

§ 153.032 SITE PLAN APPROVAL PROCEDURE AND DESIGN REQUESTS IN COMMERCIAL AND INDUSTRIAL DISTRICTS.

(A) *Generally; approval required.*

(1) *Approval required.* It is declared to be the policy of the city to preserve and promote attractive and stable business environments for its citizens through encouraging well conceived, high quality developments. To this end, imaginative site design concepts shall be employed in the development and redevelopment of respective sites. The following provisions shall apply to the site and building plan approval process, if it is related to the scope of the proposed construction. This provision applies to all properties in commercial, industrial and planned development districts that involves:

- (a) Construction of a new building;
- (b) Construction or reconstruction resulting in the enlargement of an existing building or any modification to the existing footprint or structural height of an existing building;
- (c) Construction or reconstruction involving modification or replacement of the exterior materials on the building; or
- (d) Construction or reconstruction involving modification or enlargement of the parking area.

(2) *Exceptions.* Notwithstanding the provision of division (A)(1) above, the following shall not require site plan approval:

(a) Any conformity, including the lawful use of or occupation of land or premises may be enlarged by less than 10% of its gross floor area, or 10,000 square feet, whichever is less, provided that:

1. There is no variance involved; and

2. The Community Development Department has conducted administrative review. If the site includes any nonconformity, including the lawful use or occupation of land or premises then, regardless of the size of the enlargement, a variance is necessary.

(b) Modification of existing exterior materials on the building that does not alter more than 25% of the building, provided that:

1. The modification complies with the construction design requirements of this chapter; and

2. The Community Development Department has conducted administrative review.

(c) Replacement of exterior materials on the building with same or similar materials in an attempt to retain the existing look of the building, provided that the Community Development Department has conducted administrative review.

(d) Any conformity, including the lawful use of or occupation of land or premises may enlarge its total parking area by less than 10%, provided that:

1. There is no variance involved; and

2. The Community Development Department has conducted administrative review.

(e) If the site includes any nonconformity, including the lawful use or occupation of land or premises then, regardless of the size of the enlargement, a variance is necessary.

(3) *Other provisions.* The following provisions shall govern the site and building plan approval process, as they relate to the scope of the proposed construction.

(B) *Application.*

(1) Prior to commencing any construction, a "site and building plan approval" application shall be initiated by the owner of subject property or by an authorized agent. The applicant shall submit a "site and building plan approval" application to the Zoning Administrator, copies of which are available at the municipal offices, together with a fee in an amount established by City Council resolution. A completed application shall be filed at least 25 days prior to the next regular meeting of the Planning Commission.

(2) The Zoning Administrator shall refer the matter to the Planning Commission by placing the application upon the agenda of the Commission's next regular meeting.

(C) *Exhibits.* In addition to the application, the following exhibits shall be required:

(1) A survey drawing by a registered engineer or land surveyor showing an inventory of all existing trees six-inch caliper and larger by species and size.

(a) Trees shall be identified on the drawing as quality or non-quality type trees.

(b) Quality trees shall be those types as stated in division (E)(2) below.

(c) The drawing will be accurately dimensioned survey drawing by a registered engineer or land surveyor showing pertinent existing conditions, accurately dimensioned.

(2) A complete set of preliminary drawings prepared by a registered civil engineer or landscape architect showing:

(a) An accurately scaled and dimensioned site plan indicating parking layout, including access provisions, location of structures, building elevations, landscaping, including trees and shrubbery with indication of species, planting, size and location;

(b) Fences, walls or other screening, including height and type of material;

(c) Lighting provisions, including type and location; and

(d) Curbs.

(3) Other documents as requested by the Zoning Administrator.

(D) *Drive aisle, building, parking and curbing standards.* Except for auto-related uses in § 153.382, all drive aisle, building, parking and curbing standards are as follows.

(1) All parking lots shall be curbed with B-6-12 concrete curbing.

(2) An equivalent of one curbed island at least eight feet by 20 feet in size must be placed at the end of every 20 parking spaces.

(3) In the B-1 and B-2 Zoning Districts, off-street parking, building and drive aisle setback standards are as follows:

B-1, B-2	Building	Parking
Front yard	10 to 40 feet	Not permitted
Rear yard	20 feet minimum	10 feet minimum
Side yard	0 feet	0 feet
Side adjacent to "R"	10 feet minimum	10 feet minimum
Side adjacent to street	*10 to 30 feet	*10 feet minimum

*On corner lots, traffic sight lines must be preserved and maintained to ensure safety. Buildings and parking lots must not be constructed within "sight triangles." A **SIGHT TRIANGLE** is defined as that portion of a corner lot being within a triangle, the apex of which is the intersecting point of the two street right-of-way lines, extended 25 feet from the apex along each right-of-way line. At driveway entrances, site obstructions will be reviewed for safety as part of the site plan review process.

