

SECTION 11
SITE & OPERATION PLAN REQUIREMENTS AND LIMITATIONS

11.1 PLAN APPROVAL REQUIRED.

For the purpose of promoting compatible development, preventing depreciation of property values, preserving the rural character and appearance of the Town and improve the attractiveness of the community as a place to live and work, no non-residential or non-agricultural use, building or structure shall be commenced and/or constructed on a lot or parcel in any zoning district without first obtaining site and operation plan approval from the Plan Commission.

11.2 PLAN COMMISSION STANDARDS OF REVIEW.

The Plan Commission shall review the characteristics and natural resource features of the site, intensity of the site and proposed use, building location, density of buildings, floor area, impervious surface area, existing and proposed buildings and structures, site, operations, landscaping, lighting, signage and architectural plans, the uses of neighboring and abutting properties and the potential impacts of each on each other, proposed landscaping and buffering, off-street parking, access, loading, circulation, accessibility, traffic generation, drainage, water and sewer impacts, and the proposed operation.

The Plan Commission may approve a site and operation plan application after determining that the proposed use, development and operation, including buildings, structures and other features of development would:

- (1) be generally consistent with and/or further the general purpose and intent of this Ordinance and the specific purpose and intent for the zoning district within which the use is proposed;
- (2) not endanger the public health, general welfare or safety, and, not have a substantial or undue adverse impact that would diminish or impair the character and/or property values, of adjacent or abutting property;
- (3) meet the dimensional restrictions, e.g. area, yard, setback, and height, of the applicable zoning district;
- (4) have or provide adequate site ingress and egress and internal circulation within the site and between the site and the adjacent street system in order to ensure convenient, safe, and efficient vehicular and pedestrian traffic;
- (5) provide adequate drainage and erosion control facilities and measures before, during and after development to prevent or minimize adverse impacts on adjoining and surrounding properties;
- (6) retain natural resource and landscape features to enhance the development and provide adequate buffering between adjoining properties and public rights-of-way;
- (7) be served by or provided with adequate essential services and public facilities, e.g. streets, water, sanitary sewer, police and fire protection, refuse disposal, parks, schools, etc.;
- (8) not result in the loss, destruction or damage of any natural, historic, scenic or feature or resource.

11.3 SITE & OPERATION PLAN APPLICATION.

An application for site and operation plan approval, including the enlargement, expansion, addition or other revision to an existing site, shall be filed with the Town Clerk on forms provided or prescribed by the Town Clerk.

Site and operation plan approval applications shall be accompanied by the following information, plans, data, and other items deemed pertinent and necessary by the Zoning Administrator in order for the Plan Commission to properly review the permit application and make a determination and subsequent recommendation as to whether or not the proposed use would be in compliance with the provisions of this Ordinance and whether or not the site and operation plan shall be approved:

- (1) Name(s) and mailing address(es) of the property owner(s), applicant(s), and authorized agent(s);
- (2) Address (if any) and legal description of the subject property by lot, block and recorded subdivision, certified survey map (CSM) or metes and bounds survey;
- (4) Zoning district within which the subject property is located;
- (5) Name of the project (if any) and a detailed narrative description of the specific uses(s) and operational characteristics of the proposed use, including but not limited to, the following:
 - (a) hours of operation;
 - (b) number of employees;
 - (c) estimate of vehicle traffic and trips generated by the proposed use;
 - (d) estimate of water consumption and wastewater generated by the proposed use;
 - (e) type of materials and equipment used and stored as part of the proposed use;
 - (f) methods of handling solid and liquid waste, site and building maintenance, security;
- (6) Plat of Survey Site Plan (drawn to and including an appropriate scale) containing a plan view of all existing and proposed features of the site, lot or parcel of land as necessary, including but not limited to, the following:
 - (a) all property lines, right-of-way lines, access driveways, easements, building setbacks;
 - (b) existing and proposed topography shown at a contour level of not less than two (2) feet on a topography/grading plan;
 - (c) location and number of parking, loading and storage areas and spaces (including solid waste);
 - (d) location of existing and proposed septic systems, disposal fields, holding tanks, storm sewers, drainage basins and other storm water facilities;
 - (e) location of all buildings, structures, fences, walls, landscaping, and lighting features;
- (7) Description and/or architectural plans or drawings necessary to adequately present the type, dimensions, height, density, intensity, structure, and materials for all proposed buildings, structures, fences, walls, landscaping, lighting and other developed features;
- (8) Tabular summary and narrative description of all landscaping and lighting features (i.e. "landscaping and lighting plan");

- (9) Copies of all other permits or approvals granted by all County, State or Federal agencies;
- (10) Storm water management plan, including run-off calculations and a detailed description and plans for all retention/detention basins, swales, etc. proposed or required; and
- (11) Any other information, data, plans, evaluations, studies, etc. required by the Zoning Administrator or Plan Commission each deems necessary. Special studies, e.g. traffic impact and circulation analysis, may be required when deemed appropriate by the Zoning Administrator or Plan Commission.

11.4 DESIGN GUIDELINES.

The following guidelines are established in order to provide a clear, consistent approach to the design, review and approval of site and operation plan approval. These design guidelines and the review process are intended to be flexible. Applicants with proposed development subject to these provisions are expected to address these guidelines by either designing the proposed building or structure in conformance with these principles, or, proposing innovative and creative alternatives.

