

## ARTICLE VI

### SITE PLAN APPLICATIONS

#### **SECTION 1. Site Plan Procedures**

##### **1.1 Uses Requiring Site Plan Review**

Site plans for the following major uses, including new construction, additions/alterations or the relocation of a building shall be subject to a site plan review:

- (1) Business and office buildings, commercial buildings or industrial buildings.
- (2) Business and professional complexes.
- (3) Churches, temples and synagogues, to include associated uses.
- (4) Government buildings of all types.
- (5) Hotel, motel or motor lodges.
- (6) Multiple-family dwellings containing more than two dwelling units or forming a part of a multiple-dwelling development of two or more buildings.
- (7) Townhouses.
- (8) Education or institutional buildings.

##### **1.2 Site Plan Process**

There are three primary stages in a site plan process: concept, preliminary and final.

A. CONCEPT STAGE. The purpose of the concept stage is to provide the Town Council with the opportunity to informally review a development proposal prior to the substantial commitment of time and expense on the part of the applicant in preparing a site plan.

- (1) A concept site plan package meeting the requirements as set forth in this Chapter then provided for the Town Council review.
- (2) Any required concept plan review fees have been paid.
- (3) The steps for concept site plan review as established by the Town Council are complete.
- (4) The Town Council and/or his/her designee shall review the concept site plan package for completeness and shall refer it to the appropriate

individuals or agencies for review, comment and/or approval prior to submitting it for Town Council review.

- (5) The applicant for conceptual plan approval shall attend a meeting with the Town Council and/or his/her designee prior to submitting the concept plan for review. The purpose of the meeting shall be to provide the Town with an opportunity to address issues or concerns with the concept plan, identify any impact studies that may be required and provide direction to the applicant on the scope of such studies.
- (6) The applicant shall provide a list of all owners of property within two-hundred (200) feet from the subject property. The applicant shall submit written notice to all owners of property adjoining and immediately across the street from the subject property. Such written notice shall state the date, time, place and subject matter of the meeting to discuss the concept site plan and the name of the applicant. Such notice shall be sent by first class mail and postmarked not less than seven (7) days before the day of the meeting.
- (7) The Town Council shall hold one meeting on the concept plan to receive an informational briefing on the plan and the anticipated issues and impacts related thereto. The Town Council shall take no action to approve or disapprove a concept plan.

The public can provide comments during the conceptual site plan process to ensure the concerns and/or recommendations are considered prior to the actual design of the project.

Should the Town Council determine that the development project represented by the concept plan may have substantial impact on the physical, economic or social environment, the Town Council may hold more than one meeting on the concept plan.

- (8) If applicable, the applicant would submit the plan considering the Town Council's conceptual comments to the Office of State Planning and Coordination for the PLUS review.
- (9) Prior to acceptance of a preliminary site plan for review, the applicant shall provide the Town Council and/or his/her designee with the formal comments from the Delaware Office of State Planning Coordination Preliminary Land Use Service (PLUS), if applicable.

**B. PRELIMINARY STAGE.** The purpose of the preliminary stage is to provide the Town Council with the information necessary for it to take action to approve table or disapprove a site plan.

- (1) Preliminary site plans meeting the submittal requirements as set forth in this Chapter shall be submitted to the Town Council and/or his/her designee, who shall review the plans for compliance with these regulations and the requirements for preliminary site plans and shall transmit said plans to the Town Council with comments for review. The Town Council

shall have the right to request professional services to assist in the review of the site plan at the expense of the applicant.

- (2) The Town Council shall examine the proposed development with respect to the traffic and circulation patterns and safety (internal and external), utilities, drainage, community facilities (existing or proposed), surrounding development (existing or future), the preservation of trees and historic sites, protection of natural environmental features and processes, provision for open space, street lighting, recreational needs, safety of residents and neighbors, landscaping, architecture, compatibility with Town of Houston standards and, in general, with the objective of ensuring a durable, harmonious and appropriate use of the land.
- (3) The Town Council shall take action to approve, approve with conditions, disapprove or table pending further investigation and/or receipt of certain additional information, but shall take no action until the following have occurred:
  - (a) The Town Council and/or his/her designee has reviewed the site plan and determined that it is complete and submitted his/her findings in writing to the Town Council for consideration. Comments from the Public during the conceptual process must also be included on the plan and/or the reasoning why such a request cannot be met.
  - (b) The applicant has submitted any impact studies that may be required for Town approval of such required studies.
  - (c) Comments on the site plan from appropriate agencies and individuals have been requested and sufficient time has been provided for such agencies and individuals to provide comments.
  - (d) Any required concept plan review fees have been paid.
- (4) No public hearing shall be required but may be called at the option of the Town Council.