(4) In the B-3, B-5, B-6 Zoning Districts, off-street parking, building and drive aisle setback standards are as follows:

B-3, B-5, B-6	Building	Parking
Front yard	10 to 40 feet	Not permitted
Rear yard	20 feet minimum	10 feet minimum
Side yard	0 feet	0 feet
Side adjacent to "R"	10 feet minimum	10 feet minimum
Side adjacent to street	*10 to 30 feet	*10 feet minimum

*On corner lots, traffic sight lines must be preserved and maintained to ensure safety. Buildings and parking lots must not be constructed within "sight triangles." A **SIGHT TRIANGLE** is defined as that portion of a corner lot being within a triangle, the apex of which is the intersecting point of the two street right-of-way lines, extended 25 feet from the apex along each right-of-way line. At driveway entrances, site obstructions will be reviewed for safety as part of the site plan review process.

(5) In the B-4 Zoning District, off-street parking, building and drive aisle setback standards are as follows:

B-4	Building	Parking
Front yard	10 to 40 feet	10 feet minimum
Rear yard	20 feet minimum	10 feet minimum
Side yard	10 feet minimum	0 feet
Side adjacent to "R"	20 feet minimum	10 feet minimum
Side adjacent to street	20 feet minimum	20 feet minimum

(6) In the I-1 and I-2 Zoning Districts, off-street parking, building and drive aisle setback standards are as follows:

I-1, I-2	Building	Parking
Front yard	20 to 90 feet	10 feet minimum
Rear yard	20 feet minimum	10 feet minimum
Side yard	10 feet minimum	0 feet
Side adjacent to "R"	20 feet minimum	10 feet minimum
Side adjacent to street	20 feet minimum	20 feet minimum

(7) Parking located in a front, side or rear yard must provide a wall, railing or fence that physically prohibits vehicles from extending over the property line

(E) *Landscape, lighting and sign standards.* Unless modified as part of a site and building plan approval process, the following requirements apply.

(1) The setback area shall be utilized as a protective buffer. The protective buffer shall not be used for parking, drive aisles, off-street loading or storage and shall be landscaped up to the building.

(2) Minimum landscape requirements in the protective buffer shall include the following "quality type trees," one two and one-half inch diameter at four feet above grade caliper deciduous tree, which shall be hardwood type trees such as maple, seedless green ash, locust or basswood, or six-foot conifer type trees, such as Colorado blue spruce, white pine, red pine or pyramidal arborvitae, or other approve types. The number of trees required is the equivalent of one for every 20 feet of lineal property line on the subject site or as approved through the site plan process. The protective buffer shall also contain grass, ground cover or shrubs and shall be irrigated to facilitate maintenance of landscaped areas. No impervious surfaces such as concrete or asphalt shall be placed in the protective buffer.

(3) Minimum landscape requirements for each curbed island shall include one two and one-half inch diameter at four feet above grade caliper deciduous tree all of which must be of "quality" types as listed in division (E)(2) above. The curbed island shall also contain grass, ground cover, mulch or shrubs and shall be irrigated by an underground irrigation system to facilitate maintenance of landscaped areas. No impervious surfaces such as concrete or asphalt shall be placed in the curbed island.

(4) When a commercial or industrial development is located adjacent to or across from any "R" use, screening must comply with § 153.381, except that for the portion adjacent to the residential properties, screening from the front building line to the rear property line and along the rear property line shall be six feet in height. Required screening will be at least 95% opaque throughout the year. One or a combination of the following will satisfy the required screening:

- (a) A decorative fence;
- (b) A masonry wall; and/or
- (c) Landscaping.

(5) Lighting levels must not exceed zero foot-candles at the abutting property line. No direct glare may extend onto the public street, public open space or neighboring properties.

(6) Regardless of the scope of the proposed construction, all signs must comply with the provisions of §§153.430 through 153.438 and §§ 150.105 through 150.110.

(7) When tree removal occurs, replacement trees shall constitute at least 30% of the total amount of the caliper inches of "quality trees" removed.

(8) All trees shall be placed around the site to promote the most efficient and effective use of the different types of trees installed.

(F) *Construction design requirements.*

(1) *Exterior building materials.* Exterior building materials are classified as primary or secondary. Primary materials must comprise at least 60% of the building facade. Secondary materials must comprise no more than 40% of the building facade.

(a) *Primary materials in the B-1, B-2, B-3, B-5 and B-6 Zoning Districts.* Primary exterior building materials in the B-1, B-2, B-3, B-5 and B-6 Districts include brick, stone, stucco or glass. Materials must be colored only by means of a pigment integral to the material, not applied to the surface.

