

ARTICLE XVI

SITE PLAN REVIEW

SECTION 1. STATEMENT OF INTENT.

Subsection A. The intent of these regulations are: to preserve the natural resources of the land as development and change for human use takes place; to encourage planned development that will protect the aesthetic and monetary value of the property; to control soil erosion, protect groundwater resources, and manage storm water; and to encourage quality development of the property.

SECTION 2. APPLICABILITY.

Subsection A. A site plan review is required whenever a person, firm, corporation or other group wants to develop, re-develop, rezone or alter the use of land to R-3, C-1, C-2 and F-P Districts. The site plan shall be reviewed by the Zoning Administrator or his/her designee for conformance with these regulations with regard to gaining an appropriate permit. For plans requiring a Special Use Permit, the site plan will be reviewed by the Administrator after the Special Use Permit has been issued by the Board of Adjustment.

SECTION 3. PROCEDURE.

Subsection A. The developer shall submit an application for a zoning/building permit and eight (8) copies of the site plan to the Zoning Administrator for review. The Zoning Administrator shall seek the review and comments of the County Engineer, Auditor, Assessor, Sanitarian, Executive Director of County Conservation and others from whom the administrator may request advice and comment.

Subsection B. All proposed developments shall conform to the land use policies of the Marshall County Development Plan, the Marshall County Subdivision and Platting Ordinance and such other County Ordinances as may pertain to such developments; and any applicable administrative rules of the Iowa Department of Transportation, Iowa Department of Health, Iowa Department of Natural Resources and other agencies of the State of Iowa. The site plan shall be reviewed as to its conformance with these regulations, compliance with other Ordinances of the County and the effect of the proposed development upon public utilities and the public road system.

Subsection C. The Zoning Administrator, after receiving all review and comment from the above named County offices, shall approve, approve subject to conditions or disapprove the site plan. The applicant shall be notified of the decision and of any deficiencies which need correction. Upon approval, the developer shall then be issued a building permit for the proposed development.

Subsection D. The developer may appeal the decision of the Zoning Administrator by submitting a letter of appeal to the Planning and Zoning Commission at the Zoning Administrator's office. Such appeal shall be made within thirty (30) days of the Zoning Administrator's decision and shall specify what relief is sought from the Planning and Zoning Commission. The Commission shall hear said appeal at the next possible regular meeting and shall act on the appeal at a regular meeting within sixty (60) days of appeal.

SECTION 4. ENFORCEMENT.

Subsection A. A zoning/building permit shall only be issued after approval of the site plan. The site plan is valid for eighteen (18) months after the date of approval. After eighteen (18) months have elapsed the site plan is null and void if actual development has not commenced.

Subsection B. If the Zoning Administrator finds that any construction, proposed construction, or occupancy of a development does not conform with the approved site plan for that tract of land, all zoning permits shall be suspended. Also, all construction shall be stopped until the owner of the project or successors in interest, provide satisfactory proof that the approved site plan will be complied with. Anyone subject to hardship by any decision or action of the Zoning Administrator

under the stipulations of this Section may appeal such action or decision to the Board of Adjustment.

SECTION 5. AMENDMENT OR MODIFICATION OF THE SITE PLAN.

Subsection A. If the owner or developer of an approved site plan decides that an amendment to the site plan is necessary, an amendment may be applied for. The Zoning Administrator may grant an amendment to a previously approved site plan if it is deemed that the amendment is in conformance with these regulations. The amendment shall be submitted in the same manner as the original application.

SECTION 6. SITE PLAN INFORMATIONAL REQUIREMENTS.

Subsection A. The site plan shall include the following information:

- (1)** The developer's name, address and phone number.
- (2)** The owner's name, address and phone number.
- (3)** Legal description of the property.
- (4)** 911 address of the property (if assigned one).
- (5)** Zoning classification of the property.
- (6)** The land use and zoning of the adjacent properties.
- (7)** A site development plan drawn to scale of one (1) inch equals two hundred (200) feet or larger on standard paper, maximum size of thirty (30) inches by forty-two (42) inches, which will include the following:
 - (a)** North point, scale and date.
 - (b)** Lot dimensions, area and required set-backs.
 - (c)** Location and size of existing and proposed utilities and utility easements.
 - (d)** Existing and proposed road easements, access easements and right-of-ways on or adjacent to the property.
 - (e)** The dimensions and location of existing and proposed points of access to and from the site.
 - (f)** The location, type and depth of existing and proposed wells; the type and location of existing and proposed waste treatment systems.
 - (g)** The location, shape, dimensions and use of all existing and proposed buildings or structures.
 - (h)** The dimensions and location of parking lots, driveways and loading areas. The materials for paving or surfacing shall be identified. The direction of vehicular flow and proposed traffic control signs and markings shall be shown. The number of parking stalls required by the Ordinance and the number actually provided shall be indicated.
 - (i)** The location, type and approximate size of all existing and proposed plant materials to be used in the landscape of the proposed development.
 - (j)** The existing and proposed drainage patterns and method of, or area for, disposal of surface runoff waters, and storm sewer calculations supporting management designs. Methods of control for erosion and siltation on the site shall be identified.