C. FINAL STAGE. The purpose of the final stage is to ensure that all submittal requirements of final site plans as set forth in this section are specifically and accurately addressed, to ensure that all conditions of the Town Council and review comments, if applicable. The comments are specifically and accurately met and to finalize any and all necessary formal agreements related to the project which may include agreements and easement agreements, among others.

- (1) Final site plan approval shall be granted prior to the commencement of any development activity.
- (2) Final site plans shall be submitted to the Town Council and/or his/her designee, who shall review the plans for compliance with these regulations and the conditions, if any, from the preliminary approval. If specified conditions or stipulations are met in revised plans, the Town Council and/or his/her designee shall approve issuance of a zoning compliance

certificates in accord with the revision without returning the plans for further review.

- (3) When all review and approvals have been completed and documentation of such approvals provided to the Town Council and/or his/her designee, he/she shall sign the site plan to indicate completion of review and approval by the Town and to certify that conditions, if any, of site plan approval have been met. The applicant shall submit all local, county, state and/or federal approvals as may be required, including DeIDOT, Kent Conservation District, and Office of the State Fire Marshal. No permit shall be issued until this approval has been given.
- (4) When an agreement is required, the Town Council and/or his/her designee may not certify final approval of a site plan until such agreement has been executed by the applicant and the Town.

D. The Town Council and/or his/her designee shall assure that the project is completed in conformance with the approved site plan before issuing an occupancy permit.

E. Before the Town issues an occupancy permit, either all the work must be completed or, in the Town's discretion, all remaining work must be bonded.

## **SECTION 2. Contents of Site Plan Requirements**

Listed below are the site plan requirements for each step in the process. Only the Town Council can waive such requirement items, upon finding the information is not needed for review. If requirements are not met on the application and/or plan, the application will be sent back for correction until the requirements have been met.

### **2.1 Conceptual Site Plan Review Requirements**

The concept site plan package shall meet the requirements as to content and organization as may be established by the Town Council and/or his/her designee and at minimum shall include the following:

- A. **PROJECT CONCEPT PLAN:** a scaled drawing showing the proposed development on a survey of the project boundaries. It shall show the project layout, proposed and existing land uses, open spaces, circulation routes and points of access to the adjacent street network, and main design features. If phasing is proposed, a master plan for entire project shall be shown. Drawings shall be 24 inches by 36 inches. The scale shall be no less detailed than one inch equals 100 feet and shall show adjacent streets and adjacent property owners. A vicinity map at a scale no less detailed than one inch equals 1,000 feet shall be included which shows the location with respect to neighborhood streets. Typical architectural elevations shall be included.
- B. **PROJECT AREA SCHEMATIC:** a scaled drawing or GIS aerial photograph showing the main features of the project in relationship within

the neighborhood. Included in the drawing shall be existing property and streets within at least 1,000 feet of the project, water and sanitary sewers within 400 feet of the project and the location of proposed stormwater discharge. The scale shall be no less detailed than one inch equals 400 feet for large projects and one inch equals 200 feet for small projects. Drawings shall be no larger than 24 inches by 36 inches.

- C. **SITE INVESTIGATION REPORT.** The intent of the site investigation report is to provide readily available information in a brief narrative format to assist the applicant and the Town in their initial evaluation of the proposed development. A report providing information and data on the physical and environmental characteristics of the site, the proposed number of lots, uses and utility demands, anticipated impacts of the proposed development on neighboring properties, area infrastructure and services, recreational resources and other public facilities, compliance with the Houston Comprehensive Plan and the proposed architectural and design character.

