

ARTICLE 8-SITE PLAN REVIEW

SECTION 75 – SITE PLAN REVIEW

75. GENERAL PROVISIONS

75.1 INTENT

It is the intent of this section to provide basic requirements to accurately illustrate all proposed development in West Haven. Submission of basic development plans -----+allows the Commissioner and/or the Planning and Zoning Commission (hereafter P&Z) to accurately review proposed development to insure its compliance with applicable zoning, area and bulk requirements. The intent is:

- To insure the adequate provision of site improvements, landscaping, screening, lighting and similar requirements.
- Establish a basis of understanding between the City and the property owner as to what is expected of the property owner in order to comply with these regulations.
- To permit proper record keeping that will provide a basis for later review in the event of non-approved construction.

75.2 SUBMISSION OF PLANS

75.2.1 **Application.** Site Plan Review and approval by the P&Z is required before any zoning permit may be issued for any building or use, or enlargement in size or other alteration or change in use of any building including accessory structures. A certificate of zoning compliance (CZC) shall not be granted unless all construction and development conforms to plans approved by the Commissioner or P&Z as required herein.

An application and site or plot plan for construction, reconstruction, or enlargement of any building or structure shall be filed prior to issuance of any building permit that:

1. Depicts the property boundaries and the location of all structures.
1. Includes proposed dimensions of all buildings, structures, yards and setbacks.
2. Contains a detailed depiction of all proposed drainage, curbs and sidewalks, landscaping, lighting, signs, parking and proposed traffic flows, unless waived in writing by the Commissioner or P&Z.

A complete site plan as set forth in this section shall be required for all new construction including additions or enlargements, except as section 75.5.1 provides.

75.2.2 **Waiver.** The Commissioner may waive the requirement for a full site plan as set forth below provided a plot plan depicting such information as deemed sufficient is submitted. However, in the event a plot plan is accepted for any new residential development (not additions or enlargements) no certificate(s) of occupancy shall be issued until a certified "As-Built" A-2 Survey prepared by a licensed land surveyor is submitted depicting the property and improvements as built.

75.2.3 **Plot Plan Alternate.** If a certified copy of the Warranty Deed or other certificate of conveyance is included in the application the Commissioner may permit the filing of a plot plan in lieu of a site plan in the following instances:

- a. Construction of single, two or three-family residential dwellings;
- b. Addition or enlargement to single, two or three family homes;
- c. Creation of a Residential Special Use Exception;
- d. Issuance of a temporary permit for a non-permanent structure;

