City Of Wyoming
26885 Forest Blvd, PO Box 188
Wyoming, MN 55092
651-462-0575
permits@wyomingmn.org

LAND USE APPLICATION: SITE PLAN REVIEW

A site plan review application requests a use permitted in a particular zoning district, but regulated and controlled through conditions placed upon it by the City Council after review by the Planning Commission.

Property Address: _____

Applicant(s): Name(s) _____

Address _____

City _____ State _____ Zip _____

Phone Number _____ Email _____

Owner(s) - If other than Applicant(s):

Name(s) _____

Address _____

City _____ State _____ Zip _____

Phone Number _____ Email _____

Owners(s) Signature(s) _____ **Date** _____

Legal description of property: _____

Property Identification Number: 21. _____ Present Zoning: _____

Present use of property: _____

Proposed use of property: _____

This application and the following attachments must be submitted to be considered a complete application:

1. A detailed site plan showing the information listed in Section 40 - 82, 1-6 as well as the following:
   a. The grading and drainage plan must be designed in accordance with Article VII, Division 21 of the Zoning Ordinance and the City of Wyoming Surface Water Resource Guidance Document
   b. Elevation drawings of all sides of the proposed building to show compliance with the architectural standards of the zoning district the use will be located in
   c. Landscaping and Screening in accordance with Article VII, Divisions 14 & 26
   d. Lighting Plan in accordance with Article VII, Division 15
2. A letter explaining the proposed use and how it will be operated
3. Applications for uses described in Article VI, Divisions 7, 18, & 19 and Article VII, Divisions 2, 8, 10, 17-20, and 25 of the Zoning Ordinance must include the information necessary to show compliance with the applicable section of the ordinance
4. Applications for uses that are within the Highway 8 Overlay District or that utilize Highway 8 for access must include the information necessary to show compliance with Article VI, Division 14 of the Zoning Ordinance.
5. The application fee and escrow must be paid at the time of application - The fee is **not** refundable and the unused portion of the escrow will be returned to the applicant
6. Any other information deemed necessary by the Zoning Administrator or Planning Commission

Applicant(s) Signature(s) _____ Date _____

As the applicant for this request, I agree to reimburse the City for all expenses incurred by the City in employing planning, engineering, legal and other professional consultants in reviewing this application. This may include the replenishment of any escrow funds as required as part of this application. Such costs shall be paid by me, the applicant, regardless of the outcome of the review and prior to commencing any work on the project. Article V, Division 4, Site Plan Review, is attached to this application. By signing this application, the applicant acknowledges that it has been read and understood.

A public meeting can be scheduled only after a complete application has been received.

OFFICE USE ONLY

Permit # _____ Date Application Received: ____/____/_____

Date **Complete** Application Received: ____/____/_____ 60 Days: ____/____/_____ By: _____ Official

Fee: $220.00 + Escrow $1,000.00 Date Paid: ____/____/_____

DIVISION 4. SITE PLAN REVIEW

Sec. 40 – 80. Site Plan Review.

All applications for nonresidential uses in the Agricultural, Rural Residential I, Rural Residential II, Single-Family Residential, One- and Two-Family Residential Districts, and all applications in the Manufactured Homes, Multiple Family Dwelling, Central Business, Commercial, Industrial, Office and Health Care or Mixed-Use Districts shall be reviewed under the site plan approval process as set forth in this Division. Site plan review will be coordinated with the review of applications for Preliminary Plats, Rezoning, Conditional Use Permits, Variances, and Environmental Assessment Worksheets.

Sec. 40 – 81. Approval required.

It shall be unlawful to do any of the following without first obtaining site plan approval:

(1) Construct a building;

(2) Move a building to any lot within the City;

(3) Expand or change the use of a building or lot or modify a building, accessory structure, or site or land feature in any manner which results in an increasing intensity of use, including the requirement for additional parking; and

(4) Take actions to prepare a lot for development, including grading or removing or adding soils to a site, except in conformance with a permit or an approved plan which complies with the City's comprehensive surface water management plan or has received a variance from the appropriate water management organization as necessary.

(5) Exception:
Notwithstanding the above, site plan approval shall not be required for enlargement of a building by five percent (5%) or less of its gross floor area or changes in the leasable space of a multi-tenant building, provided no variances are required and the modifications do not intensify use of the site. In these instances an administrative site plan review shall be performed and suitable documentation of such be placed in the property files maintained by the City.

