

TOWN OF LOCKPORT

SITE PLAN REVIEW REQUIREMENTS & APPLICATION



Town of Lockport, NY

Article XVIII. Site Plan Review

§ 200-121. Purpose and intent.

It is the intention of this article to ensure the efficient use of land, consideration of potential impacts on the environment and their avoidance, wherever possible, and the promotion of high standards in the design, layout, landscaping and construction of development, and to ensure development conforms to the provisions of this chapter.

§ 200-122. Applicability.

No development shall occur within the Town of Lockport unless in accordance with the provisions of this article. No building permit, variance, special use permit or certificate of occupancy shall be issued until all the requirements of this article have been satisfied and the site plan has been approved by the Planning Board.

A. A site plan shall be submitted and required for the following:

- (1) Any development in any district that involves construction or an addition requiring a building permit or the addition or improvement of parking spaces, utilities/roads or stormwater management, a variance, special use permit, certificate of occupancy, change in use, or occupancy by a different entity.
- (2) Any use requiring a special use permit.
- (3) Residential development other than single- or two-family uses.
- (4) Churches, schools, institutional uses and recreational development where parking, landscaping or structures are invoked.

B. Nothing herein shall require site plans for single- or two-family residences.

§ 200-123. Waiver.

[Amended 5-5-2010 by L.L. No. 2-2010] Where a change in occupancy or use only, without significant site alteration, is requested, the Planning Board may, in its discretion, waive any requirement of this article upon a finding that further review is not necessary to achieve the purposes of this article.

§ 200-124. Matters addressed in site plan.

The site plan must address and depict the following:

- A. Parking.
- B. Means of access.
- C. Screening.
- D. Signs.

- E. Landscaping.
- F. Architectural features, including building facades.
- G. Locations and dimensions of buildings.
- H. Adjacent land uses.
- I. Physical features meant to protect adjacent land uses.
- J. Density of the site.
- K. Traffic effects.
- L. Compatibility with natural features.
- M. Lighting.
- N. Noise.
- O. Open space and greenspace.
- P. Fire lanes and emergency access.
- Q. Pedestrian movement.
- R. Loading.
- S. Recreation space.
- T. Infrastructure capabilities and availability.
- U. Any other element in this chapter.
- V. Off-road access amongst properties.
- W. Aesthetics of the site.
- X. Drainage, grading, and soil storage and removal.
- Y. Dumpster trash collection.
- Z. Such other elements as affect the site and neighborhood as the Planning Board may require.

§ 200-125. Preliminary procedure.

- A. Presubmittal Meeting. Prospective applicants for site plan review shall schedule a meeting with the Building Inspector and the Town Engineer or Planner, and such other persons as the Building Inspector shall designate for identification of critical development issues and the appropriate information to accompany the application. Appropriate review agencies and Town officials will be identified for coordination, and the SEQRA responsibilities will be addressed.
- B. Sketch plan. All applicants for site plan review may submit 12 copies of a sketch plan of the proposed development, an application with supportive information and a SEQRA environmental assessment form (Part I) to the Building Inspector for review by the Planning Board. The submission will be reviewed for completeness and be scheduled for Planning Board review by the Building Inspector, if the submission is complete. Submittal of a sketch plan is optional, and not required. The purpose is to review a proposed project for general conformance to Town regulations prior to preparation of a site plan, and to guide the applicant in site plan preparation. The sketch plan review shall precede formal site plan review, and

shall not require any action by either the applicant or the Planning Board. The Planning Board will review the overall design concepts, development layout, infrastructure, natural features, neighborhood implications and prospective environmental issues to guide the site plan development. The Planning Board may make recommendations and indicate issues which the applicant should address in the site plan, but no formal action is required.