- e. Change from a commercial or industrial use to another use where no change in building dimensions is proposed;
 - f. The repair or renovation of a conforming use where no enlargement, expansion, or increase in number of units is requested.
- 75.2.4 **Application.** Each Site Plan Approval application shall be submitted to the Commissioner on a P&Z prescribed form, accompanied by a Site Plan. The number of copies may be determined by the Commissioner from time to time, and the fee shall be as specified in Section 101-1 of the West Haven Code of Ordinances.
- 75.2.5 **Acceptance of Plans.** Site plans shall be submitted to the Commissioner together with a site plan checklist to be completed by the applicant. The Commissioner shall review the completeness of the submission in conformance of this Section. The Commissioner shall notify the applicant in writing when plans are not complete and list the deficiencies to be cured before acceptance. Plans rejected in writing with a deficiencies list shall be deemed not to have been submitted.
- 75.2.6 **Review by Others.** Copies of appropriate sheets of accepted plans shall be forwarded to relevant City commissions, departments and agencies such as, but not necessarily limited to, the Sewer Commission, Building Official, City Engineer, Inland Wetlands Agency, Traffic Authority and Fire Department as the Commissioner may determine.
- 75.2.7 **Review of the Commission.** The Commissioner shall have site plans available to the P&Z at its first meeting immediately following acceptance. However, no formal review of such plans shall occur until all comments and recommendations of outside agencies are received or until the P&Z is required by State Statute. At such time as the Commission makes a formal review of the site plan, the applicant may appear before the P&Z to present its proposal and answer Commission questions.
- 75.2.8 **Planning & Zoning Commission Action.** The P&Z shall approve, modify or disapprove the Site Plans within 65 days of the date of application acceptance, unless a time extension is applied for or accepted by the applicant and granted by the Commission. Failure to act within such time period shall be deemed approval.
- 75.2.9 **Disapproval** shall include the Commission's written findings on any Site Plan element found contrary to either the regulations provisions or intent. In the event that the Commission modifies a Site Plan the approval shall automatically be contingent upon submission of revised Final Plans pursuant to Commission requirements.
- 75.2.10 **Surety.** In approving any Site Plan the P&Z may require as a condition of approval that the applicant post sufficient surety in order to assure satisfactory completion of and full compliance with all proposed site improvements shown on the approved Final Plan and other approved documents. Whenever the cost of the proposed site work as shown on the site plan is estimated by the City Engineer to be greater than \$25,000 a Performance Bond shall be mandatory to insure completion of all specified site work.
- 75.2.11 **Final Site Plan Filing** Final Site Plans shall not be signed until all required revisions, if any, have been made, and any required notes or other informational material required by the P&Z have been included. The P&Z Chair or a designee shall sign all approved site plans which shall then become effective.
- 75.2.12 **City Clerk Filing and Effective Date.** The signed mylars shall be filed with the City Clerk to become effective and complete copies as recorded shall be filed with the

City Engineer, the Building Official, and the Planning and Development Department, as may be determined by the Commissioner from time to time.

- 75.2.13 **Expiration.** Any site plan application which has been approved but for which no Final Site Plan is submitted for signature or is not filed in the City Clerk's Office within 65 days from the date of approval shall automatically become null and void.
- 75.2.14 **Lapse of Approval.** Any approved site plan (Final Site Plan) for which construction has not commenced or that is not otherwise put into effect within a period of one year shall automatically become null and void unless the applicant applies for and is granted a formal time extension by the P&Z.
- 75.2.15 **Start of Construction** shall be deemed to have commenced when all necessary permits are obtained, the site cleared, and a foundation completed.
- 75.2.16 **Modifications to Approved Final Plan.** Application for modifications or changes to an approved Site Plan (Final Plan) shall be made to the Commissioner in the same manner as the original application. All modifications to an approved Final Plan shall constitute a new application and require the full procedure outlined above.
- 75.2.17 **Project Completion Certificate (PCO).** No Project Completion Certificate may be issued until the applicant submits an "As Built" Plan prepared by an engineer registered in the State of Connecticut that certifies in writing that the site work has been completed in accordance with the approved site plan and a survey conforming to A-2 standards certified by a registered land surveyor depicting all improvements thereon has been submitted on mylar.
- 75.2.18 **Conditional Project Completion Certificate.** When the site work cannot reasonably be completed because of inclement weather or other pertinent reason, at the discretion of the Commissioner a Conditional Project Completion Certificate may be issued, which shall expire not more than 180 days hence.
- 75.2.19 **Conditional Certificate Surety.** When a Conditional Project Completion Certificate is issued, satisfactory surety shall be posted with the City in an amount deemed sufficient by the City to complete the site work. Upon written applicant request and certification of satisfactory completion of site work the P&Z or its designee shall release the surety.