(k) The location, height and type of all outside lighting.

(l) Any other information as determined by the Zoning Administrator.

SECTION 7. SITE PLAN STANDARDS.

Subsection A. The Zoning Administrator shall not approve any site plan which does not conform to the general requirements of these regulations and the specific design standards as follows:

(1) Parking Lots.

(a) Parking lots shall be surfaced in a manner approved by the County Engineer to provide a durable and dust-free surface.

(b) Planted areas should be edged by concrete, masonry or railroad tie curbs at least six (6) inches high for protection during snow removal and from other vehicular damage.

(c) All parking stalls shall be clearly marked. Appropriately placed signs and/or pavement markings shall be employed where necessary to guide internal circulation and traffic ingress and egress.

(d) Illumination devices shall be designed so all light is directed on the lot and not onto abutting properties, and shall be directed so as to avoid glare and confusion for moving vehicular traffic.

(e) All developments containing parking lots of more than five (5) stalls are encouraged to plant live trees within and on the perimeter of lots at the minimum ration of one (1) tree for every five (5) parking stalls or fraction thereof. The trees should be of a species which are hardy to the area.

(f) The expansion of any existing parking areas shall be in conformance with these regulations. If an existing parking area is to be reconstructed or rebuilt in any way, all provisions of these regulations shall apply. This includes the resurfacing of a parking area with a material that is not currently being used, but does not include resurfacing with a similar material as currently used.

(g) Driveways and parking stalls shall be at least four (4) feet from the property line of any adjacent property unless shared by two (2) adjoining lots. Ingress and egress driveways shall be separated by an island at least four (4) feet in width. Driveways shall be located at least fifty (50) feet from the intersection of two (2) streets or as far as practical.

(2) Landscaping.

(a) Trees shall be placed to avoid interference with the construction, maintenance and operation of public and private utilities and services above or below ground.

(b) For multi-family residential development, twenty (20) percent of the lot area must be devoted to landscaping and be free from any impervious surface.

(c) Trees shall be planted no closer than four and a half (4.5) feet to a public sidewalk or the anticipated location of a future public sidewalk where one does not now exist, or to a road right-of-way.

(3) Site Preservation, Erosion and Drainage Control.

(a) Natural physical characteristics on the site which are of some lasting benefit to the property and to the County shall be protected and conserved.

A serious and reasonable effort shall be made to protect these characteristics. The following are suggested physical features but the developer is not limited to these items:

(i) Trees with trunks eight (8) inches or greater in diameter measured one (1) foot above the ground.

(ii) Streams, springs, ponds or other bodies of water.

(iii) Large scale natural areas of unique value.

(b) The developer shall incorporate measures in the site development to minimize erosion and siltation during construction:

(i) Topsoil shall be stripped, stockpiled and re-spread over all areas disturbed during construction.

(ii) All disturbed areas which are not to be paved or covered with buildings shall be sodded, seeded or planted as soon as practical.

(iii) Erosion and siltation control measures may include sediment basins or traps, temporary diversions, berms, bench terraces or dikes to intercept and divert storm runoff.

(c) All storm water shall be directed into storm water collection facilities where available, or natural drainage features such as creeks, drainage swales or detention ponds. Drainage rates shall not increase the quantity of water or change the manner of discharge on the land of another.

(4) Storage Areas.

(a) On-site trash bins, receptacles, mechanical equipment and material and equipment storage yards shall be screened from view by a screening fence at least seventy-five (75) percent opaque or compact hedge of sufficient height and density to screen the view at maturity or within three (3) years, whichever is first.

SECTION 8. FEES.

Subsection A. Before the site plan is considered by the Zoning Administrator the developer or his/her agent shall pay a fee of \$200 for a site plan of five (5) acres or less, and \$275 for a site plan on more than five (5) acres.