

**CITY OF ELKHORN
ORDINANCE NO. _____**

**AN ORDINANCE AMENDING
THE ELKHORN MUNICIPAL CODE
AT CHAPTER 17.5.4 REGARDING
SITE PLAN REVIEW AND APPROVAL**

IT IS HEREBY ORDAINED by the Common Counsel of the City of Elkhorn that Section 17.5.4 of the Elkhorn Municipal Code is modified as follows:

1. The municipal code section designated as 17.5.4 titled “Site Plans to be Submitted to Plan Commission” is deleted in its entirety and replaced with the following language:
 - (1) *Required Submittal.* All applications for zoning permits for the construction, reconstruction, expansion, or conversion; except for RS-1 and RS-2 Zoning Districts, shall require site plan approval by the plan commission in accordance with the requirements of this section.
 - (2) *Pre-Application Conference.* Prior to formal submittal of an application for site plan approval, it is recommended that the applicant confer with the zoning administrator in order to establish a mutual understanding of the basic concepts proposed and to ensure compliance with the technical requirements for processing the application.
 - (3). *Application.* A site plan application shall be filed with the zoning administrator, which shall contain the following items, unless specific application requirements are waived by the zoning administrator.
 - (a) *Plan Narrative.* Written description of the intended use describing in reasonable detail the following: existing and proposed zoning district (if different); existing and proposed use(s); total acreage; density; number of dwelling units; project number of residents, employees and/or daily customers; demonstrated compliance with applicable standards of this chapter; demonstrated consistency with the City's adopted Comprehensive Plan; and any additional information pertinent to ensuring the plan commissions understanding of the proposed uses. The narrative shall also include an Operational Plan.
 - (b) *Maps*
 - (1) Pre-Development. A map depicting the following pre-development site information: legal description of the subject property; existing property and setback lines; existing structure and paved area; existing right-of-way; existing and proposed easements.

- (2) **Post-Development.** A map depicting the following post-development site information: property and setback lines; location of all proposed structures and uses, to include paved areas, building entrances, walks, drives, fences, utility poles, and drainage facilities; proposed location of connection of access points onto the public street; location and dimensions of all loading areas; location of all on-site parking and traffic circulation areas; location of all proposed outdoor storage areas and design of screening devices; location, size, and lighting of all proposed signage; and location and type of all storm water management facilities.
 - (c) ***Landscape Plan.*** A detailed landscape plan depicting the location, type and size of plantings shall accompany the Application.
 - (d) ***Lighting (photometric) Plan.*** A lighting plan depicting the location, height, design, illumination, and orientation of all exterior lighting fixtures shall be submitted if applicable.
 - (e) ***Elevation Drawings.*** Elevation drawings of proposed buildings or expansion of existing buildings showing finished exterior treatment (material, color, texture, etc.).
- (4) ***Staff Review.*** Prior to submittal of a site plan application to the plan commission, the zoning administrator shall confer with the city department managers and prepare a staff report addressing those elements of the plan that may be in conflict with the provisions of this chapter or the Comprehensive Plan. The zoning administrator shall forward the staff report to the applicant; affording the applicant an opportunity to address any issues cited that may be in non-compliance in the staff report and a follow-up staff review before submitting the plan to the Plan Commission. Once the revised site plan has been reviewed and found to be in compliance with the provisions of this Chapter, the zoning administrator shall prepare a staff report and forward same to the Plan Commission for review and action.
- (5) ***Plan Commission Review.*** The Plan Commission shall review the site plan application and vote to approve the application as submitted; approve with modifications, or deny approval of the proposed site plan. The decision shall be recorded in the official minutes of the Plan Commission meeting. In its consideration of the site plan application, the Plan Commission shall take into account the following: the basic intent of this Chapter to ensure attractive, efficient, and appropriate development; that all reasonable steps have been taken to avoid depreciating effects on surrounding properties; and whether the proposed site endangers public health and safety. As part of its deliberations the Plan Commission may require additional measures and/or modifications as it deems

necessary to achieve these objectives. If such modifications are required, the commission may withhold approval of the site plan until such time as such additional measures are submitted to the satisfaction of the Plan Commission.

- (6) *Plan Modification.* Any variation between the development and/or land use activity on the subject property and the approved site plan is a violation of this Chapter. A modified site plan may be submitted to the zoning administrator prior to the initiation of any modification, which shall be reviewed in the same manner as the previously approved site plan.
- (7) *Commencement of Development Activity.* No land use or development activities may commence prior to Plan Commission approval of the required site plan. Commencement of development activities shall occur within twelve (12) months of plan approval, unless otherwise specified in a development agreement with the City.
- (8) *Sunset Provision.* No site plan approval shall be valid for more than twelve (12) months from the date of approval, unless a building permit has been issued prior to the expiration of twelve (12) months. The Common Council may extend this period if requested by the applicant; such extension shall be conditioned on the applicant showing valid cause for the requested extension.

THIS ORDINANCE shall be effective after compliance with Wisconsin Statutory requirements for adoption and publication.

APPROVED AND ADOPTED this _____ day of _____ 2017.

Howie Reynolds, Mayor

ATTEST:

Cairie Virrueta, City Clerk

1st Reading _____
2nd Reading _____
Adopted _____
Published _____