- (1) *Building Layout, Configuration and Site Organization*
 - (a) Buildings shall be arranged on a site and in a configuration that does not impede traffic accessibility and circulation to/from adjacent streets and adjoining sites developed with similar non-residential uses. Individual building pads or parcels intended for freestanding uses separate from the primary building(s) shall be arranged to provide and/or accommodate readily accessible cross-access from within and across parking areas to enhance on-site circulation.
 - (b) Buildings shall be arranged to reduce visibility of service areas from public streets, customer parking areas, and adjacent properties.
 - (c) Service yards and facilities, including storage areas (if permitted) and docking and loading facilities, shall be easily accessible by service vehicles, separated from the primary parking access and circulation functions, centrally located to serve multiple establishments and tenants (if any), and integrated into the overall design of the building(s) and landscaping features so the visual and acoustic impacts of these functions are located out of view from public streets and adjacent agricultural and residential-zoned areas through the use of architectural extensions of buildings, walls, fences, landscaping features and plantings, or a combination thereof.
 - (d) Existing natural resources and topographic features of a site should be preserved where such features contribute to the beauty and utility of a development site. Buildings should be located to take advantage of a site's natural topography and drainage, existing vegetation and other natural features. Modifications to such features may be permitted when required for safety purposes, or, where modification contribute to and further visual appearance, function and utility of the site.
 - (e) No building or sign shall be permitted to be sited on the property in a manner which would unnecessarily destroy or substantially damage the natural beauty and aesthetics of the area, particularly insofar as it would adversely affect values incident to ownership of land in the area; or which would unnecessarily

have an adverse effect on the beauty and general enjoyment of existing structures on adjoining properties.

- (f) Utility services shall be underground to reduce visual clutter.

(2) *Building Elements, Style, Exterior Materials and Finishes*

- (a) All facades and roof lines of a building that are visible from a public street, main customer parking area, and adjoining residential areas (that are either already zoned or designated as such on the future land use plan map) shall integrate design features and characteristics similar to the front facade. Architectural standards within a development shall be applied consistently on all exterior building sides visible from public streets.
- (b) Roof lines, fascia, overhangs, parapets, and other architectural features and treatments shall be extended to the rear of a building. Variations in roof lines and features, e.g. parapets, eaves, sloped roofs, differing roof slope planes, for large buildings are required in order to reduce massive scale, avoid monotony, and add visual interest.
- (c) Roof-mounted mechanical equipment and utility units shall be screened from view with parapet walls, mansard roof, or other architectural features, that are, at minimum, equal to or greater in height of the unit provided that all such equipment is entirely screened from view from all points along a property line of the subject property abutting all public street and adjoining residential areas (that are either already zoned or designated as such on the future land use plan map).
- (d) Facades having uninterrupted lengths in excess of fifty (50) feet shall be avoided. Uninterrupted facades in excess of fifty (50) feet should incorporate windows, recesses, projections, or other building and/or architectural features comprising a minimum of twenty-five (25) percent of the facade area.
- (e) Exterior building materials must be of a high, durable quality necessary to ensure stability, easy and low maintenance, and long-life. Exterior building materials should have good architectural character and detailing. Buildings comprised entirely or predominantly of prefabricated steel panels or other similar materials is prohibited.

At a minimum, the following exterior building materials or other similarly material deemed acceptable by the Plan Commission shall comprise at least fifty-five (50) percent of the total exterior wall surface area (excluding window, door, and roof area):

- brick
 - vinyl or wood siding (excluding wood sheathing, e.g. T-111 plywood, or other similar material)
 - stone
 - textured concrete masonry
 - architectural precast concrete
- (f) Architectural design shall create visual interest by use of different textures, complementary colors, shadow lines and contrasting shapes. Use of a single color, minimal detailing, and blank walls is likewise prohibited.

11.5 PLAN COMMISSION REVIEW.

The Plan Commission shall review the site and operation plan application, information, data, and all supporting plans and documents at a meeting within sixty (60) days of the date the application was received or deemed complete by the Zoning Administrator, whichever is later. The Plan Commission may request changes, revisions, additions, deletions, reductions, etc. of certain features of the use, operation, buildings, structures or other proposed features when it deems such modifications are necessary to ensure compliance with the provisions of this Ordinance.

The Plan Commission shall not approve a site and operation plan application unless a determination can be made that the proposed use and development is or can be found to be consistent with the standards of review and design guidelines in this Ordinance.

11.6 FINANCIAL SURETIES REQUIRED.

The Plan Commission may impose time schedules for the completion of buildings, improved streets, off-street parking and loading areas, landscaping, and any other developed feature proposed as part of the site and operation plan application. The Plan Commission may require the posting of appropriate financial sureties, e.g. bonds, letters of credit, etc., deemed necessary to ensure compliance with and completion of such features approved as part of the site and operation plan application.

11.7 TIME LIMITATIONS.

Unless otherwise provided for in this Ordinance, or, as a condition of approval made part of any conditional use permit, no site and operation plan approval shall remain valid for a time period longer than twelve (12) months unless the use has commenced within the twelve (12) month time period, or, a building permit (or other necessary permits required by this Ordinance or any other agency as a prerequisite to obtaining a building permit) has been obtained and the property owner/applicant is diligently pursuing completion of the development in order that the proposed use can commence prior to expiration of the time period for which such building permit (or other agency permit) remains valid.

11.8 BUILDING INSPECTION AND STATE APPROVED PLANS.

The construction of any new building and the expansion or remodeling of any existing building that has been approved as part of a site and operation plan approval shall not commence until such time as state-approved building plans (or a waiver from the state) have been prepared, approved by the state and submitted to the Town for review and issuance of a local building permit (if required). *{amended 7/2007}*