- C. Sketch plan requirements. The sketch plan shall include the following minimum elements for consideration:
- (1) A boundary survey of the property certified by a licensed surveyor or engineer, including overall dimensions, acreage, owner(s), adjacent owners, rights-of-way and easements.
 - (2) A location map of the property identifying the general area and adjacent roads.
 - (3) Identification of major landforms, streams, steep slopes and natural features.
 - (4) Approximate location of existing and proposed structures, parking and loading spaces, site access and circulation, utility connections, buffers for adjacent development, easements and other planned development at a scale of one inch equals 200 feet or greater.
 - (5) Anticipated changes to the site with respect to topography, grading, flood hazard areas, drainage and stormwater management, vegetation and landscaping, and physical features of the site.
 - (6) The zoning of the site, and the zoning designation of properties surrounding the site.
 - (7) Any other information as may be required by the Building Inspector or Town Engineer to clarify the proposed development and/or aid the Planning Board in the evaluation of the application.

§ 200-126. Site plan contents.

An applicant shall prepare a formal site plan in accordance with this article and submit it to the Building Inspector. The site plan shall be prepared by an architect, landscape architect, engineer or surveyor licensed in New York State and certified with their signature and seal. The Building Inspector shall determine the completeness of the application for consideration by the Planning Board based on the following minimal information:

- A. The location of the tract or parcel by means of an inset map at a scale not less than one inch equals 2,000 feet indicating the names of adjoining roads, streams, bodies of water, railroads, subdivisions and landmarks sufficient to identify the location of the property.
- B. A boundary survey of the property, plotted to scale, including the acreage and legal description thereof and the location of survey datum.
- C. A certificate signed by the surveyor or engineer setting forth the source of title and the place of record of the last instrument in the chain of title.
- D. Title of drawing, including the name and address of the applicant, the developer and person(s) responsible for preparation of the drawing.
- E. Existing structures, roads, easements, utility lines, streams and drainageways, floodplain and wetland designations, natural features and landforms.
- F. Existing topography at a maximum of two-foot intervals.
- G. Zoning and present use of the property and surrounding properties; setback of existing development to the nearest property line.

- H. A plan of the proposed site development at a scale of one inch equals 50 feet or larger that includes the following elements:
- (1) North arrow, scale and date.
 - (2) Proposed streets and easements.
 - (3) Location, type and size of vehicle entrances, including fire lanes.
 - (4) All off-street parking, loading and stacking indicating surfacing, size and angle of stalls, width of aisles and the schedule of spaces to serve the proposed development.
 - (5) Location and layout of proposed structures, including number of floors, floor area, height, gross and net density, setback and proposed use of each structure.
 - (6) Proposed grading matched to existing contours and supplemented by finished floor, building and spot elevations, where appropriate.
 - (7) Location, type and height of lighting, fencing, retaining walls and screen planting, where required, and signage.
 - (8) Drainage channels and their direction of flow and stormwater management facilities.
 - (9) Proposed utility connections and location, size and grade of sewer and water lines.
 - (10) Refuse collection and removal areas and their screening from adjacent streets and properties.
- I. Water and sanitary sewer profiles identifying the vertical and horizontal alignments, connection details to existing facilities, invert and rim elevations, pump stations and force mains, hydrants, valves, blowoffs, etc.
- J. Pavement profile and details, including a typical cross-section of parking and drive areas, vertical and horizontal curves (where appropriate), entry and curb radii, handicapped parking designation and handicapped ramps and curbs.
- K. Grading and drainage plan which incorporates stormwater management for the proposed development, including location, type and size of facilities and the identification of easements to accommodate existing and proposed drainage and management facilities; calculations of stormwater management and drainage prepared by a professional engineer are required in accordance with the regional and state requirements. Roadside ditches shall be covered unless the developer demonstrates to the satisfaction of the Board that, for engineering, covering is not feasible.
- L. General landscape plan and planting schedule.
- M. Summary of the proposed development, including uses, acreage, descriptions of the utility plans, projected traffic impact and circulation, site soils and zoning conditions that apply to the development. Any separate permits (state or federal) required for the development must be obtained prior to finalization of site plan approval. Proposed easement or right-of-way dedications must be provided on a separate plat map for recording.
- N. Cut and fill calculations indicating the quantities (cubic yards and estimated truck loads) of materials to be either removed from the site or trucked into the site. Transportation routes for these trucks must also be identified.

