

## SECTION NINE

### SITE PLAN REVIEW

9-00

#### 9-01 AUTHORIZATION AND APPROVAL OF PLANS

No building permits shall be issued in any zone for any use other than for single-family dwellings in an approved subdivision or an approved building lot, unless site development plans, prepared in accordance with Section 9-03 herein, have been approved by the Planning and Zoning Commission or by following the zoning permit process.<sup>1</sup>

For any property where there is an existing building, and/or site plan has already been approved by the Commission and the proposed use requires any exterior structural alterations or additional parking per Section Twelve, a site plan shall be submitted to the Planning and Zoning Commission for review and approval, with the following exceptions: Additions less than 100 sq. ft. in size for space that is not for public occupancy on sites that have existing site plans require the zoning permit process; and, zoning permits shall be used for changes in use on an existing site where no shovel in ground work is taking place and no additional parking is required.<sup>2</sup>

However, the Commission, in its sole discretion, may waive some of the requirements of Section 9-03 herein based upon the proposed use and/or addition in relation to existing conditions of the subject premises and neighboring properties. The Commission may not waive the requirements of sidewalks in any zone, except in accordance with the criteria set forth in Section 9-03.9.C.

#### 9-02 CONSIDERATIONS FOR APPROVAL

In the review of site plans, the Commission shall give specific consideration to the design of the following:

- 9-02.1 Traffic Access - That all proposed traffic access ways are: adequate but not excessive in number; adequate in width, grade, alignment and visibility; not located too near street corners or other places of public assembly; and other similar safety considerations.
- 9-02.2 Circulation and Parking - That adequate off-street parking and loading spaces are provided to prevent parking in public streets of vehicles of any persons connected with or visiting the use; that adequate, safe and accessible pedestrian circulation be provided within the site and connected with off-site sidewalks; and that the interior vehicular and pedestrian circulation systems are adequate to provide safe accessibility to all required off-street parking.
- 9-02.3 Landscaping and Screening - That all playground, parking, service areas and rooftop mechanical equipment are properly and reasonably screened at all seasons of the year from the view of adjacent lots and streets and that all general landscaping of the site is in character with that generally prevailing in the neighborhood. Preservation

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<sup>1</sup> revised, ZA #566, effective 9/22/12

<sup>2</sup> revised, ZA #566, effective 9/22/12

of existing trees over 4" in diameter to the maximum extent possible shall be encouraged. Street trees are required along all public ways, not less than two per every 50 feet of frontage, or portion thereof.<sup>1</sup>

- 9-02.4. Illumination - That lighting from the installation of outdoor flood or spot lighting and illuminated signs are of a reasonable intensity of illumination for the purpose served and will be properly shielded so that such lighting will not adversely affect any abutting property or public street. Full cutoff light fixtures with recessed lenses only shall be required in an effort to reduce light pollution and unnecessary glare.<sup>2</sup>
- 9-02.5 Character and Appearance - That the character and appearance of the proposed use, building, and/or outdoor signs will be in general harmony with the character and appearance of the surrounding neighborhood and that of the Town of Southington and will not adversely affect the general welfare of the inhabitants of the town.
- 9-02.6 Siting of Buildings - That buildings be arranged in a manner which allows for proper and safe visibility from public roadways and in a manner which promotes the safe and efficient movement of vehicular and pedestrian traffic to and throughout the property.

### 9-03 MINIMUM APPLICATION AND PLAN REQUIREMENTS

Applications and supporting documentation and mapping shall be submitted in digital form and shall be accompanied by the appropriate fee, a narrative description of the project, statements of anticipated utility impacts and drainage calculations/traffic reports, a description of all proposed uses, as well as three (3) copies of a Site Plan 1" = 20' or 1"=40' on 2'x3' sheets, showing the subject lot and all structures and curb cuts on adjacent properties within 100 feet of the lot lines of the subject lot, on both sides of the street, plans and elevations of all proposed signs, lighting, floor plans, and all proposed structures or alterations to existing structures.<sup>3</sup>

A Class A-2 survey shall be required for all site plans, unless specifically waived by the Commission.

