SECTION 18: SITE PLAN REVIEW

Subdivision 1	**Purpose**
Subdivision 2	**Approval Required**
Subdivision 3	**Exceptions**
Subdivision 4	**Application**
Subdivision 5	**Multiple Applications**
Subdivision 6	**Procedures**
Subdivision 7	**Standards**
Subdivision 8	**Architectural Standards**
Subdivision 9	**Landscape Plan Requirements**
Subdivision 10	**Photometric Plan**
Subdivision 11	**Conditions**
Subdivision 12	**Plan Agreements**
Subdivision 13	**Plan Modifications**
Subdivision 14	**Building Code**
Subdivision 15	**Term of Approval**
Subdivision 16	**Performance Bond**

Subdivision 1: Purpose

It is the intent of this section to serve the public interest by promoting a high standard of development within the City. Through a comprehensive review of both functional and aesthetic aspects of new or intensified development, the City seeks to accomplish the following:

A. Implement the comprehensive plan.

B. Maintain and improve the City's tax base to a reasonable extent.

C. Mitigate to the extent feasible adverse impacts of one land use upon another.

D. Promote the orderly and safe flow of vehicular and pedestrian traffic.

E. Preserve and enhance the natural and built environment.

Subdivision 2: Approval Required

Without first obtaining site and building plan approval it shall be unlawful to do any of the following:

A. Construct a building.

B. Move a building to any lot within the City.

C. Expand or change the use of a building or parcel of land or modify a building, accessory structure or site or land feature in any manner which results in a different intensity of use, including the requirement for additional parking.

Subdivision 3: Exceptions

Notwithstanding the provisions of subdivision 2 of this section, the following shall not require site plan approval:

A. Construction or alteration of a single-family, two-family, and three-family residential structures or accessory structures.

B. Enlargement of a building by less than ten (10) percent of its gross floor area, provided that there is no variance involved.

C. Changes in the leasable space of a multi-tenant building where the change does not intensify the use, require additional parking, or result in an inability to maintain required performance standards as specified in this ordinance.

Subdivision 4: Application

Application for a site and building plan review shall be made to the City on forms provided by the City and shall be accompanied by the following:

A. A survey drawing of the property by a registered land surveyor showing existing conditions.

B. An accurately dimensioned site plan signed by a registered architect, civil engineer, registered surveyor, landscape architect, or other appropriate design professional indicating the following;

1. Existing and proposed structure setback from property lines.
2. Parking layout including access provisions.
3. Public streets and rights-of-way on and adjacent to the property.
4. Lighting provisions.
5. Ground elevations on the property and on the adjacent properties
6. Easements of record, indicating location, width and purpose.
7. Existing vegetation and proposed landscaping.
8. Other physical conditions, including but not limited to: water courses, ponds and streams, historic features.
9. Grading, drainage, and erosion control plan including existing and proposed contours.
10. Architectural rendering. Including façade and the proposed materials, floor plans, and elevations.
11. Location of sidewalks and trails, in accordance with City requirements, used to connect the proposed use or parcel to the City's sidewalk and trail system.
12. Utility plan which shows:
    a. Existing and proposed water mains, fire hydrants, valves, storm sewers sanitary sewers, invert elevations, top of casting elevations, manhole elevation, catch basin elevation.
    b. All existing and proposed utility lines must show, as applicable: pipe size and type, invert elevations, top of casting elevation, manhole elevation, catch basin elevation.

Three (3) full size copies of the above plans shall be submitted, one (1) 11" x 17" reproducible copy of the above plans, and an electronic copy of all plans (pdf version) shall be submitted.

C. Evidence of ownership or an interest in the property.

D. The application fee and escrow required by City resolution.

E. Such other information as may be required by the City.

Subdivision 5: Multiple Applications

Any site and building plan application which is accompanied by a request for a conditional use permit or for a zoning map amendment to this ordinance shall be contingent on approval of the conditional use permit or rezoning application.

Subdivision 6: Procedures

The process for filing a site plan is as follows:

A. Requests for a Site Plan Review shall be filed with the Zoning Administrator on an official application form together with the required exhibits and the non-refundable filing fee as established by City Council resolution. Within ten (10) business days of the application submittal, the Zoning Administrator or his/her designee will issue a letter identifying any incomplete items that would be required in order to process the application. The formal review shall not commence until such time as the application is deemed complete.

B. Following receipt of a complete application, the Zoning Administrator shall provide copies of the proposal to appropriate City staff, consultants, and affected surrounding jurisdictions responsible for review of the amendment. The Zoning Administrator shall also instruct appropriate staff persons to prepare technical reports when appropriate, and provide general assistance in preparing a recommendation to the Planning Commission and City Council.

C. Following receipt of a complete application, the Zoning Administrator or his/her designee will set a public hearing date following proper public hearing notification regulations. Notice of such hearing shall be published in the official newspaper of the municipality at least ten (10) days prior to the date of the hearing and written notification of said hearing shall be mailed at least ten (10) days prior to all owners of land within three hundred fifty (350) feet of the boundary of the property in question. Failure of a property owner to receive said notice(s) shall not invalidate any such proceedings as set forth within this Article.

D. The Planning Commission shall hold a public hearing on the proposed Site Plan.

E. The applicant or representative of the applicant shall appear before the Planning Commission and City Council in order to present the case for the applicant and to answer questions concerning the proposal. Failure to appear at either the Planning Commission or City Council meeting, in which the proposal is considered, shall constitute grounds for tabling or denial of the application.

F. The Planning Commission shall make a recommendation to the City Council. Such recommendations shall be accompanied by the report and recommendation of the City staff. The City Council shall not act upon a site plan until they have received a report and recommendation from the Planning Commission and the City staff.

