed locations and dimensions of access drives, street materials and curbing, drives and driveways (all radii measurements shown).	●	●
21. Proposed street names.	●	●
22. Location of existing and proposed sanitary sewers.	●	●
23. Locations and sizes of the following:		
a) well sites in the proposed development.	●	●

<b>Data Required</b>	<b>Multiple-Family</b>	<b>Commercial, Industrial, Public, and Semi-Public Development</b>
b) water mains, hydrants, and building services.	●	●
c) storm sewers, site grading, drainage, retention basin, and/or other pertinent facilities including drainage and retention calculations and design details.	●	●
24. Building footprints with length and width dimensions.	●	●
25. Building elevations including types of materials and colors.	●	●
26. Setback and yard dimensions for buildings.	●	●
27. Location of interior and exterior sidewalks, pathways and bikepaths. Any development on City arterial and collector streets, shall require the construction of sidewalks within City right-of-way. (amended 2/14/96)	●	●
28. Location, type, intensity height and fixture details of external lighting. Projects in the downtown may require ornamental street lighting.	●	●
29. Locations and design details of any obscuring walls, berms, and fences.	●	●
30. Table illustrating compliance with parking requirements of Article XXII for number of spaces, dimensions and pavement materials.	●	●
31. Landscape plan in accordance with Article XXIII.	●	●
32. Entrance details and signs (Note: signs are subject to separate review under the sign ordinance.)	●	●
33. Location and type of all regulatory signs (stop sign, no parking signs, etc.)	●	●
34. Location of waste receptacle(s), if any, and screening details in accordance with Section 314. Turning radii of the waste receptacle vehicle shall be illustrated.	●	●
35. Location and method of screening of all transformer pads, reception antenna and air conditioners.	●	●
36. A density schedule showing the number of dwelling units by type per gross acre and net acre (see Sec. 322).	●	
37. Floor plans of a typical building.	●	
38. Carport locations and details, if applicable, indicating carports will net the standards of Sec. 2200 (l).	●	
39. Details of community buildings and fencing of swimming pool, if applicable.	●	
40. Location and details of any mail box clusters.	●	
41. Specific amount, type, and location of recreation space and facilities.	●	
42. Loading and unloading areas meeting dimensional requirements of Article XXII.		●
43. An impact assessment or traffic analysis, if required (Sec. 2407).	●	●

<b>Data Required</b>	<b>Multiple-Family</b>	<b>Commercial, Industrial, Public, and Semi-Public Development</b>
44. For condominiums in developments, an illustration of all general commons and limited commons.	●	●
45. All businesses, facilities, and uses, including private and public facilities, which use, store or generate hazardous substances and polluting materials in quantities greater than 25 gallons or 220 pounds per month shall require the completion of the "Groundwater Protection Information Check List for Site Plan Review" and Special Land Use Review. (amended 2/14/96)		●

- c. The applicant shall submit the required number of copies of an application for site plan approval, site plans, and other information where applicable. The number of copies required will be determined by the Building and Zoning Administrator. The applicant or the applicant's representative must be present at the scheduled reviews or the matter will be tabled.
- d. If the site plan is in order and contains the required information, the site plan shall be placed on the agenda of a regular or special Planning Commission meeting.
- e. The Planning Commission shall have final authority on site plans for permitted uses. The Planning Commission shall make a recommendation on the site plan for Special Land Uses, with the final action by the City Council.
- f. The Planning Commission shall take action no sooner than fourteen (14) days and within seventy (70) days of the meeting at which the application first appeared on the agenda. However, preliminary plans for mobile home parks within a Mobile Home Park District shall be submitted and reviewed in accordance with the timetable established in the Michigan Mobile Home Commission Act.
- g. The Planning Commission, as a condition of its approval of a site plan, may require reasonable modifications relating to: the location, height, number of stories, and size of dwellings, buildings, and other structures; the area of the yards, courts, and other open spaces; and the sanitary, safety, and protective measures which shall be required for such dwellings, buildings, and structures; and any other changes to meet the standards and intent of this Zoning Ordinance and other Ordinances, laws and regulations.
- h. For any approval with condition, the applicant shall submit a revised plan within sixty (60) days illustrating compliance with all conditions for approval by the Building and Zoning Administrator. No permits shall be issued until such revised plan is submitted and approved.
- i. The applicant shall be responsible for the cost of preparing all site plan submittal information and for the evaluation of the site plan and related documents by consultants selected by the City.