Sec. 40 – 82. Application.

Application for a site plan review shall be made to the Zoning Administrator on forms provided by the City and shall be accompanied by the following:

(1) Evidence of ownership or an interest in the property;

(2) Evidence that there are no delinquent property taxes, special assessments, penalties, interest and/or municipal utility fees due on the property;

(3) Accurate and current certificate of survey;

(4) Accurate legal description;

(5) Eight full-size legible plans regarding the following aspects of the project (All submitted plans shall be signed by a registered architect, civil engineer, landscape architect or other appropriate design professional):

- (a) Site plan with existing conditions;
- (b) Site plan showing proposed building and parking areas;
- (c) Building elevations;
- (d) Landscaping, screening and tree protection plan;
- (e) Grading plan;
- (f) Drainage plan;
- (g) Storm water management, wetland protection and erosion control plan;
- (h) Utility plan;
- (i) Traffic impact and mitigation analysis;
- (j) Sidewalk plan;
- (k) Lighting plan;
- (l) Signage plan;

(6) All plans must contain the following information:

- (a) A title block stating the name, address telephone number and e-mail address of the applicant;
- (b) A North arrow and graphic scale;
- (c) Property lines, setbacks, and lot dimensions;
- (d) Building dimensions, height;

(e) Building coverage;

(f) Impervious surface coverage (buildings + hard surface/lot size);

(g) Access to parcel;

(h) Street locations, right-of-way, driveway and drive aisle widths;

(i) Existing & proposed topography with spot grades & slopes in excess of 3:1;

(j) Parking lot layout;

(k) Location of underground storage tanks and major utilities;

(l) Sidewalk/trail alignment plan;

(m) Easement documents; and

(n) Significant trees lost and preserved.

(7) The type of plans and number of copies required may be adjusted by staff based on the particular project. The City reserves the right to request additional plans or information as necessary.

(8) The fee specified in Appendix A of the City Code.

Sec. 40 – 83. Environmental Reviews.

If an Environmental Assessment Worksheet, an Environmental Impact Statement or an Alternative Urban Areawide Review (AUAR) is required, an application for Site Plan Review or Planned Unit Development Review shall not be considered complete until the City Council has either issued a Findings of Fact and EIS Need Decision (for an EAW) or issued a Finding of Adequacy (for an EIS or AUAR). The City staff may begin to review an application and communicate to the applicant its findings prior to a Findings of Fact or a Finding of Adequacy even though the application may not be considered complete.

Sec. 40 – 84. Planning Commission Review.

After receipt of a completed application, a date shall be set for a review by the Planning Commission. The Planning Commission shall make a recommendation to the City Council regarding the application.

Sec. 40 – 85. City Council review.

After receipt of the recommendation of the Planning Commission, the Council shall make the final determination on the application, and in doing so shall make findings regarding its review. The Council may impose conditions and require guarantees on the granting of the permit in order to insure compliance with the conditions designated in connection therewith. The Council shall make a decision within the time period required by State law. If the Council fails to make a timely decision, the application shall be deemed to have been approved.

Sec. 40 – 86. General criteria and standards for site plan review.

In evaluating a site plan, the Planning Commission and Council shall consider its compliance with the following:

(1) Consistency with the various elements and objectives of the City's long range plans, including, but not limited to, the Comprehensive Plan;

(2) Consistency with the purposes of this Code;

(3) Preservation of the site in its natural state, insofar as practicable, by minimizing tree and soil removal, and designing any grade changes so as to be in keeping with the general appearance of neighboring developed or developing areas;

(4) Creation of a harmonious relationship of buildings and open spaces with the terrain and with existing and future buildings having a visual relationship to the proposed development;

(5) Creation of a functional and harmonious design for structures and site features including;

(a) Creation of an internal sense of order for the various functions and buildings on the site and provision of a desirable environment for occupants, visitors and the general community;

(b) Appropriateness of the amount and arrangement of open space and landscaping to the design and function of the development;

(c) Appropriateness of the materials, textures, colors and details of construction as an expression the design concept of the project and the compatibility of the same with the adjacent and neighboring structures and functions; and

(d) Adequacy of vehicular, cycling and pedestrian circulation, including walkways, interior drives and parking, in terms of location and number of access points to the public streets, width of interior drives and access points, general interior circulation, separation of pedestrian, cycling and vehicular traffic and arrangement and amount of parking so as to be safe, convenient and, insofar as practicable, compatible with the design of proposed buildings, structures and neighboring properties.