The site investigation report shall follow the format established by the Town Council and/or his/her designee, as may be amended from time to time, and shall address the following:

- (1) Site data summary chart: Tax Map and parcel number, zoning classification, proposed zoning, allowable density, proposed density, total site area, flood zone, wetlands (state and federal), number of proposed lots, number of proposed units and types, availability of utilities, zoning setback requirements, zoning lot size requirements, maximum building height allowed by zoning, open space required by zoning, and proposed open space, use of open space, parking required by zoning and proposed parking. Breakdowns for each phase or land use shall be provided as appropriate.
- (2) Land use overview: provide narrative of existing site conditions and provide legible copy of the Kent County soil map with an outline of the property sketched on it; describe existing context and highlight any issues regarding marginal siting conditions, including topography, hydric soils, existing drainage patterns, standing water, culverts, ditches, wetlands or sensitive areas.
- (3) Houston Land Use Plan compliance: provide narrative of designated land use and how project will be consistent with the Land Use Plan and building and design standards as appropriate.
- (4) Traffic access overview: provide narrative of existing roads, lanes, width, material, condition, curb, sidewalk and off-site improvements needed to accommodate the project; if the project is known to require a DelDOT traffic study, provide summary information and study schedule.
- (5) Utility demands and services overview: provide narrative of sanitary sewer, public water, gas, electric, cable and describe any

off-site improvements needed; if privately owned and maintained facilities or open spaces are proposed, provide a sample covenants clause and describe management structure.

- (6) Stormwater management overview: provide narrative of types of conveyance and management and a summary of any off-site improvements needed.
- (7) Construction phasing overview: provide narrative of time of construction and estimate the number of anticipated zoning compliance certificates per year.
- (8) Economic impact: provide narrative of anticipated construction cost of infrastructure and buildings, fees and dedications; discuss estimated zoning compliance certificate fees, transfer fees, impact fees, tax revenues, employment opportunities and tax assessments.
- (9) Architectural theme: provide illustrations and/or narrative of overall design concepts.
- (10) Provide narrative of recreational needs and opportunities.
- (11) Attach "ability to serve" letters: provide letters from utility providers other than the Town of Houston (water, sewer, gas, communications, emergency, fire and ambulance).
- (12) Provide a copy of the letter of notification to the local school board for residential developments.

## **2.2 Preliminary Site Plan Review Requirements**

The applicant is responsible for preparing the preliminary site plan. The preliminary site plan shall be submitted as a multiple-sheet document with drawings on sheets no larger than 24 inches by 36 inches and at scales no less detailed than one inch equals 100 feet.

- A. ORDER OF SHEETS: The order of sheets of the preliminary site plan shall be as follows below. The Town Council and/or his/her designee may waive certain sheets that are clearly not applicable to the project under review and may authorize minor variations in the order as the case may warrant.
  - (1) Title sheet.
  - (2) Record plat(s) (see requirements for subdivision record plats).
  - (3) G-1 general sheet (general notes, site data notes, etc.).
  - (4) Key plan and overview plan (for large projects with multiple sheets).
  - (5) Site and grading plans horizontal (conforming to requirements for construction improvement plans).
  - (6) Utility plans horizontal conforming to requirements for construction improvements plans. (For scale of one inch equals 20 feet, grading and utilities may be combined on same drawing. For scale of one inch equals 30 feet or one inch equals 40 feet, provide

separate drawings for grading and utilities where needed for clarity.)

- (7) Sediment and stormwater management plans to include horizontal location, contours, inflow pipes, outfall, amenities, paths, buffers and forestation areas, if applicable.
- (8) Preliminary street and storm drain profiles, cross-section for streets and curbing.
- (9) Site details to include, where applicable, curbs, sidewalks, handicap ramps, fences, lampposts, light fixtures, signs, catch basins, bike paths, crosswalks, medians and any special structures such as retaining walls or concrete pavers.
- (10) Utility profiles, sewer and force main (may be left blank for preliminary plan submittal).
- (11) Pump station details, if applicable (may be left blank for preliminary plan submittal).
- (12) Landscape and lighting plan with signage locations and details.
- (13) Architectural elevations (all sides); 24 inches by 36 inches by registered architect.
- (14) Electrical/Mechanical where applicable (may be left blank for preliminary plan submittal).
- (15) Copy of itemized letter to Office of State Planning addressing all the PLUS comments, if applicable.
- (16) Copy of PLUS comments from the Office of State Planning, if applicable.

