

Design Review

4/14/2008

SEC. 15-1-70 DESIGN REVIEW ESTABLISHED

- (a) PURPOSE. Design review is implemented under municipal authority to promote the public health, safety and welfare. Requirements for design review and approval apply to uses and developments regardless of the character of the use or development within this chapter as a permitted use or conditional use.
- (b) SCOPE OF DESIGN REVIEW.
- (1) The following developments shall be subject to design review:
 - a. Development of residential projects consisting of three or more dwelling units per lot.
 - b. Any commercial development.
 - c. Any industrial development.
 - d. Any development that is to be used for public utility or governmental purposes.
 - e. Any parking areas capable of holding five or more vehicles.
 - f. Any and all fencing, surfacing, or resurfacing, of parking areas, exterior lighting, exterior signage and any and all other exterior changes made in projects covered in (a) thru (e) above.
 - (2) Design review shall be limited to development for which current application is made for a building permit or design review. This section shall not apply to any rehabilitated structure, as long as the size is not increased, the use thereof not changed, or alteration made that is the type or kind not requiring design review pursuant to this section.
- (c) DEFINITIONS. For purposes of this section, the following terms shall be defined in the following manner:
- (1) **Design Review** means the review of the design of development to determine compliance of such development with the design standards herein expressed.
 - (2) **Development** means any new construction or exterior improvement to real property for which a building permit may be required, and which would be subject to design review as provided at Section (b) above.
 - (3) **Town Planning Consultant** means such Town planning consultant as shall be contracted by the Town Board upon recommendation by the Plan Commission.
 - (4) **Design Standards** means the standards that proposed development must meet. Design standards shall be in accordance with all applicable Town ordinances, including but not limited to driveway and culvert requirements. Design standards are limited to the following:
 - a. Land forms and landscape shall be preserved in their natural state, insofar as practicable, by minimizing soil removal and fill and tree removal that is not essential to project development and by

- retaining grades and contours in keeping with the general appearance of neighboring developed areas.
- b. Building masses and long, straight building fronts and sides that are visually accessible may be broken up and made more variegated with staggerings and offsets, and with landscaping or surficial features. The front facade and the street side facades shall be of brick, stone, architectural metal or wood and/or glass including curtain walls. Unfaced concrete block, structural concrete, prefabricated metal siding and similar materials are discouraged for such façade areas.
 - c. Parking areas that are located in front or street side yards shall have landscape screening and/or screening by fencing having decorative character to soften views of parked vehicles, and shall have decorative landscape treatment at the perimeter of the lot, and, for multi-family residential lots containing five (5) or more parking spaces, island areas within the lot to provide break-up of the expanse of paving.
 - d. Rooftop mechanical equipment, communication dishes and signal receiving antennas that are readily visible when viewed from ground level of adjacent properties or from major public ways shall be softened by screening or covered in a manner that forms an integral part of the building design where practicable.
 - e. External garbage or refuse containers shall be screened from common view by walls, berms or effective landscaping, or combinations thereof.
 - f. Each development shall provide a complete landscaping plan showing the landscaping as it will exist within 2 years of receiving a building permit. Trees, shrubs and other vegetation shall be of sufficient height and density to accomplish buffering to adjacent properties within five (5) years.
 - g. Each development shall be so planned and constructed that all surface drainage flows from structures and neighboring properties and follows natural drainage patterns.
 - h. Outside storage of materials, fuel, scrap, inoperative vehicles and similar objects in places that are readily visible from public rights-of-way or neighboring properties shall be prohibited.
 - i. Exterior lighting, when used, shall be established, directed and maintained so as not to be cast directly on occupied structures or accent properties or be lighted in intensity or colors seriously disturbing to adjacent properties.
 - j. Each development shall allow for proper ingress and egress from roads to site. Internal traffic safety shall be provided by adequate driveway widths, separations between drives, access points, visual clearances and queuing requirements

Any person who violates this section shall, upon conviction, be subject to a forfeiture together with all costs of prosecution and penalty assessment, if any. Each day each violation continues shall constitute a separate offense. Nothing in this section shall preclude the Town from maintaining any appropriate action to prevent or remove a violation of any provision of this section. See the Town of Sun Prairie fee schedule for appropriate forfeitures.

