

Subd. F. Site and Building Plan Review. The purpose of this section is to establish a formal plan review procedure and provide regulations pertaining to the enforcement of site design and construction standards as agreed to by the contractor through their officially submitted plan documents.

1. **Application.** Requests for site and building plan review, as provided within this Ordinance, shall be filed with the Zoning Administrator on an official application form. Such application shall be accompanied by a fee as provided for by Section 51.01, Subd. A.12 of this Ordinance. Such application shall also be accompanied by detailed written and graphic materials fully explaining the proposed change, development, or use including but not limited to the following:

- a. Proof of title and contract/purchase agreement and property owner signature on the application form when applicable.
- b. Eight (8) large scale copies and reduced (11" x 17") copies of detailed written materials, plans and specifications. One electronic copy in a format compatible with the City's computer system.

Note: One or two *additional* large scale copies shall be provided for each of the following, if applicable:

- Project adjacent to a County Road or County State Aid Highway – (2 sets)
- Project adjacent to a State Highway – (2 sets)
- Project lies within a Shoreland District – (1 set)
- Project lies within a Floodplain District – (1 set)

- c. Certificate of Survey prepared by a licensed land surveyor identifying the following:
 - 1) Scale (engineering only) at one (1) inch equals one hundred (100) feet or less.
 - 2) North point indication.
 - 3) Existing boundaries with lot dimension and lot area.
 - 4) Existing buildings, structures and improvements.
 - 5) Easements of record.
 - 6) Delineated wetland boundary, to include the OHWL of any lakes or DNR waters.
 - 7) All encroachments.

- 8) Legal description.

- d. Site Plan using the current Certificate of Survey as a base depicting the following:
 - 1) Scale (engineering only) at one (1) inch equals one hundred (100) feet or less.
 - 2) Name of project or development.
 - 3) Name and address of developer and/or owner.
 - 4) Name and address of engineer/architect/designer.
 - 5) Date of plan preparation and dates of any subsequent revisions.
 - 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 and structures within one hundred (100) feet of the exterior boundaries of the subject property.
 - d) Location, number, dimensions of all proposed parking stalls, loading areas and drive aisles, with curbing shown.
 - e) Location and width of all proposed street accesses and driveways.
 - f) Location and type of all proposed lighting, including fixture details.
 - g) Provisions for storage and disposal of waste, garbage and recyclables, including details for enclosing and screening exterior containers.
 - h) Location of freestanding signs.
 - i) Location of HVAC equipment whether ground mounted or roof mounted.

- 7) Calculations for impervious/pervious surfaces.
- e. Grading Plan (using the current Certificate of Survey as a base) depicting the following:
 - 1) Existing contours at two- (2) foot intervals.
 - 2) Proposed grade elevations at two- (2) foot maximum intervals.
 - 3) Drainage plan, including the configuration of drainage areas and calculations.
 - 4) Spot elevations.
 - 5) Surface water ponding and treatment areas.
 - 6) Erosion control measures.
 - 7) Wetland replacement plan (when applicable).
 - 8) Drainage calculations for 2-, 10-, & 100-year storm events.
 - 9) Delineated wetland boundary, to include OHWL of any lakes or DNR waters.
 - 10) Date of plan preparation and dates of any subsequent revisions.
- f. Landscaping Plan using the current Certificate of Survey as a base depicting the following:
 - 1) Planting schedule including:
 - a) Symbols.
 - b) Quantities.
 - c) Common and botanical names.
 - d) Sizes of plant materials.
 - e) Root specification (bare root, balled/burlapped, potted, etc.).
 - f) Special installation instructions.
 - 2) Location, type and size of all significant trees to be removed or preserved.
 - 3) Location and species of proposed plantings of all species.
 - 4) Typical sections with details of fences, walls, and planter boxes.

- 5) Typical sections with details of landscape islands, planter beds, and foundation plantings with identification of materials to be used.
- 6) Delineation of both sodded and seeded areas with respective areas measured in square feet.
- 7) Coverage plan for underground irrigation systems, if any.
- 8) Other existing or proposed conditions that could be anticipated to affect landscaping.
- 9) Date of plan preparation and dates of any subsequent revisions.

g. Photometric Lighting Plan, to include fixture details/cut sheets/drawings.

- 1) Date of plan preparation and dates of any subsequent revisions.

h. Architectural Plans.

- 1) Date of plan preparation and dates of any subsequent revisions.
- 2) Architectural elevations of all principal and accessory buildings and structures (type and materials used in all exterior surfaces).
- 3) Typical floor plans and typical room plans drawn to scale with a summary of square footage by use or activity.

i. Utility Plan.

- 1) Location, sizing, and type of water and sewer system mains and proposed service connections, hydrants, valves, and manholes; or,
- 2) Location and size of proposed primary and secondary on-site treatment systems, when allowed (if ISIS is proposed).
- 3) Storm sewer, catch basins, invert elevation, type of castings and type of materials (refer to Engineering Manual for City standards).
- 4) Date of plan preparations and dates of any subsequent revisions.
- 5) Estimates of forecasted water consumption.
- 6) Location of electrical services and any transformers and meters.

j. Other plans and information as may be required by the Zoning Administrator which may include (but not be limited to) the following:

- 1) Location, type and size (area and height) of all signs to be erected upon the subject property.
- 2) Vicinity map showing the subject property in relation to nearby highways or major street intersections.
- 3) Sound source control plan.
- 4) Fire protection plan.
- 5) Proposed protective covenants or private restrictions.
- 6) Where landscaping or man-made materials are used to provide screening from adjacent properties, a cross section shall be provided showing the perspective of the site from neighboring properties at the property line elevation.
- 7) Traffic study.