B. Preliminary site plans.

- (1) The preliminary site plan shall show the North point, scale, date and the following:
  - (a) The seal and signature of a registered Delaware land surveyor and/or the seal and signature of licensed engineer and/or the seal and signature of a registered architect as appropriate.
  - (b) Revision block on each sheet to accurately disclose any drawing revisions made after the first submittal for preliminary plan review.
  - (c) A key and overview plan for multistage projects.
  - (d) Geographical location, showing existing zoning district boundaries.
  - (e) Existing and proposed changes in zoning classification on the site and adjacent sites.
  - (f) Topographic contours at a minimum of one-half-foot intervals unless waived by the Town Council and/or his/her designee as clearly unnecessary to review the project or proposal.
  - (g) The location and nature of all proposed construction, excavation or grading, including but not limited to buildings, streets and utilities.
  - (h) A grading plan (horizontal) conforming to requirements of a construction improvement plan. Proposed grading, if

required, shall be indicated by one-foot contours and supplemental spot elevations.

- (i) A utility plan (horizontal) conforming to requirements of a construction improvement plan. It shall show all existing and proposed water and sanitary sewer facilities, indicating all pipe sizes, types and grades, and the location of all connections to the utility system.
- (j) Where deemed appropriate and necessary by the Town Engineer, provisions for the adequate disposition of natural and stormwater, indicating the location, size, type and grade of ditches, catch basins and pipes and connections to existing drainage system, and on-site water retention.
- (k) Where deemed appropriate and necessary by the Town Engineer, provisions for the adequate control of erosion and sedimentation, indicating the proposed temporary and permanent control practices and measures that will be implemented during all phases of clearing, grading and construction.
- (l) A landscape and lighting plan, including location and details of signage.
- (m) A parking plan, showing all off-street parking, related driveways, loading spaces and walkways, indicating type of surfacing, size, angle of stalls, width of aisles and a specific schedule showing the number of parking spaces provided and the number required by this chapter.
- (n) Architectural elevations showing all sides of the structure in color, including at least one presentation board of no smaller than 24 inches by 36 inches.
- (o) Preliminary street profiles and cross-sections for streets and curbing; all existing and proposed streets and easements, including widths.
- (p) Approximate location of points of ingress and egress to existing public highways; if ingress or egress is onto a state-maintained roadway, an accompanying letter from the Department of Transportation indicating preliminary approval shall be required.
- (q) All existing easements of any kind; if easements are to be granted, a separate easement plat.
- (r) The number of construction phases proposed, if any, with the site plan showing the approximate boundaries of each phase, and the proposed completion date of each phase.
- (s) A tabulation of the total number of acres in the project, gross or net, as required in the district regulations, and the percentage thereof proposed to be devoted to the several dwelling types, commercial uses, other nonresidential uses, off-street parking, streets, parks, schools and other reservations.
- (t) Number of dwelling units to be included by type of housing: apartments of three stories and under; apartments over three stories; one-family dwellings; townhouses; and



two-family dwellings; the overall project density in dwelling units per acre, gross or net, as required by district regulations.

- (u) Proposed buildings and structures with dimensions, setbacks and heights designated, including floor areas of all nonresidential buildings and the proposed use of each.
  - (v) Approximate location and size of nonresidential areas, if any (parking areas, loading areas or other).
  - (w) Approximate location and size of recreational areas and other open spaces.
  - (x) Existing vegetation, proposed removal of vegetation and proposed replacement of vegetation.
  - (y) Location, type, size and height of fencing, retaining walls and screen planting.
  - (z) Location, orientation, design and size of signs, if any.
- (2) The Town Council may establish additional requirements for preliminary site plans, and may waive a particular requirement if, in its opinion, the inclusion of that requirement is not essential to a proper decision on the project.

## **2.2 Final Site Plan Review Requirements**

The applicant is responsible for preparing the final site plan. The final site plan shall comply with all existing laws, regulations and ordinances governing the approval of site plans and provide sufficiently accurate dimensions and construction specifications to provide the data necessary for the issuance of construction permits.

- A. In addition to meeting the submittal requirements of a preliminary site plan, the final site plan shall meet all specific plan submittal requirements and all applicable engineering details.
- B. Submittals shall demonstrate compliance with any conditions of site plan approval and shall include ALL necessary approvals from any local, county, state and federal agency.
- C. As a condition of site plan approval, the Town Council may establish additional submittal requirements for a final site plan, and may waive a particular requirement if, in its opinion, the inclusion of that requirement is not essential to a proper decision on the project.
- D. Final site plans submittals shall adhere to the order of plan sheets required under the preliminary site plan requirements, with any additional required details and plan drawings inserted into the order prescribed by the Town Council and/or his/her designee.