A copy of survey and final design data shall be submitted on computer disk in a digital format. Such data shall be provided in "DXF" format and submitted in accordance with the Town Engineering Department requirements.

Site plans shall indicate the following:<sup>4</sup>

- 9-03.1 Location and height of all existing and proposed structures including signs, walls, and fences, including safety fences for storm run-off detention basins or ponds and as required in the Subdivision Regulations of the Town of Southington.<sup>5</sup>
- 9-03.2 Location of all uses not requiring a structure.

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<sup>1</sup> revised, ZA #540, effective 9/8/07

<sup>2</sup> revised, ZA #540, effective 9/8/07

<sup>3</sup> Revised, ZA #592, effective 5/20/17

<sup>4</sup> revised, ZA #540, effective 9/8/07

<sup>5</sup> revised, ZA #540, effective 9/8/07

- 9-03.3 Location of driveways, loading and parking areas showing the number of spaces as required by the provisions of these regulations.
- 9-03.4 Existing and proposed storm drainage, including runoff computations before and after development, unless waived by the Commission, sanitary sewer and water supply facilities and easements, including the location of all facilities as proposed in Southington's long-range Plan of Development.
- 9-03.5 Location, nature and extent of open space, landscaping, existing trees in excess of 4" in diameter, buffer strips and screening in accordance with these regulations.
- 9-03.6 Proposed interior traffic circulation system, adequately designed to provide safe accessibility to all required off street parking as well as providing police and fire protection to all structures, equipment and materials.
- 9-03.7 In the case of uses requiring approval of any Department of the State or Town, the approval of said Department.
- 9-03.8 A key map, Scale 1"=1000', showing the zoning and street pattern within 500 feet of the site.
- 9-03.9 Proper provisions for safe and accessible pedestrian circulation, including sidewalks, handicapped ramps in accord with the design standards of the State Building Code, as amended and/or easements where required by the Commission.
- A. Street right-of-way sidewalks located within about one foot of a site plan boundary line are required in all zoning districts except in Industrial Zones, I-1 and I-2, where street sidewalks are optional.
- B. Sidewalks internal to the site are required wherever pedestrian safety may be at risk.
- C. The Commission may grant a waiver of the site plan street right-of-way sidewalk requirement by a two-thirds (2/3) vote. Such a waiver may be granted if one or more of the following criteria is determined by the Commission to exist:
1. Where proposed road reconstruction or alignment would make immediate installation impractical; the Commission must specifically set forth the basis for its findings that the road project will be completed within twelve months if located within a school access area, or in twenty four months if located outside such an area.
  2. Where unusual physical or topographical conditions make immediate installation impractical.
  3. Where there are pre-existing obstructions that cannot be readily relocated or should not be altered, such as grades, fills, watercourses, natural topographic features or manmade obstructions; or

4. Where the area or site has been recognized as having historical, archaeological, and/or architectural significance by the Town, the State, or the United States and the waiver will help maintain such historical, archaeological, and/or architectural significance.
5. Where the proposed development or site is located in an area of a street or road that is at least seventy-five percent (75%) developed and where the practicality or feasibility of sidewalks being connected to the site does not exist. Area shall mean within two thousand (2,000) linear feet from both sides of the proposed development or site on both sides of the road, property shall be considered developed if said property is used for residential, commercial or industrial purposes; regardless of development intensity. Property shall not be considered developed if said property is used for farming purposes. The provisions of this section shall not apply to proposed developments located within the legal walking distance of a school access zone as established or determined by the Board of Education nor within the Business Overlay zone.