**SECTION 2407 ENVIRONMENTAL IMPACT ASSESSMENT**

**Environmental Impact Assessment:** The requirement for the submission of an Environmental Impact Assessment, in accordance with Sec. 328 during the rezoning, Special Land Use and/or site plan review process is to provide relevant information concerning the environmental, economic, social, and cultural effects on the community that a proposed project may have and to provide the necessary data for the City to make a rational determination on the request. It is necessary to minimize pollution, retain environmental resources, and to investigate the adequacy of public utilities and facilities such as sewer, water, and transportation system.

An Environmental Assessment providing the information and data specified herein, shall be submitted by the applicant and prepared and reviewed at the expense of the applicant:

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- a) whenever a request for rezoning or site plan approval is submitted, whichever shall occur first, for parcels having an area of twenty (20) acres or greater; or,
- b) whenever a request for rezoning is not consistent with the City's Master Plan; or
- c) whenever a development of one hundred fifty thousand (150,000) square feet of gross floor area or greater is submitted for site plan review; or,
- d) whenever a development of two hundred (200) dwelling units or greater is submitted for site plan review; or
- e) for any Special Land Use in the I-1 or I-2 industrial districts; or
- f) whenever required for a Special Land Use; or
- g) for a site containing significant wetlands, steep slopes or other natural features, as determined by the Planning Commission.
- h) for businesses, facilities, and uses, including private and public facilities, which use, store or generate hazardous substances and polluting materials in quantities greater than 25 gallons or 220 pounds per month.(amended 2/14/96)

### **SECTION 2408 PERFORMANCE GUARANTEE**

- a. The Zoning and Building Administrator shall require a performance guarantee to ensure completion of the site improvements (excluding building). The performance guarantee may take the form of a cash deposit, surety bond, certified check, or an irrevocable bank letter of credit.
- b. At the time the building permit application is filed with the Building and Zoning Administrator, the applicant shall deposit the performance guarantee with the City Clerk. The amount of the performance guarantee shall be determined by the City Engineer and the Building and Zoning Administrator in consultation with the applicant. If the required improvements take longer than six (6) months to complete, the City Manager shall authorize a rebate of any cash deposit in proportion to the amount of work that has been completed.

### **SECTION 2409 BUILDING PERMITS**

- a. An Applicant whose site plan has been approved shall file with the Building and Zoning Administrator a building permit application and two (2) sets of construction drawings stamped with an appropriate seal.
- b. The Building and Zoning Administrator shall issue a building permit only after receiving a building application, two (2) sets of construction drawings stamped with an appropriate seal and the required performance guarantee.

- c. Application for building permit:

Following final approval of the site plan and the engineering plans, the applicant may apply for a building permit. It shall be the responsibility of the applicant to obtain all other applicable City, county, or state permits prior to issuance of a building permit.

A building permit for a structure in a proposed condominium project shall not be issued until evidence of a recorded Master Deed has been provided to the City. However, the Building and Zoning Administrator may issue permits for site grading, erosion control, installation of public water and sewage facilities, and construction of roads, prior to recording the Master Deed. No permit issued or work undertaken prior to recording of the Master Deed pursuant to this Section shall grant any rights or any expectancy interest in the approval of the Master Deed.

- d. Expiration of site plan approval:

If construction has not commenced within twelve (12) months of final approval of the site plan, or if construction has not been completed within twelve (12) months after it was commenced, the site plan approval becomes null and void and a new application for site plan review shall be required. The Planning Commission may grant one (1) extension

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of up to twelve (12) months, upon written request from the applicant, if it finds that the approved site plan adequately represents current conditions on and surrounding the site and provided that the site plan conforms to the current Zoning Ordinance standards.

e. Application for Certificate of Occupancy:

Following completion of site work and building construction, the applicant shall apply for a Certificate of Occupancy or a Temporary Certificate of Occupancy from the Building and Zoning Administrator. It shall be the applicant's responsibility to obtain these required certificates prior to any occupancy of the property.

