

CHAPTER 9

ADMINISTRATION – SITE AND BUILDING PLAN REVIEW

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10-9-1: PURPOSE: The purpose of site and building plan review is to establish a formal site and building plan review procedure and provide regulations pertaining to the enforcement of site design standards consistent with the requirements of this Ordinance in advance of building permit issuance.

10-9-2: EXCEPTIONS TO REVIEW: Except in those cases specifically cited within this Ordinance, the following shall be exempted from the foregoing requirements of this Section:

- A. Projects which require variances, subdivision approval, conditional use permits, other zoning permits or amendments. The site and building plan is required for such applications, however, the review will be conducted as part of the review for such land use application.
- B. New construction (including modifications, additions and enlargements) of agricultural-related buildings, single-family detached dwellings and two-family attached dwellings.
- C. Modifications additions or enlargements to multiple family residential, commercial, industrial and institutional buildings which do not increase the gross floor area more that twenty-five (25) percent.
- D. Modifications to multiple family residential, commercial, industrial and institutional buildings which alter the design or materials of any single exterior building wall less than twenty-five (25) percent.

- E. Changes in the use of leasable space in single or multi-tenant buildings where a change of tenant does not intensify the use of the space nor require additional off-street parking.
- F. Expansion of off-street parking which is not related to modifications, additions or enlargements to the gross floor area of an existing building.
- G. Construction of permitted accessory buildings or structures.

10-9-3: SKETCH PLAN:

- A. Prior to the formulation of a site plan, applicants may present a sketch plan to the Zoning Administrator prior to filing of a formal application. The plan shall be conceptual but shall be drawn to scale with topography of a contour interval not greater than two (2) feet and may include the following:
 - 1. The proposed site with reference to existing development, topography, and drainage conditions on adjacent properties, at least to within two hundred (200) feet.
 - 2. Natural features.
 - 3. General location of existing and proposed structures including signs.
 - 4. Tentative access, circulation and street arrangements, both public and private.
 - 5. Amenities to be provided such as recreational areas, open space, walkways, landscaping, etc.
 - 6. General location of parking areas.
 - 7. Proposed public sanitary sewer, water and storm drainage.
 - 8. A statement showing the proposed density of the project with the method of calculating said density also shown.
 - 9. Other items as may be deemed necessary by the Zoning Administrator.
- B. The Zoning Administrator shall have the authority to refer the sketch plan to the Planning Commission and/or City Council for discussion, review, and informal comment. Any opinions or comments provided to the applicant by the Zoning Administrator, Planning Commission, and/or City Council shall be considered advisory only and shall not constitute a binding decision on the request.

- C. Sketch plan review shall not activate the sixty (60) day time requirements pursuant to Minnesota Statutes 15.99, as may be amended.

10-9-4: PROCEDURE: Pursuant to Minnesota Statutes 15.99, an application for site plan approval shall be approved or denied within sixty (60) days from the date of its official and complete submission unless extended by the City pursuant to statute or a time waiver is granted by the applicant. Additional City requirements are as follows:

- A. **Filing Of Request:** Request for site plan approval, as provided within this Title, shall be filed with the Zoning Administrator on an official application form. Such application shall be accompanied by a fee as established by City Council resolution. Such application shall also be accompanied by detailed written and graphic materials, the number and size as prescribed by the Zoning Administrator, fully explaining the proposed change, development, or use. The request shall be considered as being officially submitted and complete when the applicant has complied with all specified information requirements. In cases where an application is judged to be incomplete, the Zoning Administrator shall notify the applicant, in writing, within fifteen (15) days of the date of submission.
- B. **Proof Of Ownership Or Authorization:** The applicant shall supply proof of title and the legal description of the property for which the site plan approval is requested, consisting of an abstract of title and as applicable supply documented authorization from the owner(s) of the property in question to proceed with the requested site plan application.
- C. **Technical Reports:** The Zoning Administrator shall instruct the appropriate staff persons to prepare technical reports where appropriate, and provide general assistance in conducting an evaluation of the request.
- D. **Additional Information:** City staff shall have the authority to request additional information from the applicant concerning operational factors or to retain expert assistance with the consent and at the expense of the applicant concerning operational factors. Said information is to be declared necessary to evaluate the request and/or to establish performance conditions in relation to all pertinent sections of this Title. Failure on the part of the applicant to supply all necessary supportive information may be grounds for denial of the request.
- E. **Meeting With Zoning Administrator and/or Staff:** The applicant or a representative thereof shall meet with the Zoning Administrator and/or City staff in order to present information and answer questions concerning the proposed requests.
- F. **Decision:** The Zoning Administrator shall reach a decision on the request within sixty (60) days after the meeting at which the matter was officially submitted.

G. **Authority:** The Zoning Administrator shall have the authority to refer the site and building plan to the Planning Commission and/or City Council for discussion, review, and formal comment. The review shall follow the procedure established in Section 10-3-3 without the requirement for a public hearing.

10-9-5: CRITERIA: The Zoning Administrator shall evaluate the proposed site plan based upon compliance with the City Comprehensive Plan, provisions of this Ordinance, and other applicable chapters of the City Code.