- 9-03.10 Limits of areas to be permanently paved and provided with lip curbing, and parking and planting islands.
- 9-03.11 Exterior architectural elevations showing proposed structures and/or changes to existing structures, clearly labeling all exterior building materials.
- 9-03.12 Cross-sections detailing the construction of proposed sidewalks, driveways, parking areas, and storm drainage structures.
- 9-03.13 Existing and proposed topography at 2 ft contour intervals.
- 9-03.14 Total lot area of the subject lot, lot coverage proposed and allowed per Section 7A-00 and total areas of inland wetlands and/or floodplains and areas to be filled.
- 9-03.15 A planting schedule which includes the number and types of species (tabular form) and their location.
- 9-03.16 Erosion and Sedimentation Control Plan subject to the following:
- A. An erosion and sedimentation control plan covering all proposed excavation, filling and grade work unless waived by the Commission, prepared by a Professional Engineer, landscape architect or other qualified person. Such plan shall include a map which shows proper measures to control accelerated erosion and reduce sedimentation as set forth in the Connecticut Guidelines for Soil Erosion and Sediment Control (2002)<sup>1</sup>, as amended. Said plan shall also include a written description of the sequence of operations, including start-up and completion dates, grading and construction activities, installation and/or application of soil erosion and sedimentation control measures, and final stabilization of the project site.
  - B. The Commission shall either certify that the soil erosion and sediment control plan, as filed, complies with the requirements and objectives of this regulation or deny

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<sup>1</sup> revised, ZA #540, effective 9/8/07

certification when the development proposal does not comply with these regulations.

Nothing in these regulations shall be construed as extending the time limits for the approval of any application under Chapters 124, 124A or 126 of the General Statutes.

- C. The estimated costs of measures, as determined by the Town Engineer, required to control soil erosion and sedimentation as well as a lump sum figure for possible clean-up efforts for failure to comply, as specified in the plan, that are a condition of certification of any modified site plan, shall be covered in the form of a certified check payable to the Town of Southington, or savings passbook endorsed to the Town. Said surety shall be separate from and in addition to the bonding requirements for all other public improvements pursuant to Section 9-06 herein.
- D. Site development shall not begin nor shall any building permit be issued until the soil erosion and sedimentation control plan is certified and those control measures and facilities in the plan scheduled for installation prior to site development are installed and functional.
- E. Inspections shall be made by the Commission or its designated agent during development to ensure compliance with the certified plan and that control measures and facilities are properly performed, installed, and maintained. Failure of the applicant or person assigned to install and/or maintain any and all improvements and/or any necessary clean-up for failure to install and/or maintain said improvements shall be cause for the Commission to call the surety for said improvements within one (1) week after notification by certified mail of the need for such erosion and sedimentation control. The applicant, property owner, or assignee shall give the Town the right to enter onto the property to perform the necessary work.

9-03.17 Certain proposed site plans require a traffic study and shall satisfy specific levels of service.

Site plans in any zoning district which result in a peak hour trip generation of 75 trips or more as determined by Trip Generation (Institute of Transportation Engineers: 1982, as amended) shall be subject to the following additional requirements:

- 1. A traffic study shall be provided, with the following information:
  - a. Background traffic, including traffic from previously approved site plans, for the A.M., P.M., and weekend peak hours, analyzing level of service.
  - b. Anticipated traffic from the proposed facility, for the A.M., P.M. and weekend peak hours.
  - c. The effect of the proposed facility on the background traffic, for the A.M., P.M. and weekend peak hours, analyzing level of service; including proposed improvements.
- 2. In addition to the requirement in 3 below, no site plan will be approved unless a Level of Service C or better can be obtained for through traffic.

3. In addition to the requirement in 2 above, no site plan will be approved if it will result in a reduction in Level of Service, as defined by the Institute of Transportation Engineers or a comparable organization deemed appropriate by the Commission.

9-03.18 Such other information as may be required by the Commission.

#### 9-04 CONDITION OF APPROVAL

Any person, firm or corporation having obtained approval of a site plan application under this section shall complete all work and comply with all conditions of approval of said site plan approval within two years after said approval, provided, that site plans approved after October 1, 1984, shall complete all work within five years after said approval.

#### 9-05 SAFEGUARDS

In authorizing any use, the Commission may attach reasonable conditions and safeguards as a precondition to its approval.

