

## ARTICLE VI: ZONING COMPLIANCE PERMITS AND SITE REVIEW PLANS

### Section 601 Intent

- A. It is the intent of this section to require a **zoning compliance permit** for all new structures and **uses**, as well as changes in usage. A **site plan** review may be required for all structures and **uses** as part of obtaining a **zoning compliance permit**. The regulations contained herein are intended to provide and promote the orderly development of the City; safe and convenient traffic movement, both within a site and in relation to access **streets**; the stability of land values and investments by preventing the impairment or depreciation of land values and development, by the erection of structures or additions or **alterations** thereto, without proper attention to setting or to unsightly or undesirable appearances; harmonious relationship to buildings, other structures and **uses**, both within a site and/or adjacent sites; and the conservation of natural amenities and resources.

### Section 602 Zoning Compliance Permit Application

- A. It shall be unlawful to commence construction, grading or other development upon the land intended to be developed, or to **use** or occupy or permit the **use** or occupancy of any **building** or premises, or both, or any part which has been created, **erected**, changed, converted or wholly or partly altered, or enlarged in it **use** or **structure** until a **zoning compliance permit** has been issued by the **Zoning Administrator**. The permit shall state that the **building, structure**, new or proposed, **lot** and **use** conform to the requirements of this Ordinance.
- B. **Conditional Use Permits, Planned Unit Development Permits, Open Space Preservation Permits, Site Condominium Permits, Non-Conforming Uses and Structures and their continuation and/or expansion Permits and any other Permits** shall require written approval of the **Planning Commission** and become part of the **zoning compliance permit**.
- C. **Variances** require the written approval of the **Zoning Board of Appeals**.
- D. The **Zoning Administrator** shall issue all necessary and appropriate forms to the applicant and record such issuance.
- E. If the applicant does not exercise the use of the **zoning compliance permit** by completing any approved construction and/or use within two years after its issue, the **Zoning compliance permit** will become null and void. The applicant may apply for a one year extension to the **Planning Commission** at least 60 days prior to the termination of such permit.
- F. Any **Zoning compliance permit** acted upon by the applicant or his agents or successors will inure for the duration of existing **use** and/or **structure(s)** and is limited to those

structures and **uses** specified in the **zoning compliance permit** unless specified contrarily in the permit.

### Section 603 Site Plan Requirements

- A. All applications for a **zoning compliance permit** must be submitted on the proper forms provided by the **Zoning Administrator** and accompanied with a **site plan** for review by the **Zoning Administrator** and/or the **Planning Commission**. The requirements for **site plans** are as follows:
1. Permitted **uses** described in Article III per Sections 604 and 605 below for:
    - a. Any proposed construction of new structures
    - b. Any proposed new **use**
    - c. Any proposed change in **use** if required by the **Zoning Administrator**
  2. **Conditional Use Permit** per Article VII and Section 605
  3. **Planned unit development** per Article VIII and Section 605
  4. Open Space Preservation per Article IX and Section 605
  5. **Site condominium** per Article X and Section 605
  6. Continuation or expansion of a non-conforming **use** and/or **structure** per Article V and Section 605
  7. **Variance** per Section 606 and Sections 604 and 605 where applicable
  8. Any other request for zoning status where the **Zoning Administrator** determines a **site plan** is necessary for accurate review or documentation of the existing development
- B. The **site plan** may be drawn on the application form or on a separate sheet(s) of paper as required.

### Section 604 Site Plans for Permitted Single and Two Family Dwellings, Residential Accessory uses and Structures, Multiple Family Dwellings of no more than Four Units and less than 5,000 square feet, and All Non-Industrial Uses under 4,000 square feet, and Non-Conforming Uses and Structure, and Conditional Use Permits for above Structures and Uses

- A. A **site plan** meeting the following standards and the standards in Section 606 shall be required for the following:
1. **Single-family dwellings**
  2. **Two-family dwellings** and less than 5,000 square feet
  3. **Multiple-family dwellings** of no more than four **Dwelling units**
  4. Residential accessory structures and **uses** associated with the above residential **dwelling units**
  5. Non-Industrial structures and **uses** under 4,000 square feet in **floor area**