§ 200-127. Site plan review procedures.

- A. Staff evaluation. An application for site plan review must be complete as specified in this article and submitted to the Building Inspector at least 15 days prior to the Planning Board meeting to provide adequate opportunity for review. The Building Inspector is responsible for coordination of the review and may include the Town Engineer, Attorney, Planning Consultant, Highway Superintendent, NYSDEC and other officials and agencies in the review process, as appropriate, to advise the Planning Board. The application must be accompanied by the application form, application fees (as established by the Town Board), plan as specified herein, supportive documentation, SEQRA environmental assessment form (all parts) and any additional information as may be requested by the Building Inspector or the Town Engineer for consideration of the site plan. The evaluation shall include compliance with the Zoning Law and this article, consistency with Town maps and plans for development review, compatibility with neighborhood development and conformance with general principles of site planning and engineering.
- B. Public hearing. Following initial review by the Planning Board and determination that the site plan is complete and ready for consideration, a public hearing shall be scheduled before the Planning Board. The public hearing shall be conducted within 62 days of the receipt of a complete application and site plan, as determined by the Building Inspector, and shall be advertised in the Town's official newspaper at least five days prior to the hearing. Notices to the applicant and any identified involved parties will be distributed at least five days before the hearing. The public hearing may be waived by the Planning Board at sketch plan review or at site plan review. The hearing may be kept open by the Planning Board until all input is final.
- C. Environmental review. Any application for site plan review must be accompanied by a completed environmental assessment form. A SEQRA public hearing, if required, shall be coordinated with the site plan hearing and conducted simultaneously, where practical.
- D. Planning Board review. An applicant shall provide 10 copies, clearly legible, of the complete application to the Building Inspector for review by the Planning Board. The Planning Board shall review the site plan and make a determination based on the provisions of this article within 62 days of the public hearing, unless extended by the applicant. The determination shall be in the form of a written record of approval, approval with conditions or disapproval of the site plan and shall be filed with the Town Clerk.

§ 200-128. Standards; specific conditions.

The Planning Board may impose special conditions or modifications limiting the use or occupancy of the proposed land and development consistent with the intent and purposes of this chapter. Any conditions so imposed shall become a part of the site plan approval and must be satisfied prior to the issuance of any permits for development. No building or other development permit shall be issued for property that is subject to a site plan except in conformity with the approved plan for that site. The Planning Board approval or denial and any conditions thereto shall be guided by the following general standards for site development:

- A. Conformance with this chapter, adopted Town development plans, an approved development plan that includes the subject site, if one exists, and all other applicable laws.
- B. Compatibility of the proposed development with the natural features of the land and the environmental attributes of the site.
- C. The general layout and design of buildings, lighting, signage, open space and development features consistent with reasonable planning principles.

- D. The location and design of vehicular entrances/exits, including emergency access and fire lanes, in relation to the street system, traffic circulation and control within the site, and coordination of access points and circulation with adjoining properties.
- E. The provision and protection of pedestrian movement on the site and coordination or pedestrian movement with adjoining properties and the street system.
- F. The location and adequacy of parking, loading and stacking areas, including the provision of opportunities for handicapped parking.
- G. Provisions of landscaping, screening and buffers to complement development and protect adjacent uses from unsightliness, noise, glare and other nuisances. Such elements shall also be used to promote the availability of green space in nonresidential development and recreation space in residential development to avoid a continuous paved or built environment.
- H. Adequate provision of drainage and stormwater management facilities.
- I. Adequacy of sewer and water facilities, fire protection and conformance with Town regulations for the provision and construction of those services.
- J. The concurrence of Town agencies, the New York State Department of Transportation, New York State Department of Environmental Conservation, and other county or state agencies, as appropriate.
- K. Adequately addressing each element required to be addressed in site plans pursuant to this chapter.