10-9-6: INFORMATION REQUIREMENT: The information required for all site plan applications generally consists of the following items, and shall be submitted unless waived by the Zoning Administrator.

A. Site boundaries, buildings, structures and other improvements shall be identified on-site with a current certificate of survey, prepared and signed by a Minnesota licensed land surveyor, depicting the following:

1. Scale of plan (engineering scale only, at one inch equals fifty feet (1" = 50') or less.
2. North point indication.
3. Existing boundaries with lot dimension and area.
4. Existing site improvements.
5. All encroachments.
6. Easements of record.
7. Legal description of the property.
8. Ponds, lakes, springs, rivers or other waterways bordering on or running through the subject property.

B. A site plan utilizing a copy of the current certificate of survey as a base for the site in question, depicting the following:

1. Name and address of developer/owner.
2. Name and address of architect/designer.
3. Date of plan preparation.

4. Dates and description of all revisions.
 5. Name of project or development.
 6. All proposed improvements, including:
 - a. Required and proposed setbacks.
 - b. Location, setback and dimensions of all proposed buildings and structures.
 - c. Location of all adjacent buildings located within two hundred (200) feet of the exterior boundaries of the property in question.
 - d. Location, number, dimensions, and setbacks of proposed parking spaces and drive aisles.
 - e. Location, number, and dimensions of proposed loading spaces.
 - f. Location, width, and setbacks of all curb cuts and driveways.
 - g. Vehicular circulation.
 - h. Sidewalks, walkways, trails.
 - i. Location and type of all proposed lighting, including details of all proposed fixtures.
 - j. Location of recreation and service areas.
 - k. Location of rooftop equipment and proposed screening.
 - l. Provisions for storage and disposal of waste, garbage, and recyclables, including details for screening exterior trash/recycling enclosures.
 - m. Location, sizing, and type of water and sewer system mains and proposed service connections.
- C. Grading/stormwater drainage plan, utilizing a copy of the current certificate of survey as a base for the site in question, prepared and signed by a Minnesota licensed engineer, depicting the following:
1. Existing contours at two (2) foot intervals (may be prepared by a Minnesota licensed surveyor).

2. Proposed grade elevations at two (2) foot maximum intervals.
3. A Stormwater Management Report shall be submitted that shows all of the design elements utilized to comply with these requirements. A written narrative shall be included that describes the stormwater system. A summary, calculations, drainage areas, figures, tables and plan sheets shall accompany the report.
4. Storm sewer, catch basins, invert elevations, type of castings, and type of materials.
5. Spot elevations (may be prepared by a Minnesota licensed surveyor).
6. Proposed driveway grades.
7. Surface water ponding and treatment areas.
8. Soil borings or tests if requested by the City.
9. Those areas of the site to be used for storage of topsoil and overburden;
10. Proposed stockpile sites.
11. The description and quantity of material to be excavated.
12. The depth of water tables throughout the area.
13. The location and depth of wells and buried garbage, water, and fill.
14. Delineation of the sub-watershed contributing runoff from any/all off-site sources.
15. Proposed and existing sub-watersheds on-site.
16. Emergency overflows and watercourses.
17. For applications proposing infiltration as volume control; identification, description, permeability, HSG Classification and approximate delineation of site soils in both existing and proposed post-development conditions.
18. The existing and proposed OHW and 100-year high water elevations on-site.
19. Description and sketch of all drainage easements or other property interest to be determined for stormwater management purposes.

20. Identify downstream evaluation areas to the point of ten (10) percent and corresponding drainage area(s) on a USGS map.
 21. Storm Water Pollution Prevention Plan (SWPPP).
 22. Determination by a registered professional engineer of the 100-year critical flood elevation before and after the proposed activity.
 23. Computation of the change in flood storage capacity as a result of the proposed alteration or fill.
 24. A map or plan indicating existing on-site wetland, marsh, buffer, shoreland, 100-year floodplain areas and other levels, all referenced to the City datum.
 25. Delineation of all Exceptional Value Wetlands located in downstream evaluation in the flow path.
 26. A wetland alteration permit, if required by the City Code, which shall be processed concurrently with the grading permit application.
- D. Landscaping plan, utilizing a copy of the current certificate of survey as a base for the site in question, depicting the following:
1. Planting schedule (table) containing:
 - a. Symbols.
 - b. Quantities.
 - c. Common names.
 - d. Botanical names.
 - e. Sizes of plant material.
 - f. Root specification (bare root, balled and burlapped, potted, etc.).
 - g. Special planting instructions.
 2. Location, type and size of all existing significant trees to be removed or preserved.
 3. Planting detail (show all species to scale at normal mature crown diameter or spread for local hardiness zone).