H. Upon receiving the report and recommendation of the Planning Commission and appropriate City staff members, City staff shall schedule the application for consideration by the City Council. Such reports and recommendations shall be entered in and made part of the permanent written record of the City Council meeting.

I. Upon receiving the report and recommendation of the Planning Commission, the City Council shall make a recorded finding of fact and may impose any conditions they consider necessary to protect the public health, safety, and welfare. If the City Council finds that specific inconsistencies exist in the review process and thus the final recommendations of the City Council will differ from that of the Planning Commission, the City Council may, before taking action, refer the matter back to the Planning Commission for further consideration. This procedure shall be followed only one time on a singular action. If the City Council approves the request or approves the request with conditions, approval of a request shall require passage by a majority vote of the entire City Council.

J. Denial of applications shall be accompanied by written findings of fact of the City Council and any supporting data setting forth the reasons for the denial. No application which has been denied wholly or in part shall be resubmitted for consideration by the Planning Commission or City Council for at least six (6) months from the date of its denial.

Subdivision 7: Standards

In evaluating a site and building plan, Staff and City Council shall consider its compliance with the following:

A. Consistency with the elements and objectives of the City's development guides, including the comprehensive plan.

B. Consistency with City Codes.

C. Preservation of the site in its natural state to the extent practicable by minimizing tree and soil removal and designing grade changes to be in keeping with the general appearance of neighboring developed or developing areas.

D. The amount and location of open space and landscaping.

E. Vehicular and pedestrian circulation, including walkways, interior drives, and parking in terms of location and number of access points to the public streets, width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic and arrangement and amount of parking.

F. Protection of adjacent and neighboring properties through reasonable provision for surface water drainage, sound and sight buffers, preservation of views, light, and air and those aspects of design not adequately covered by other regulations which may have substantial effects on neighboring land uses.

G. Consistency with the City's Engineering Design standards as adopted by Resolution of the City Council.

Subdivision 8: Architectural Standards

A. Architectural plans shall be prepared by an architect or other qualified person acceptable to the City and shall show the following:
   1. Elevations of all sides of the building.
   2. Type and color of exterior building materials.
   3. A typical floor plan.
   4. Dimensions of all structures.
   5. The location of trash containers and of heating, ventilation, and air conditioning equipment.

B. All rooftop or ground mounted mechanical equipment and exterior trash storage areas shall be enclosed with materials compatible with the principal structure. Low profile, self-contained mechanical units which blend in with the building architecture are exempt from the screening requirement.

C. Underground utilities shall be provided for all new and substantially renovated structures.

Subdivision 9: Landscape Plan Requirements

Landscape plans shall be prepared by a landscape architect or other qualified person acceptable to the City, drawn to a scale of not less than one inch equals fifty (50) feet. Landscaping shall meet the requirements as stipulated within Section 16 of this Ordinance. Landscaping plans shall include the following information:

A. Boundary lines of the property with accurate dimensions.

B. Locations of existing and proposed buildings, parking lots, roads, and any other improvements to the property.

C. A planting schedule containing symbols, quantities, common and botanical names, size of plant materials, root condition, and special planting instructions.

D. Planting details illustrating proposed locations of all new plant material.

E. Locations and details of other landscape features including berms, fences, and planter boxes.

F. Details of restoration of disturbed areas including areas to be sodded.

G. Location and details of irrigation systems. Such systems are to be designed by a landscape designer or other qualified individual and approved by the Building Official.

H. Details and cross sections of all required screening.

Subdivision 10: Photometric Plan

Lighting and photometric plans shall be provided and prepared in accordance with the provisions provided within Section 15, Subdivision 5 of this Ordinance.

Subdivision 11: Conditions

The City Council may impose conditions in granting approval to site and building plans to promote the intent of this section or to protect adjacent properties. No occupancy permit shall be issued until all conditions of approval imposed by the City Council have been satisfied.

Subdivision 12: Plan Agreements

Site and building plans shall be valid only for the project in which approval was granted. Construction of all site elements shall be in substantial compliance with the plans and specifications approved by the City Council. Changes, modifications, or alterations shall be submitted to the Zoning Administrator for review and referral to the City Council

Subdivision 13: Plan Modifications

An amended site plan involving major changes, as determined by the City Council, shall be re-applied for and administered in the same manner as required for a new site plan.

Subdivision 14: Building Code
The review and approval of all site improvements pursuant to the requirements of the City adopted building and fire codes shall be in addition to the site plan review process established within this Section. The site plan and building review approval process does not imply compliance with the requirements of the building or fire codes.

Subdivision 15: Term of Approval
Site Plan approval shall be good for one (1) year from the date of the approval. An extension of up to one (1) year may be granted. Such extension must be requested in writing and filed with the City at least thirty (30) days before the expiration of the original approval. There shall be no charge for the filing of such extension. The request for extension shall be presented to the City Council for a decision. Only one extension can be granted.

Subdivision 16: Performance Bond
Upon approval of a site plan/building appearance the City may require a surety bond, cash escrow, certificate of deposit, securities, or cash deposit prior to the issuing of building permits or initiation of work on the proposed improvements or development. Said security shall guarantee conformance and compliance with the conditions of the site plan/building appearance approval and the ordinances of the City. An amount equal to 125% of the estimated costs of labor and materials for the proposed improvements or development shall be collected. Said project can be handled in stages at in the discretion of the City Council. The City shall hold the security until completion of the proposed improvements or development and a certificate of occupancy indicating compliance with the site plan/building appearance approval and codes of the City has been issued by the Building Official. Failure to comply with the conditions of the site plan/building appearance approval and/or the codes of the City shall result in forfeiture of the security.