(6) Creation of an energy-conserving design through design, location, orientation and elevation of structures, the use and location of glass in structures, and the use of landscape materials and site grading; and

(7) Protection of adjacent and neighboring properties through reasonable provisions for such matters as surface water drainage, sound and sight buffers, preservation of views, light and air, and those aspects of design, not adequately covered by other regulations, which may have substantial effects on neighboring land uses.

Sec. 40 – 87. Security deposit required.

(1) When screening, landscaping, parking lot or other similar improvements to property are required a security deposit acceptable to the City shall be supplied by the owner in an amount equal to one-hundred percent (100%) of the value of such screening, landscaping, parking lot or other improvements. The security deposit shall be for the purpose of reimbursing the City for all expenses incurred by it in connection with making or completing such improvements. The security deposit shall be provided prior to the issuance of any building permit and shall be valid for a period of time equal to one full growing season after the date of installation of the landscaping. In the event construction of the project is not completed within the time prescribed by building permits and other approvals, the City may, at its option, complete the work required at the expense of the owner and the surety.

(2) The Building Official may require a completion performance bond, in an amount of one-hundred twenty-five percent (125%) of the cost of the work remaining to be done, prior to issuance of a temporary certificate of occupancy. A specific date for completion must be set.

(3) The City may allow an extended period of time for completion of all landscaping if the delay is due to conditions that are reasonably beyond the control of the developer. Extensions may be granted due to seasonal or weather conditions. When an extension is granted, the City shall require such additional security, as it deems appropriate.

(4) Upon completion of the improvements and final inspection and approval by the City, the security deposit shall be released.

Sec. 40 – 88. Terms of approval.

(1) A building permit shall be obtained and construction of the project shall begin no later than one year following the date on which site plan approval is granted, unless a different time period is approved by the Council in granting site plan approval or in a developer's agreement with the City. After the expiration of such period, site plan approval shall lapse unless the Council grants an extension of time or a building permit has been issued and substantial work performed on the project. Upon request by the applicant, the Council may grant an extension of time for commencement of a project having site plan approval.

(2) The Council may impose conditions in granting approval to site plans to promote the intent of this Division or to protect adjacent properties.

(3) Site plans shall be valid only for the project for which approval is granted.

(4) If the project is not in compliance with the approved plans, the project shall be subject to review as specified in Sec. 40 – 89.

Sec. 40 – 89. Amendments to an approved site plan.

Amendments to an approved site plan shall be administered as follows.

(1) Minor Amendments. Minor amendments to a site plan are:

(a) Increased signage not in accordance with Article VII, Division . (All changes to signage require a sign permit.)

(b) Landscape changes not made in accordance with Article VII, Division 15.

(c) Parking lot configuration changes (not change in number of spaces).

(d) Less than ten percent (10%) change in floor area in any one structure.

(e) Less than ten percent (10%) change in the approved separation of buildings.

(f) Less than five percent (5%) change in the ground area covered by the project.

(g) Less than five percent (5%) change in the number of residential units.

(h) Less than five percent (5%) change in the number of parking spaces.

(2) Major Amendments. Major amendments to a site plan are:

(a) Those greater than the thresholds listed for minor amendments above.

(b) Any minor amendment that is judged by the Zoning Administrator to substantially affect the terms of the original approval or is judged to result in significant adverse impacts on the surrounding properties or the City at-large.

Sec. 40 – 90. Review of minor amendments.

Proposed minor amendments (as specified in Sec. 40 – 89, (1)) to a site plan shall be reviewed and decided by the Zoning Administrator. Decisions of the Zoning Administrator may be appealed to the Board of Appeals. The Zoning Administrator may determine that a proposed minor amendment is in fact a major amendment and may refer such proposed amendments to the Planning Commission and Council according to the procedure established in Sec. 40 – 91, below. Application fees for a minor amendment to a site plan are set forth in Appendix A of this code.

Sec. 40 – 91. Review of major amendments.

Any major amendment to a site plan shall be considered by the Planning Commission at a public hearing. The recommendation of the Planning Commission shall be considered by the City Council. Any major amendment shall require a majority vote of the Council. The Council may hold such hearings on a proposal to amend a site plan, as it may consider necessary; but at least one public hearing shall be held. Application fees for a minor amendment to a site plan are set forth in Appendix A of this code.

Secs. 40-92-40-99. Reserved.