SEC 15-1-76 SUBMITTAL REQUIRMENTS

- (a) All exhibits required for the permanent file (noted in the following paragraphs) must be submitted reduced in size to 8-1/2" x 14". However, larger mounting boards, material samples, or other exhibits not meeting these criteria may be used for Commission presentation.
- (b) All submittals shall include but not be limited to twelve (12) black or blue-line prints (one of which shall be colored) of the following required drawings shall be submitted to the Building Inspector for presentation to the Plan Commission:
 - (1) A scaled floor plan with rooms/uses labeled.
 - (2) A complete set of building plans.
 - (3) An adequate number of color photographs required to illustrate the site, including buildings and other existing features. Photos may also be used to illustrate installations on other sites that are similar to the applicant's proposal.
- (c) A site plan for review is required, containing the following information:
 - (1) Scale and north arrow.
 - (2) Location of site and address if available.
 - (3) All property and street pavement lines, including color and cement designs.
 - (4) Existing and proposed contours.
 - (5) Building heights.
 - (6) Gross area of building stated in square feet.
 - (7) Net area utilized or devoted to patrons.
 - (8) Total square feet of office area.
 - (9) Density (building and occupants).
 - (10) Setbacks for side yards, front and back yards, and setback from high water mark, if appropriate.
 - (11) Gross area of parcel(s) stated in square feet.
 - (12) If parking is involved, show calculations for determining the required number of off-street parking spaces as required by applicable zoning ordinance. Give the number of spaces actually proposed. Give the maximum number of employees, customers, and office vehicles that would be at the facility at any one time. Parking lots must be constructed to be dust-free.

- (13) Proposed ingress and egress to the site, including on-site parking area(s), parking stalls, and adjacent streets. Delineate traffic flow with directional arrows and indicate the location of direction signs or other motorist's aides (if any).
- (14) Calculations for determining the number of trees to be placed within the proposed parking area must be shown, as well as the designation of required buffer screens (if any) between the parking area and adjacent property.
- (15) Location of all isolated trees having a diameter of six (6) inches or more. (Tree masses may be shown with a diagrammatic outline and a written inventory of individual trees included.)
- (16) Existing landscaping that will be retained and proposed landscaping shall be differentiated and shown on the plan. The type, size, number, and spacing of all plantings must be illustrated.
- (17) Location of all existing (to remain) and proposed buildings on the site and all buildings within fifty (50) feet of the site's boundaries.
- (18) Zoning classification for the entire site.
- (19) Elevations. Complete elevations of all proposed construction and related elevations of existing structures (if any) are required containing the following information.
 - a. Scale.
 - b. All signs to be mounted on the elevations.
 - c. Designation of the kind, color, and texture of all primary materials to be used.
- (20) Material Samples. Material samples are required for all major materials.
- (21) A scaled drawing of the existing and proposed lighting standard(s) is required and should contain the following information.
 - a. All size specifications and routing of electrical supply lines.
 - b. Information on lighting intensity (numbers of watts, isofootcandle diagram, etc.)
 - c. Materials, colors.
 - d. Ground or wall anchorage details.
- (22) A scale drawing of ground signs, location on site and an actual elevation view.

SEC 15-1-77 SECTION PROFILES

Two (2) section profiles through the site are required containing the following information.

- a. Scale.
- b. Buildings.
- c. Lighting fixtures and standards.
- d. Signs.

No development subject to design review shall be commenced unless such development complies with all applicable design review standards, as well as all applicable Town ordinances.