75.3 CONTENTS OF SITE PLANS

- 75.3.1 **Site Plan Drawing Components.** Site Plans shall show boundaries, buildings, wetlands, parking, landscaping, lighting, and site improvements. Incomplete site plans may be submitted for Planning and Development Department informal review, however, site plans shall not be considered officially submitted until complete fully detailed site plans are submitted that shall include at least the following:
- a. **An A-2 Survey** layout of boundaries and all existing and proposed improvements at a scale of 1" - 40" or larger;
 - b. **Landscaping Plans** presenting in detail the landscaping treatments, screening, buffers and open space proposals, along the quantities to be provided;
 - c. **Engineering Plans** presenting the detail designs and information supporting all the engineering of proposed improvements;
 - d. **Traffic and Parking Plans** presenting in detail the proposed parking areas, number and configuration of spaces, striping, internal traffic patterns and controls, curb cuts and all dimensions of same;
 - e. **Contour Plans** presenting existing and proposed site grades and elevations.

- f. **Signs and Lighting** presenting the proposed and existing outside lighting scheme and all exterior signs;
 - g. **Wetland Boundaries** presenting the location of any inland or tidal wetlands, Special Flood Hazard, Coastal Area Management boundary, or watercourse.
- 75.3.2 **Site Plan Narrative Required.** For all uses requiring Site Plan Approval an application shall contain the following information:
- a. **Narrative** A written description of the Scope and Nature of the Project that includes construction start and stop dates.
 - b. **Timetable for Development.** The projected start date and project duration.
 - c. **Title Block.** Name, location and Owner of the Proposed Development.
 - d. **Site Plan Data.** Northpoint, Scale, Date and Seal.
 - e. **Location Information.** Key map, address, zone, and ownership of abutting properties, and distance to nearest street intersection.
 - f. **Zoning Table.** Required and provided area, bulk and parking requirements of the applicable zoning district.
 - g. **Signs.** Table of Sign Requirements, Signs Proposed, sketch of each sign.
 - h. **Site Plan Details.** Survey information, easements, size and location information of existing and proposed building(s), building and spot elevations, on-site traffic flow and location of catch basins and other drainage information.
 - i. **Elevation Sketch.** Scaled sketches of all building elevations.
 - j. **Erosion Control** Plan in accord with Section 74.
 - k. **Parking and Loading Plan** in accordance with Sections 60 and 61.
 - l. **Utilities.** Location, size and connection details both on and off site.
 - m. **Grading, Contours, Topographic and Environmental Information.** Existing and proposed contours at 2 foot intervals, location of water bodies or significant topographic or natural features, location and amount of fill to be removed or added, and CAM and FEMA designation.
 - n. **Lighting.** Lighting fixtures location and details.
 - o. **Landscaping.** Species, quantity, size and height of proposed plantings.
 - p. **Other Information and Amenity** descriptions as required by the P&Z.

75.4. SITE PLAN OBJECTIVES

In reviewing a Site Plan Application, the P&Z shall take into consideration:

- The public health, safety and welfare of the public in general and the immediate neighborhood in particular.
- That all area and bulk requirements are met, except as may have been varied by the Zoning Board of Appeals or may be modified by these regulations.
- Enforcement of the specific requirements of these regulations.
- Compliance with design criteria to meet general standards as set forth herein.

75.5 GENERAL STANDARDS

In conjunction with other municipal agencies and departments, the Commission may prescribe reasonable condition and safeguards to insure the accomplishment of the following standards:

- 75.5.1 **City Plan of Conservation and Development.** The proposed site plan shall generally conform to the intent of the City Plan of Conservation and Development which shall, however, not take precedence over specific provisions of the Zoning Regulations.
- 75.5.2 **Public Safety.** All buildings, structures, uses, equipment, or material shall be readily accessible for fire and police protection.