4. Typical sections with details of fences, tie walls, planter boxes, tot lots, picnic areas, berms and the like.
 5. Typical sections with details of landscape islands, planter beds, and foundation plantings with identification of materials used.
 6. Note indicating how disturbed soil areas will be restored through the use of sodding, seeding, or other techniques.
 7. Delineation of both sodded and seeded areas with respective areas in square feet.
 8. Coverage plan for underground irrigation system, if any.
 9. Where landscape or man-made materials are used to provide screening from adjacent and neighboring properties, a cross-through section shall be provided showing the perspective of the site from the neighboring property at the property line elevation.
 10. Other existing or proposed conditions which could be expected to affect landscaping.
- E. Other plans and information as required by the Zoning Administrator including, but not limited to:
1. Architectural elevations of all principal and accessory buildings (type, color, and materials used in all external surfaces).
 2. "Typical" floor plan and "typical" room plan drawn to scale with a summary of square footage for each use or activity.
 3. Fire protection plan.
 4. Type, location and size (area and height) of all signs to be erected upon the property in question.
 5. Vicinity map showing the subject property in reference to nearby highways or major street intersections.
 6. Sound source control plan.
 7. Lighting plan.

10-9-7: PLAN MODIFICATIONS: An amended site plan involving major changes shall be applied for and administered in a manner similar to that required for a new site plan.

10-9-8: BUILDING CODES:

- A. **Review and Approval.** The review and approval of site improvements pursuant to the requirements of City adopted building and fire codes shall be in addition to the site plan review process established under this Ordinance. The site plan approval process does not imply compliance with the requirements of these building and fire codes.
- B. **Building Permit Required.** Except as hereinafter provided, no person, firm, or corporation shall construct, erect, alter, wreck or move any building or structure or parts thereof within the corporate limits of the City, without first securing a building permit from the City. Application for a building permit shall be made on a blank form to be furnished by the City.
- C. **Building Permit Issuance.** The Building Official shall issue the building permit only after determining that the building plans, together with the application, comply with the terms of this Ordinance and State Building Code.
- D. **Schedule of Fees, Charges, and Expenses.** The City Council shall establish a schedule of fees, charges and expenses, and a collection procedure, for building permits, appeals, and other matters pertaining to this Ordinance. The schedule of fees shall be posted in the Office of the City Clerk, and may be altered or amended only by the City Council.
- E. **Building Permit Information.**
 - 1. All building permit applications shall be accompanied by the following documents, unless exempted by the Building Official:
 - a. Two (2) sets of building plans and specifications showing all easements and elevations (in relation to street grade).
 - b. Two (2) copies of a certified land survey.
 - c. Two (2) copies of a plot plan indicating property lines, building setbacks (from right-of-way) and location of all utility lines.
 - 2. City utility information is available for review by the public during regular office hours at City Hall. If further information is required, the City Engineer shall be contacted at the inquirer's expense. The City accepts no liability for:

- a. Locations of any service lines.
- b. Locations of main lines not shown on City utility lines.
3. The processing of building permits takes up to ten (10) days.
4. Applicants are responsible for pick up and payment of building permits.
5. No building permit will be issued until payment is made in full, including all deposit(s) (if any).
6. Inspections during construction may be made by contacting the Building Department to request an appointment a minimum of twenty-four (24) hours in advance. Applicants are advised that the site address, inspection record, and approved plans shall be posted on site or no inspection will be performed and a re-inspection fee may be charged.
7. Any work which begins prior to issuance of a building permit shall be subject to a civil penalty determined by the City Council.
8. Prior to occupancy of any building, a final inspection must be performed. When a final inspection is completed, the Building Official will issue a certificate of occupancy.

F. **Certificate of Occupancy Requirement.** The purpose of a certificate of occupancy inspection is to insure that all aspects of the plans which were approved for a building permit have been complied with by verifying such with an on-site visual inspection of the project. At the completion of a building project, a request for a certificate of occupancy inspection shall be made for the following types of projects:

1. New residences and residential buildings.
2. New commercial, industrial, and institutional buildings.
3. Additions to existing commercial, industrial, and institutional buildings.
4. Change of commercial, industrial, and institutional use.
5. Changes of occupancy load of a commercial, industrial, and institutional use.
6. Changes of tenancy of a commercial, industrial, and institutional use.

10-9-9: PLAN AGREEMENTS: All site and construction plans officially submitted to the City shall be treated as a formal agreement between the applicant and the City. Once approved, no changes, modifications or alterations shall be made to any plan detail, standard, or specifications without prior submission of a plan modification request to the Zoning Administrator for review and approval.

10-9-10: EXPIRATION OF APPROVAL:

- A. Unless otherwise specified by the Zoning Administrator, the site plan approval shall become null and void one year after the date of approval, unless the property owner or applicant has substantially started the construction of any building, structure, addition or alteration, or use requested as part of the approved plan. The property owner or applicant shall have the right to submit an application for time extension in accordance with this Section.
- B. In making its determination on whether an applicant has made a good faith attempt to utilize the site plan approval, the Zoning Administrator shall consider such factors as the type, design, and size of the proposed construction, any applicable restrictions on financing, or special and/or unique circumstances beyond the control of the applicant which have caused the delay.
- C. The request for an extension of site plan approval shall be determined by the Zoning Administrator within fifteen (15) days from the receipt of a complete request.
- D. In cases where the application is reviewed by the Planning Commission and City Council, the expiration of approval procedure shall follow the process established in Section 10-3-4 of this Ordinance.