(b) *Primary materials in the B-4, I-1 and I-2 Zoning Districts.* Primary exterior building materials in the B-4, I-1 and I-2 Districts include brick, stone, stucco or glass, concrete masonry units (CMU) which are textured, burnished or decorative. Materials must be colored only by means of a pigment integral to the material, not applied to the surface.

(c) *Secondary materials in the B-1, B-2, B-3, B-5 and B-6 Zoning Districts.* Secondary exterior building materials in the B-1, B-2, B-3, B-5 and B-6 Districts include, textured, burnished or decorative integrally colored block, or synthetic stucco

above eight feet. Materials must be colored only by means of a pigment integral to the material, not applied to the surface. Other secondary exterior building materials include wood or metal. Any metal surface must be coated or anodized with a non-reflective glare-free finish.

(d) *Secondary materials in the B-4, I-1 and I-2 Zoning Districts.* Secondary exterior building materials in the B-4, I-1 and I-2 Districts include synthetic stucco above eight feet, wood or metal. Any metal surface must be coated or anodized with a non-reflective glare-free finish.

(2) In the B-1, B-2, B-3, B-4, B-5 and B-6 Districts, all exterior vertical surfaces must be treated as a front and be equally attractive on all sides of the structure.

(3) Window coverage in B-1, B-2, B-3, B-5 and B-6 Zoning Districts, buildings containing office and retail uses must maintain at least 40% window coverage on each first floor front that faces a street, parking lot or open space.

(4) Building facades in B-1, B-2, B-3, B-4, B-5 and B-6 Zoning Districts, all exterior building walls adjacent to a street, parking lot or open space must not exceed 60 feet in length without visual relief of two or more of the following:

- (a) The facade is divided architecturally with different materials or textures;
- (b) There are horizontal offsets of at least two feet in depth;
- (c) There are vertical offsets in the roof line of at least two feet; and
- (d) The windows on the first floor are recessed horizontally at least one foot.

(5) *Mechanical protrusions.*

(a) All mechanical protrusions visible to the exterior will be screened so they are not visually obvious and are compatible with the surrounding development.

(b) Satisfaction of this requirement will be demonstrated by the screening of the equipment in such a manner so that it is not visible from a point six feet above any common property line or street right-of-way.

(c) Screening will consist of either a parapet wall along the roofs edge or by an opaque screen constructed of the same material as the building's primary vertically exposed exterior finish.

(d) The Zoning Administrator may determine that screening of the equipment may be satisfied by painting, which is compatible with the development or design of the building or that the equipment by designing the equipment to be compatible with the architectural treatment of the building.

(e) All mechanical protrusions shall be highlighted on the Site and Building Plan.

(6) *Trash enclosures.*

(a) Trash enclosures may not be located in the front or side yard adjacent to a street.

(b) All trash areas that are visible from any public right-of-way will be screened on all sides.

(c) Trash must not exceed the height of the screening.

(d) Required screening will be at least 95% opaque throughout the year, unless otherwise specified. Screening will be designed to be compatible with the architectural treatment of the principal building. All screening is subject to the regulations of § 153.381 governing fences.

(e) One or a combination of the following will satisfy the required screening:

1. A decorative fence;
2. A masonry wall; and
3. A hedge.

(G) *Public hearings.* The Planning Commission and the City Council shall each hold at least one public hearing on all applications for site and building plan approval. Notice of the public hearing shall be given not less than ten days nor more than 30 days prior to the date of the hearing by publication in the designated legal newspaper of the city. The notice shall contain the date, time and place of the hearing and a description of the application.

(H) *Denial.* The City Council may deny an application for site and building plan approval upon a written finding of legally sufficient reasons with a factual basis.

(I) *Lapse of commercial and industrial site plan.* An approved commercial or industrial site plan shall lapse and become null and void one year following the date on which the application was approved, unless prior to the expiration of one year, the Building Official issues a building permit and construction is commenced toward completion on the subject site. A commercial or industrial site plan may be extended once for a period of six months by the City Council. For any commercial use, failure to maintain the property may result in revocation of any extension.

(J) *Conditions and restrictions.*

(1) The Planning Commission may recommend and the City Council may impose conditions and restrictions as

deemed necessary to protect the public interest and to secure compliance with the requirements of the ordinance.

(2) The conditions may include the execution and submission of a development agreement with a supporting financial guarantee that the subject property will be constructed, developed and maintained in conformance with the plans, specifications and standards.

(Ord. 12-4, passed - -; Ord. 12-30, passed - -; Ord. passed 10-11-1963; Ord. 21-014, passed 11-8-2021)