2. **Staff Review/Technical Assistance Reports.** Upon receipt of an application for site and building plan review. The Zoning Administrator shall, when deemed necessary, refer the request to appropriate staff to ensure that informational requirements are complied with. When all informational requirements have been complied with, the request shall be considered officially submitted. Also, when deemed necessary, the Zoning Administrator shall instruct the appropriate staff persons to prepare technical reports and/or provide general assistance in preparing a recommendation on the request to the Planning Commission and City Council.

3. **City Council Action.** Except in the case of minor projects, additions or alterations as determined by the Zoning Administrator, all building and site plans for multiple family, commercial or industrial construction shall be subject to review by the Planning Commission and approval by the City Council.

- a. The City shall approve or deny the application for site and building plan review within sixty (60) days of receiving a complete application and shall make a recorded and written finding of fact, and provide this written finding to the applicant within sixty (60) days of receipt of a completed application, unless the review period for the application has been extended pursuant to Minnesota Statutes 15.99.
- b. The applicant may appeal any denial or decision by the City according to Section 51.02, Subd. D.2.

- c. No application for a site and building plan review shall be resubmitted for a period of twelve (12) months from the date of said order of denial.
- d. The City shall provide to the City Council reports summarizing submitted site and building plan applications and outcomes regarding approval or denial as they occur.

4. **Review Criteria.** The Zoning Administrator shall consider possible adverse effects of the proposed site and building plan review. Its decision shall be based upon (but not limited to) the following factors:

- a. The proposed use conforms with all performance standards contained herein.
- b. The proposed use can be accommodated with existing public services and will not overburden the City's service capacity when:
 - 1) The proposed development shall be served with adequate and safe water supply.
 - 2) The proposed development shall be served with an adequate and safe sanitary sewer system.
 - 3) The proposed development shall not result in the premature expenditures of City funds on capital improvements necessary to accommodate the proposed development.
- c. Traffic generation by the proposed use is within capabilities of the streets serving the property when:
 - 1) If the existing level of service (LOS) outside of the proposed site is A or B, traffic generated by a proposed site will not degrade the level of service more than one grade.
 - 2) If the existing LOS outside of the proposed site is C, traffic generated by a proposed site will not degrade the level of service below C.
 - 3) The existing LOS shall be D or better for all streets and intersections providing access to the site. If the existing level of service is E or F, the site developer must provide, as part of the proposed project, improvements needed to ensure a level of service D or better.
 - 4) Existing roads and intersections providing access to the site shall have the structural capacity to accommodate projected traffic from

the proposed site or the developer will pay to correct any structural deficiencies.

- 5) The traffic generated from a proposed site shall not require City street improvements that are inconsistent with the Delano Capital Improvement Plan. However, the City may, at its discretion, consider developer-financed improvements to correct any street deficiencies.
- d. **Approval Report.** A written report or letter of approval shall be issued to the applicant when a determination of compliance has been made. Specific conditions to assure compliance with applicable evaluation criteria, codes, ordinances, and the standards of this Ordinance shall be attached to the permit or letter.
- e. **Non-Compliance.** Determination of non-compliance with applicable codes, ordinances, and the standards in this paragraph shall be communicated to the applicant in writing and the application for the permit shall be considered denied; unless, within ten (10) days of the date of such notice, the applicant submits revised plans and/or information with which the Zoning Administrator is able to determine compliance.
- f. **Disputes.** Unresolved disputes as to administrative application of the requirements of this paragraph shall be subject to appeal as outlined in Section 51.02, Subd. D.2 of this Ordinance.

5. **Plan Agreements.** All site and construction plans officially submitted to the City shall be treated as a formal agreement between the building contractor and the City. Once approved, no changes, modifications, or alterations shall be made to any plan detail, standard or specification without prior submission of a plan modification request to the Zoning Administrator for City review and approval.

6. **Performance Security.**

- a. Except in the case of non-income producing residential property, upon approval of a conditional use permit the City may require a letter of credit, 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 be non-cancelable and shall guarantee conformance and compliance with the conditions of the conditional use permit and the ordinances of the City.
- b. The security shall be in the amount of one and one-half (1-1/2) times the City Engineer's or a certified appraiser's estimated costs of labor and materials for the proposed improvements or development. Said project

can be handled in stages upon the discretion of the City Engineer and Building Official.

- c. The City shall hold the security until completion of the proposed improvements or development and a certificate of occupancy indicating compliance with the conditional use permit and ordinances of the City has been issued by the City Building Official.
- d. Failure to comply with the conditional use permit or the ordinances of the City shall result in forfeiture of the security.

7. **Enforcement.** The Zoning Administrator shall have the authority to order the stopping of any and all site improvement activities, when and where a violation of the provisions of this section has been officially documented by the Zoning Administrator.