#### 9-06 BONDS

Before work on a project with site plan approval begins<sup>1</sup>, the applicant shall secure a zoning permit, have a preconstruction meeting with staff<sup>2</sup> and file a bond in the form<sup>3</sup> of a line of credit or a certified check payable to the Town of Southington with the Commission, in a form satisfactory to the Town Attorney and in conformity with the provisions of these regulations, in an amount recommended by the Town Engineer as sufficient to guarantee completion of all public improvements within an existing street and right-of-way, including but not limited to utility extensions and associated resurfacing, drainage improvements, curbing, and sidewalks, and in addition thereto 10%<sup>4</sup> thereof for contingency. Such bond or certified check shall not be released by the Commission until written certification from the Town Engineer has been received that all of the requirements of these regulations have been fully satisfied.<sup>5</sup>

#### 9-07 CERTIFICATE OF SITE PLAN COMPLIANCE

In all cases where these regulations require approval of site plans, no land shall be used and no building or other structure shall be occupied or used, nor shall a Certificate of Occupancy be issued by the Building Official until a Certificate of Site Plan Compliance has been issued by the Town Engineer stating that all of the provisions of these regulations, any special conditions imposed by the Zoning Board of Appeals or the Planning and Zoning Commission, and all site improvements as approved by the Commission have been completed.

9-07.1 The Planning and Zoning Commission may waive the requirements of this section in the case of exceptional winter weather or other extenuating condition when in its opinion the strict application of this section would cause exceptional hardship but

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<sup>1</sup> revised, ZA #562, effective 11/19/11

<sup>2</sup> revised, ZA #562, effective 11/19/11

<sup>3</sup> revised ZA #552, effective 3/20/10

<sup>4</sup> revised ZA #562, effective 11/19/11

<sup>5</sup> revised, ZA #535, effective 5/8/07

would not be injurious to the neighborhood or otherwise detrimental to the public welfare. In such cases, the applicant shall post a bond in lieu of site plan compliance in the form of a<sup>1</sup> certified check, payable to the Town of Southington, to cover the balance of all remaining site work as determined by the Town Engineer and in addition thereto, 10%<sup>2</sup> thereof for contingency. Upon filing of such security and execution of an agreement between the applicant and the Town stipulating the items remaining to be completed, the cost of said items plus a 10%<sup>3</sup> contingency, and the date by which said items must be completed, and such other terms and conditions as deemed appropriate by the Commission, a Temporary<sup>4</sup> Certificate of Occupancy shall be issued.

9-07.2 Security shall not be released until the Town certifies completion of all public and site improvements as appears on the site development plans approved by the Commission per Section 9-03 herein.

#### 9-08 APPROVAL FROM OTHER DEPARTMENTS

Approval of any use or activity required from any other state or local department, excluding the Building Department, shall be obtained and provided before any action is taken by the Commission.

#### 9-09 SITE PLANS IN B ZONES

In order to eliminate curb cuts and resultant traffic conflicts, the following requirements shall apply.

All site plans in B zones shall meet the following additional requirements:

- 9-09.1 Access easements shall be provided to neighboring properties zoned for business usage, including those properties located within the Business Overlay Zone. Such easements shall be provided on each side of the parcel and shall be 20 feet wide and 60 feet deep as necessary.<sup>5</sup>
- A. If a neighboring property has previously provided an access easement to the property, then a common driveway shall be utilized and previous curb cuts eliminated on both properties.
    - i. If a property has at least 200 feet of frontage, then the Commission may allow an additional curb cut; providing that there is at least 200 feet between said curb cuts, centerline to centerline.
  - B. If a neighboring property has not previously provided an access easement, then a temporary driveway may be utilized, providing that temporary driveway shall be closed off when the common driveway required in 9-09 1.a is constructed.
    - i. A temporary driveway may be maintained at the discretion of the

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<sup>1</sup> revised, ZA #562, effective 11/19/11

<sup>2</sup> revised, ZA #562, effective 11/19/11

<sup>3</sup> revised, ZA #562, effective 11/19/11

<sup>4</sup> revised, ZA #562, effective 11/19/11

<sup>5</sup> revised, ZA #586, effective 8/8/15

Commission if it is at least 200 feet centerline to centerline to the shared access.