SEC 15-1-72 MANNER OF DESIGN REVIEW

- (a) Upon application for a building permit, the applicant shall be advised by the Town Building Inspector whether compliance with design standards is required. If such compliance shall be required, the applicant shall be notified of such requirement, and the application shall be transmitted by the applicant to the Town Building Inspector with appropriate fees as provided in this Ordinance. The Building Inspector, upon determining that the application is complete, shall submit the application to the Chair of the Plan Commission for placement on the agenda of the next regular Plan Commission meeting scheduled within 31 days from the date upon which the Building Inspector determines that the application is complete. The applicant shall also provide to the Building Inspector a sufficient number of plans for the development and such other information relating thereto as the Building Inspector or the Plan Commission may deem necessary for consideration of the development being proposed.
- (b) The Plan Commission shall review the application submitted to determine whether the development complies with the criteria set forth in this Ordinance. As part of its review, the Plan Commission may consult with the Town Planning Consultant and consider such other matters as it may in its discretion consider necessary. The Plan Commission may, whenever it determines in its discretion that the application presents issues of unusual complexity or generates significant interest or impact within the neighborhood or the community in general, cause a public hearing to be held regarding the application. At the meeting in which the Plan Commission is to consider the application, the Plan Commission may review the site plan, hear from such interested parties who attend the meeting and may offer its opinion on the application to the Building Inspector.
- (c) The determination of compliance or noncompliance with this section shall be made by the Plan Commission in writing to the applicant and the Building Inspector. Such writing may be a copy of the minutes of the Plan Commission meeting at which such action was taken.
- (d) No building permit shall be issued for any development until the Building Inspector has received, in writing, the Plan Commission's determination that the development is in compliance with the design review standards contained in this Ordinance. All construction and improvement of the development subject to design review shall conform with approved design plans.
- (e) The determinations of the Plan Commission on site plan applications shall be appealable as administrative interpretations to the Town Board.

- (f) Approval shall be deemed to be given at the end of the 60 day period from the date of the submission of an acceptable application and necessary accompanying documents to the Building Inspector unless the application is rejected in writing, as noted at subsection (3) above, or unless the deadline is extended by agreement of the Plan Commission and the applicant.
- (g) A development that has had design review and that has a building/zoning permit is approved for construction only in accord with the directives included in the design review approval. Construction that deviates from Plan Commission directives may not occur within the terms of this Ordinance without prior Plan Commission approval. The Building Inspector is responsible for determining whether to give staff approval to such deviations on a finding that they are minor variations.
- (h) **Recommendations of Town Planning Consultant.** The Town Planning Consultant shall, during the design review process, suggest additional features of site design and construction, building and structural design that are not a part of design standards but that, in the opinion of the town Planning Consultant, would be desirable to make the development a positive asset to the visual appearance of the community tax base. Compliance with such recommendations may be required of the applicant.
- (i) **Recommendations of Fire and EMS Department.** The applicable Fire and EMS Departments shall, during the design review process, have the opportunity to suggest additional features of site design and construction, building and structural design that, in the opinion of the Fire and EMS Departments, would improve the development. Compliance with such recommendations may be required of the applicant.

SEC 15-1-73 FEES

The applicant shall be required to submit a design review fee in the amount of two hundred dollars (\$200) plus building permit fees to the Building Inspector along with the application. In addition, the applicant shall be required to pay the additional sum of one hundred fifty dollars (\$150) per special meeting that the Plan Commission holds for the purpose of reviewing the applicant's development, plus any out-of-pocket expenses incurred by the Town or the Plan Commission, including consultant fees (engineering, legal or planning), costs of maps, or other related expenses. All of such expenses shall be paid by the applicant prior to issuance of the building permit.

SEC 15-1-74 REQUIRED INFORMATION

All development plans shall contain the information required by the submittal requirements established below. The Building Inspector shall make such submittal requirements available to any person requesting the same.

SEC 15-1-75 VIOLATIONS AND PENALTIES

This ordinance shall be effective on October 14, 1993

Adopted this 27 th. day of October, 1993.

John G. Blaska
Town Chairman - John G. Blaska

Dianne Wade
Town Supervisor - Dianne Wade

Vernon Pogue
Town Supervisor - Vernon Pogue

Attest: Claudia J. Quick
Town Clerk - Claudia Quick

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