- 75.5.3 **Traffic Access.** Proposed traffic circulation shall not create traffic hazards and be adequate in width, grade, alignment and visibility; adequate in distance from street corners, places of public assembly and other access ways.
- 75.5.4 **Circulation and Traffic.** Adequate off-street parking and loading spaces shall be provided to prevent on-street traffic congestion; all parking spaces, maneuvering areas, entrances and exits are suitably identified; interior circulation is adequately designed to provide safe and convenient access to all structures, uses and/or parking spaces; parking areas are provided with suitable bumper guards, guard rails, islands, crosswalks, speed bumps and similar safety devices when deemed necessary by the Commission to adequately protect life and property; and provision is made for safe pedestrian movement within and adjacent to the property by the installation of sidewalks.
- 75.5.5 **Landscaping and Screening.** Existing trees shall be preserved to the maximum extent possible and parking and service areas suitably screened during all seasons of the year from view of adjacent residential districts and public rights-of-way.
- 75.5.6 **Lighting.** Outside lighting shall provide safety to pedestrian and vehicular traffic and glare from installation of outdoor lights and illuminated signs properly shielded from the view of adjacent property and public rights-of-way.
- 75.5.7 **Public Health.** All utility systems are suitable located, available and of adequate capacity, appropriately designed, and properly installed to serve the proposed uses to prevent creating air, water, or land pollution, and to preserve and enhance the environmental quality of the surrounding neighborhood.
- 75.5.8 **Environmental Features.** The development of the site will preserve sensitive environmental features such as steep slopes, wetland, and large rock outcroppings, preserve scenic views of historically significant features, and keep the maximum amount of land either landscaped or in its natural state.
- 75.5.9 **Neighborhood Character.** The location, size, design and scale of any proposed use, building or structure, as well as the nature and intensity of operations involved in or conducted in connection therewith will seek to enhance the area or surrounding neighborhood either by incorporating those factors of design that are in harmony with a positive existing neighborhood character or provides a prototype for rehabilitation of a blighted area or neighborhood.

75.6 SPECIFIC DESIGN STANDARDS

In addition to base information, all site plans shall conform to the following specific design standards.

- 75.6.1 **Landscaping.** All proposed landscaping plans shall show the location, common name, proposed quantities and size at the time of planting.
 - a. **Existing Trees.**
 - 1. An attempt shall be made to save as many existing trees as possible.
 - 2. On heavily wooded parcels, trees over 8" diameter must be shown.
 - b. **Front Yards.** All front yards shall be landscaped with shrubs to soften the effect the building(s) creates at ground level.
 - c. **Parking Lot Trees.** All parking lots of 50 car spaces or more shall include:
 - 1. One tree for every 10 parking spaces or fraction thereof.
 - 2. Trees shall be at least 3-3 ½ inches in diameter and 6 feet height at the time of planting.

3. Trees shall be placed or protected so as to avoid damage by automobiles by the placement of a curbed green area of not less than four (4) feet in width or diameter.
4. Trees used in parking lots shall be Thornless Honey Locust, Pine, Oak or other similar fast growing varieties, or existing trees where appropriately located.
5. Shade trees planted shall be spaced 50 feet on center around the perimeter of the lot, except that such distance may be increased for lanes of ingress and egress, and provided further that there shall be shade trees planted between parking aisles spaced 60 feet on center.

75.6.2 **Buffer Areas** shall meet the following standards:

- a. Headlight glare in all instances shall be screened when a commercial or industrial building is adjacent to a residential use.
- b. Such buffer shall be evergreen screening and/or wooden or similar fencing depending upon the nature of the property and use and the characteristics of the adjacent property.
- c. Evergreen buffers shall be planted sufficiently close when planted to effectively screen automobile headlights [no more than four (4) feet apart and at least five (5) feet tall].

75.6.3 **Maintenance Insurance.** The developer must guarantee all plantings for two (2) years from approval of final landscaping. The guarantee may be in the form of a surety bond and may be part of the performance bond required at the time of Site Plan Approval. At the end of the two-year period, the bond shall be released. Plant maintenance is required in perpetuity and shall be the responsibility of each new owner upon property transfer in accordance with site plan approval.

75.6.4 **Drainage** designs shall be laid out by a professional engineer. Runoff from parking lots, roofs, and driveways shall not cross sidewalks. Drywall size and structure shall be shown or certified by notation. Catch basin and storm sewer construction elevations must be shown. Surface pitch shall be indicated.