- C. Curb cuts on corner lots shall be on the less busy street, at least 150 feet from the intersection, wherever practical.
- D. Curb cuts shall generally be limited to 30 feet wide, with a 25 foot radius.

#### 9-10 SITE PLANS IN THE BUSINESS OVERLAY ZONE (BOZ)

This section is enacted with reasonable consideration of the unique character of the Business Overlay Zone and is intended to supplement existing site plan regulations. Uses requiring site plan approval shall conform to these provisions and all other provisions outlined in Section 9-00. When discrepancies between requirements exist, the more stringent requirement shall apply.

9-10.1 All uses requiring site plan approval shall be subject to the following requirements:

- A. Not more than twenty-five (25%) of the proposed parking area shall be located in the front yard unless otherwise waived by the Commission.
- B.<sup>1</sup> All service bays, loading zone areas and commercial trash receptacles shall be properly screened unless otherwise modified by the commission, and shall not be located in the front yard.
- C. Utilities, such as electrical and telephone wires, shall be located underground where possible.
- D. The site shall be adequately landscaped with a mix of trees, shrubbery and grass. The caliper of trees shall be a minimum of 2" in diameter. Trees shall be planted a minimum of 40 feet on center along public rights-of-ways, building frontages and within the parking areas. The Commission may allow for the clustering of trees and shrubbery where deemed appropriate. Alternative landscape materials, such as bark mulch, pea stone or crushed stone shall be limited to incidental use only.
- E. The front yard shall comprise a landscaped area of at least 30 feet in depth. This area shall consist of a planted lawn area and contain a mix of trees and shrubbery.
- F.<sup>2</sup> A landscaped buffer consisting of a mix of deciduous and conifer trees shall be maintained between proposed commercial uses and adjoining residential uses. Such buffer shall be a minimum of 20 feet in depth and shall provide adequate year-round screening. The Commission may waive or modify, with supermajority vote, the buffer planting and depth requirements where adjacent residential uses are located on B or BOZ zoned property, or where residential uses are separated from the development by roads, and the proposal incorporates

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<sup>1</sup> New, ZA #593, effective 10.7.17

<sup>2</sup> New ZA #593, effective 10.7.17



screening with a 7 foot high lightproof fence and landscaping on the residential side of the fence.

- G. Renderings depicting proposed commercial signage shall be required as part of a site plan application submittal. Each premises shall be allowed one (1) non-internally illuminated detached sign. Such sign shall be set back a minimum of 15 feet from the public right-of-way and shall not exceed 10 feet in height nor 45 square feet in area. Additionally, each individual business tenant shall be allowed one (1) non-internally illuminated attached sign (wall mounted sign). The allowed area of an attached sign shall be calculated in accordance with Section 13-07 of the Zoning Regulations, except that no individual attached sign shall exceed sixty (60) square feet in area. The provisions outlined in Section 13-08 of the Zoning Regulations shall not be applicable in the Business Overlay Zone.
- H. Prominent site features shall be shown on a site plan submittal; including trees, shrubbery, rock walls, historical structures, etc. The applicant shall make every effort to preserve and incorporate such features into the design of the site.
- I. In order to conserve and protect the existing topography of a site, reasonable measures shall be taken, wherever possible, to avoid substantial removal of fill and alteration of grades.

9-10.2 In addition to those requirements listed above, principal buildings constructed after December 31, 1996 shall comply with the following requirements:

- A<sup>1</sup>. All structures shall be setback a minimum of 20 feet from a public right-of-way.
- B. The applicant shall submit architectural drawings depicting all four sides of all proposed buildings and structures. In considering a site plan application, the Commission shall consider the type and style of wall finish, roof design, type of shingles, stairs and architectural appendages and other design features of the proposed structure(s).

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<sup>1</sup> New ZA #593, effective 10.7.17