### **SECTION 2410 RECORDED AND AS-BUILT CONDOMINIUM DOCUMENTS**

Upon approval of the site plan for a condominium project involving new construction, the condominium project developer or proprietor shall furnish the City with the following:

- a. One (1) copy of the recorded Master Deed, and
- b. One (1) copy of any Condominium Bylaws and restrictive covenants.
- c. Upon completion of the project, the condominium project developer or proprietor shall furnish the City with two (2) copies of an "as built survey" and one (1) copy of the site plan on a mylar sheet of at least thirteen by sixteen (13 x 16) inches with an image not to exceed ten and one half by fourteen (10 1/2 x 14) inches. The as-built survey shall be reviewed by the City Engineer for compliance with City Ordinances. Fees for this review shall be established by the City Council.

### **SECTION 2411 EFFECT OF APPROVAL**

Upon final approval of the site plan, construction or expansion of any permitted or special use shall conform to the site plan. The approval by the Planning Commission of a site plan shall expire within one (1) year after the date of such approval, unless construction has commenced or an extension was requested by the applicant in writing prior to the expiration and approved by the Planning Commission. The Building and Zoning Administrator shall not issue a building permit for any type of construction on the basis of the approved site plan after such approval has expired. Approval shall also confer upon the Building and Zoning Administrator the authority to approve minor modifications to an approved site plan during construction, as described in Section 2403.

### **SECTION 2412 AMENDMENT OF A SITE PLAN**

A previously approved site plan may be amended by the Planning Commission upon application by the applicant in accordance with the procedures provided in Section 2406, or if eligible, Section 2403. Minor changes during construction or for expansion or certain changes in use may be approved administratively when the following are proposed:

- a. A change in internal floor plan which does not increase the intensity of use or parking requirements.
- b. Movement of a building, drive, road or parking by up to ten (10) feet during construction due to an unanticipated and documented constraint, to improve safety or to preserve natural features. The site plan shall still meet all required setbacks and other standards of this ordinance.
- c. An increase or decrease road width by up to three (3) feet to improve safety or preserve natural features. The design shall remain consistent with the standards of the City.
- d. An increase in open space or alteration of the open space boundary by up to ten (10) feet with no decrease in overall open space.
- e. Expansion, replanting or alterations of landscaping areas or change in plant materials to a similar species, consistent with the other requirements of this Ordinance.
- f. Relocation of a waste receptacle to a more inconspicuous location.

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- g. A change in the exterior materials to a material of the same color and quality as approved by the Planning Commission.
- h. Relocation of a sign or light fixture meeting the dimensional and locational standards of this Zoning Ordinance.
- i. Relocation of sidewalks, bike paths or pathways with the intent of improving public convenience and safety.
- j. Minor modifications to comply with a City, state or federal regulations.

**SECTION 2413 REVOCATION**

Approval of a site plan may be revoked by the Planning Commission if construction is not in conformance with the approved plans. In such case, the site plan shall be placed on the agenda of the Planning Commission for consideration and written notice shall be sent to the applicant at least ten (10) days prior to the meeting. The Building and Zoning Administrator, applicant, and any other interested persons shall be given the opportunity to present information to the Planning Commission and answer questions. If the Planning Commission finds that a violation exists and has not been remedied prior to the hearing, then it shall revoke the approval of the site plan and all construction shall terminate.

**SECTION 2414 PROPERTY MAINTENANCE AFTER APPROVAL**

It shall be the responsibility of the owner of a property for which site plan approval has been granted to maintain the property in accordance with the approved site design on a continuing basis until the property is razed, or until new zoning regulations supersede the regulations upon which site plan approval was based, or until a new site design is approved. This maintenance requirement includes healthy landscaping, walls, fences, pavement, pavement markings, signs, building exterior, drainage facilities and all other elements of a site. Any property owner who fails to so maintain an approved site design shall be deemed in violation of the use provisions of this Ordinance and shall be subject to the same penalties appropriate for a use violation.

With respect to condominium projects, the Master Deed shall contain provisions describing the responsibilities of the condominium association, condominium owners, and public entities, with regard to maintenance of the property in accordance with the approved site plan on a continuing basis. The Master Deed shall further establish the means of permanent financing for required maintenance and improvement activities which are the responsibility of the condominium association. Failure to maintain an approved site plan shall be deemed in violation of the use provisions of this Ordinance and shall be subject to the same penalties appropriate for a use violation.