75.6.5 **Parking Lots** shall be designed to the following standards:

- a. Lots shall be designed to avoid creating large, open expanses of paving.
- b. No parking lot shall be designed that forces vehicles to back onto the street.
- c. Ingress and Egress location and interior traffic flow shall be marked with painted arrow(s) where appropriate as determined in a review by the Police Department Traffic Division.
- d. Curb cut widths and curb cut radius must be reviewed by Engineering, Police Department Traffic Division, and CONNDOT where appropriate.
- e. The Commission shall be the final authority on determining curb cut width and radius whenever it determines need to be more restrictive for the radius or width allowed by Engineering, Police Department Traffic Division, and CONNDOT, provided said restrictions meet with their approvals.
- f. All driveways, loading and unloading areas and parking areas shall be paved with a dust free material.
- g. All parking spaces shall have wheel stops or bumper guards.
- h. Where sidewalks are adjacent to parking lots, the design shall provide at least a 5 foot pedestrian travel area to prevent vehicular encroachment.
- i. Adjacent to a side property line a curbed landscaped planting strip of at least two (2) feet shall be provided between driveway pavement and property line.

- j. For parking lots for more than 50 cars, every fourth double bay shall provide for sidewalks in a raised curbed area of sufficient width to provide for car overhang and pedestrian walkway. In all other double bays tree islands shall be provided to prevent large viewable expanses of parking lot.
 - k. No parking aisle shall exceed one hundred and fifty (150 feet) without a raised and curbed landscape area of sufficient width to prevent injury to planting, shrubs, trees, or light standards.
 - l. Where carts are provided for customer convenience, carrels shall be required to prevent inhibition of pedestrian or vehicle circulation.
- 75.6.6 **Site Lighting.** The location, height and type of fixture and illumination (to include but not restricted to parking lots, area ways, pedestrian walkways and other areas within sites requiring lighting) be arranged and/or constructed so as to meet the general requirements outlined below:
- a. Provide adequate and proper illumination at ground level for protection of the public and pedestrian and vehicular circulation safety.
 - b. Be designed to minimize glare in the area being lighted and shielded so as to prevent glare on adjacent property.
 - c. Festoon Lights are *not* allowed.
- 75.6.7. **Storage Areas.** There shall be no outside storage of materials unless said materials are effectively screened by appropriate fencing, stone, or brick walls or evergreen trees or shrubs at least 6' high.
- 75.6.8. **Signs.** The location of all signs shall be clearly marked on the site plan. The overall dimension of all signs, total overall height from ground level and the type of sign lighting shall be indicated on the site plan and are subject to the standards of sections 65-68.
- 75.6.9. **Refuse Areas.** All sites shall provide for refuse storage. Any outside refuse shall be screened with wooden fencing, stone or brick walls, or evergreen trees or shrubs at least 6' high.

75.7 SITE PLAN ENFORCEMENT

The Commissioner of Planning and Development or a designee is responsible for the enforcement of all site plans and requirements. The Building Official shall request the advice of the Commissioner as to the necessity of a site plan.

Any conditional site plan approvals voted by the Commission shall be so noted by stamping on the Site Plan accordingly and noting the specific conditions on the plan. A copy of the stamped and marked plan shall be sent to the Building Official.

All conditions and improvements shown on an approved site plan shall remain with the property, as long as the use indicated on the approved site plan is still in operation. The conditions and improvements shall continue in force, regardless of any change in ownership of the property.

All conditions must be noted on the original plan and must be met or bonded for in an amount specified by the Planning and Zoning Commission and certified by the Commissioner of Planning and Development before a Certificate of Occupancy will be issued.

In the event that the contemplated development does not require a site plan, a written agreement listing certain site plan requirements, signed by both the owner of the property and the Commissioner of Planning and Development shall be considered a binding site plan commitment under this section of the regulations.