6. Non-Conforming **Use** and/or **Structure** changes not exceeding 110% of its gross **floor area** as of the effective date of adoption of this Ordinance.
  7. **Conditional Use Permits** for above **uses** in **districts** where the conditional may be permitted.
- B. One copy of the **site plan** shall be provided to the **Zoning Administrator** attached to the completed **zoning compliance permit** application form and other forms required for Non-Conforming and Conditional **Uses**. The **site plan** shall depict the following information:
1. A legal description of the site.
  2. All **lot lines** and dimensions of the **lot**.
  3. All existing and proposed structures shown and labeled.
  4. Proposed **use** of each existing and new structures.
  5. Distances between each existing and new **structure** and all **lot lines**.
  6. Exterior dimensions of existing and proposed structures.
  7. A drawing or photograph of the elevation view of existing and proposed structures.
  8. All roads (named) and alleyways.
  9. All easements, existing and proposed, for roads, waterways and utilities.
  10. Existing and proposed utility locations, including municipal water, sanitary and storm sewers, wells and septic, and connections to the existing and proposed structures and **uses**.
  11. The location and identification of natural features that may or may not affect existing and proposed development such as rock, water and drainage.
  12. A north arrow
  13. The location of areas on the parcel that will be utilized for the storage of snow and the resulting drainage patterns that will result from the melting snow.
  14. The location of a high water mark and **bluff edge** and compliance with the Lake Superior Shoreline Protection Overlay District, if appropriate.
  15. The status of any local, state or federal permits required for the existing and proposed structures and **uses**.
  16. The location of all fences, natural or manmade, and signs, including sizes and heights and lighting.
  17. Parking areas including marking of individual **parking spaces**, and their access an egress to private or public roadways.
- C. Upon receipt of the application forms and **site plan** for the structures and **uses** in this section, the **Zoning Administrator** shall review them to determine whether they are in proper form and contain the required information showing compliance with this Ordinance and other ordinances of the city, state and federal governments. A certified property survey may be required if in the opinion of the **Zoning Administrator** one is needed to verify property lines. Any defects in form, lack of required information,

violation of any provisions of this Ordinance, including standards contained in Section 607 and elsewhere in this Ordinance shall be noted in writing to the applicant within ten (10) working days after receipt of the application by the **Zoning Administrator**.

Section 605 Site Plans for Permitted Multiple-Family Dwelling units with greater than four Dwelling units, Non-Industrial Structures and Uses greater than 4,000 square feet, all Industrial Structures and Uses, Conditional Use Permits, Planned Unit Development, Conditional Use Permits, Open Space Preservation Permits, and Condominium and Site Condominium Permits

- A. A **site plan** meeting the following standards and the standards in Section 606 shall be required for the following permitted structures and **uses**:
1. Multiple-family dwelling units with more than four dwelling units or having more than 5,000 square feet floor area.
  2. Non-industrial structures and uses, excluding single and two-family dwelling units, with greater than 4,000 square feet floor area.
  3. Industrial structures and uses
  4. Open space preservation developments
  5. Condominium and site condominium developments, unless also a part of a Planned Unit Development.
- B. Additional requirements may be required for Open Space Preservation and Condominium and Condominium Site developments per Articles IX and X respectively.
- C. Three copies of the **site plan** shall be attached to the **Zoning compliance permit** application and submitted to the **Zoning Administrator**. If the **site plan** has been prepared in digital format (.dwg, dxf, etc.) A copy shall be provided to the City. The **site plan** shall be not more than 24 inches by 36 inches, drawn to scale not smaller than 40 feet to the inch, unless approved by the **Zoning Administrator**. The **site plan** shall be certified by a registered land surveyor, professional engineer or architect and shall show the following:
1. A scale adequate to illustrate the proposed activity.
  2. A legal description of the **lot**; the name, address and telephone number of the owner, developer and designer.
  3. Location and type of easements on and within 25 feet of the parcel.
  4. Date and North arrow.
  5. The actual dimensions of the proposed area to be developed with the survey stakes visible showing relationship of the subject property to **abutting** properties
  6. The location of existing and proposed structures on the subject property and all existing structures and **uses** on the land immediately adjacent to the site within 10

- feet of the site property lines. The **site plan** shall show all structures located within 600 feet of a proposed light or heavy industrial **structure** or **use**.
7. The height and **floor area** of all existing and proposed structures.
  8. A drawing and/or photograph of the elevation view of all existing and proposed structures.
  9. The location of all existing and proposed drives and parking areas, including dimensions.
  10. The location and right-of-way widths of all **abutting streets**, including their names, **alleys**, private drives and easements.
  11. The location of existing and proposed plantings, landscaping, **screening**, fencing, signs and advertising features, including sizes, heights and lighting.
  12. The size and location of all existing and proposed public and private utilities, including private wells and septic systems.
  13. Location of all existing and proposed surface water impoundments and surface water drainage pattern. Indicate whether local, state or federal permits have been applied for and their status.
  14. The location and extent of all earth movement which is planned. Indicate if a sedimentation and erosion control permit has been applied for and status of application.
  15. The location of areas on the parcel that will be utilized for the storage of snow and the anticipated drainage patterns that will result from the melting snow.
  16. The location of the high water mark and **bluff edge** and compliance with the Lake Superior Shoreline Protection Overlay District, if appropriate.
  17. The location and identification of natural features that may or will affect proposed development.
  18. The status of any local, state or federal permits that are required to complete the project.
  19. Any other information necessary to establish compliance with this Ordinance or any other applicable ordinances.
- D. Upon receipt of the application forms and **site plan** for the structures and **uses** in this section, the **Zoning Administrator** shall review them to determine whether they are in proper form and contain the required information showing compliance with this Ordinance and other ordinances of the city, state and federal governments. A certified property survey may be required if in the opinion of the **Zoning Administrator** one is needed to verify property lines. Any defects in form, lack of required information, violation of any provisions of this Ordinance, including standards contained in Section 607 and elsewhere in this Ordinance shall be noted in writing to the applicant within 10 working days after receipt of the application by the **Zoning Administrator**.
- E. The **Zoning Administrator** shall submit the administratively complete application, including **site plans**, to the **Planning Commission**. The **Planning Commission** shall at its next regularly scheduled meeting review the administratively complete application for compliance with this Ordinance and all other pertinent ordinances of the City. The **Planning Commission** shall, within 15 working days, approve or deny the application,

