

CHAPTER 3 SITE PLAN REVIEW

3.01 INTENT AND PURPOSE

The intent and purpose of this ordinance is to establish a procedure which will enable the Town government to plan for and review proposed multiple family (3 family units or more), commercial, industrial and public developments and improvements. Developments subject to review include all new construction of buildings, additions to existing buildings which alter the outside dimensions of the building or internal functioning of the site, and the development of or expansion of parking areas.

3.02 PROCEDURE

- (1) Whenever any person proposes to develop/redevelop any parcel of land within any of the aforementioned zoning districts, that person shall submit to the Town a request for site plan approval. Site plans will be reviewed by Town. Site plans shall be approved, approved with modifications, or denied by the Town.
- (2) All required information will be submitted to the Town for review and processing on or before the second Wednesday of the month for action by the Town Board on the following month. After submittal, the Town, after consultation with appropriate agencies and staff, which may include the Fire, Inspections, and Sanitary personnel, or any other agencies and/or qualified individuals determined to be necessary or appropriate, will approve, approve with modifications, or deny the request based upon applicable Town ordinances
- (3) Upon approval or approval with modifications of a site plan, a building permit may be issued

3.03 REQUIRED INFORMATION

Site plans which are submitted to the Town of Fremont for review shall be drawn to an appropriate scale and will include as a minimum the following items of information, unless otherwise waived by the Town:

- (1) Date of preparation, north point, and scale.
- (2) Person(s) or firm preparing the site plan.
- (3) Legal description and address of the property to be developed.
- (4) Zoning district, adjacent zoning and governmental jurisdictions if different than the zoning and governmental jurisdiction of the proposed development. Existing and proposed grades or drainage pattern at a degree of accuracy necessary to adequately review the drainage of the site.

- (4) Existing and proposed utility lines and easements.
- (5) Total number and types of buildings proposed, proposed uses for all buildings, total floor area of each building, and any other information which may be necessary to determine the number of off-street parking and loading spaces required by the zoning regulations.
- (6) Location, shape, exterior dimensions, and number of stories of each existing building to be retained and of each proposed building.
- (7) All required yard setbacks.
- (8) Location, grade, and dimensions of all existing and proposed paved surfaces and of all abutting streets.
- (9) Complete traffic circulation and parking plan showing the location and dimensions of all existing and proposed parking stalls, loading areas, entrance and exit drives, pedestrian access and walkways, transit access and loading areas, bicycle lanes, dividers, planters and other similar improvements.
- (10) Location and type of any existing and proposed signs, and of any existing or proposed lighting on the property which illuminates any part of the required yard.
- (11) Location of existing trees 60 or larger in diameter.
- (12) Location, amount, and type of any proposed landscaping, fences, walls or other screening as required by the zoning regulations.

3.04 SITE PLAN REVIEW METHOD

- (1) Site plans shall be distributed to all necessary agencies and individuals.
- (2) The Town shall take into consideration all comments from all necessary agencies and individuals and shall either approve, approve with conditions, or deny the site plan.

3.05 FEES

Fees for Site Plan Review are set forth in the Appendix A Fee Schedule

3.06 VALIDITY OF APPROVAL

- (1) The site plan shall become effective upon certification of approval by the Town.
- (2) The approval of any site plan required by this section shall remain valid for one year after the date of approval, after which time the site plan shall be deemed null and void if the development has not been established or actual construction commenced. For the purpose of this ordinance, "actual

construction" shall mean that the permanent placement of construction materials has started and is proceeding without undue delay. Preparation of plans, securing financial arrangements, issuance of building permits, letting of contracts, grading of property, or stockpiling of materials on the site shall not constitute actual construction.

3.07 VIOLATION

Construction or other activities contrary to the approved plan, or in the absence of an approved plan, shall be a violation of this section.

3.08 PENALTY

Any person, firm or corporation who fails to comply with the provisions of this ordinance shall, upon conviction thereof, forfeit not more than two hundred dollars (\$200.00) and not less than fifty dollars (\$50.00) and cost of prosecution for each violation, and in default of payment of such forfeiture and costs shall be imprisoned in the county jail until payment thereof, but not exceeding thirty (30) days.

No damages shall be allowed for the taking by any Governmental agency, for street or highway purposes, any building erected in violation of this ordinance.