setting forth the reasons in writing. Reasons for denial shall be limited to any defect in form, lack of required information, violation of any provisions of this Ordinance, including standards contained in Section 607 or elsewhere in this Ordinance.

#### Section 606 Site Plan for Variances

- A. A **site plan**, meeting the requirements for Sections 604 or 605 as appropriate, shall be attached to the request for a **variance** form and submitted to the **Zoning Administrator**.
- B. Upon receipt of the application form and **site plan** for the structures and **uses** requesting a **variance** from this Ordinance, the **Zoning Administrator** shall review them to determine whether they are in proper form and contain the required information showing compliance with this Ordinance and other ordinances of the city, state and federal governments. A certified property survey may be required if in the opinion of the **Zoning Administrator** one is needed to verify property lines. Any defects in form, lack of required information, violation of any provisions of this Ordinance, including standards contained in Section 607 and elsewhere in this Ordinance shall be noted in writing to the applicant within 10 working days after receipt of the application by the **Zoning Administrator**.
- C. The **Zoning Administrator** shall forward the properly completed request for a **Variance** form and **site plan** to the **Zoning Board of Appeals** for a public hearing and decision on the requested **variance**.

#### Section 607 Additional Standards for Site Plan Approval

- A. All elements of the **site plan** shall be harmoniously and efficiently organized in relation to topography, the size and type of **lot**, the character of adjoining property and type and size of **buildings**. The site will be developed as not to impede the normal and orderly development or improvement of surrounding property for **uses** permitted in this Ordinance.
- B. Special attention shall be given to assure that site surface drainage, including runoff caused by melting snow, will not adversely affect neighboring properties.
- C. The **site plan** shall provide reasonable visual and auditory privacy for all **dwelling units** located therein. Fences, walks, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.
- D. All **buildings** or groups of **buildings** shall be arranged as permit emergency **vehicle** access to each **building**.
- E. Every **building** or dwelling shall have access to a public **street**, walkway or other area dedicated to common **use**. Attention must be given to assure that safe and efficient

ingress and egress are provided and the placement of driveways will not be a traffic concern.

- F. All loading or unloading and outside storage areas, including areas for trash, at commercial, industrial and **multi-family** developments shall be **screened** which face or are visible from residential properties, abut residential zones or public thoroughfares.
- G. All outdoor lighting, whether for illuminating parking areas, **buildings**, signs and/or other structures shall be shielded, shaded, designed and/or directed away from all adjacent residential **districts** and **uses**; and further shall not glare upon or interfere with persons and **vehicles** using public **streets**. Flashing or intermittent lights shall not be permitted.
- H. Any additional standards as required in Articles V, VII, VIII, IX and X, if appropriate.

#### Section 608 Zoning Compliance Permit Approval and Issuance

- A. For **zoning compliance permit** applications submitted under Section 604, with the exception of **Conditional Use Permits**, the **Zoning Administrator** shall approve and issue the **zoning compliance permit** within 15 working days after determining the application form and **site plan** are in proper form and comply with this Ordinance.
- B. For **zoning compliance permit** applications submitted under Section 605 and **Conditional Use Permits** submitted under Section 604, the **Zoning Administrator** shall issue a **zoning compliance permit** within 15 working days after receiving written approval and a copy of the appropriate permit issued by the **Planning Commission**.
- C. The original **zoning compliance permit** along with the application form, **site plan** and any other pertinent permits shall be submitted to the City Clerk for record retention. One copy of the permit shall be forwarded to the applicant, and one forwarded to the County Building Inspector.

#### Section 609 Appeal

- A. An applicant may appeal the denial of the **site plan** review, other than a **site plan** for a **variance**, to the **Zoning Board of Appeals**, per Section 1305. The **Zoning Board of Appeals** shall **use** the requirements of this Article in the review.