§ 200-129. Required improvements.

In furtherance of the purposes of this chapter and to assure the public safety and general welfare, the Planning Board shall require the following improvements:

- A. The designation of pedestrian walkways or sidewalks for the safe and convenient movement of patrons from store to store within the site and with adjoining sites.
- B. The dedication of rights-of-way and easements for all facilities to be publicly maintained prior to the issuance of any building permits or occupancy.
- C. The construction of all off-site curbs, gutters, sidewalks and road widening or construction as shown in the Town of Lockport Master Plan, and any amendments thereto.
- D. The construction of curbs, gutters and drives which will permit vehicular travel on the site and their connection to and from adjacent parking areas and properties.
- E. Screening, fencing, walls, berms and screen plantings adequate to screen views in accordance with requirements of this chapter for adjacent subdivisions, contrasting development of less intensity and state highways of limited access. Designated plantings and landscaping shall be in accordance with the approved schedule and annually maintained by the property owner.
- F. Adequate sewer, water and stormwater drainage facilities in accordance with Town regulations, including lines, connections, retention facilities, valves, hydrants and other facilities.
- G. Any other improvement necessary to meet any condition of approval.

§ 200-130. Bond; public improvements.

Prior to the issuance of any building permit or authorization for development of any portion of the site, the owner and developer shall comply with the public improvement provisions of the Town of

Lockport Code, and may be required to post a bond, cash deposit or letter of credit to guarantee compliance with site plan requirements.

§ 200-131. Site plan revisions; extension.

- A. No change, revision or modification to any approved plan may be made without the authorization of the Planning Board, except that any site plan may be formally revised in the same manner and utilizing the same process as originally approved by the Planning Board.
- B. Approval of a site plan authorized under this article shall expire one year from the date of approval unless building permits have been obtained for the proposed development. A single extension of six months may be granted after consideration by the Planning Board prior to the expiration of the site plan.

§ 200-132. Inspections; certificate of occupancy.

- A. Upon satisfactory completion of all required improvements shown on the approved site plan, an "as built" plan shall be submitted for the review and approval of the Building Inspector at least one week prior to the occupancy of the building. Such plan shall include the record of all progress and final inspections for the installation of all on-site and off-site improvements as approved by the Building Inspector or certified by a licensed engineer. The completion of "as built" plans and the successful inspection reports shall be the basis for release of any surety bond or portion thereof.
- B. A final occupancy permit may be issued for any appropriately completed building, or portion thereof, located on a part of an approved site plan, provided that:
 - (1) "As built" plans have been submitted and approved for the required improvements on the site plan that relate to and provide services to the requested building for occupancy;
 - (2) All inspections and conditions that are required for the service and support of the building requested for occupancy have been successfully completed and are certified for use by the proposed use(s) being requested;
 - (3) Any off-site and on-site improvements related to and necessary to service the requested building for occupancy have been completed and successfully inspected; and
 - (4) Any remaining on-site construction will not adversely affect the occupants or the intended use of the building requested for occupancy.

APPLICATION FOR SITE PLAN REVIEW

Applicant _____ Tax Map/Parcel _____
Address _____ Telephone No. _____

Site Location _____
Proposed Development _____
Square Footage _____
Acreage _____ Magisterial District _____
Zoning _____ Date Received _____

I. REQUIRED SITE PLAN INFORMATION

- _____ Location map (1"=2000)
- _____ Boundary survey of the site and lots, if any, related to U.S.G.S.
- _____ Zoning, district boundaries and setbacks
- _____ Existing and proposed streets and easements on and adjacent to the site
- _____ Vehicle entrances and drives
- _____ Parking, loading stacking facilities
- _____ Location and area of all structures, buildings and their proposed use
- _____ Existing and proposed utilities (Town regulatory approval required)
- _____ Existing physical features, water courses and proposed storm water drainage
- _____ Topography (2" contours) and proposed finished grades
- _____ Location and improvement of any parks, recreation, common or public spaces
- _____ Environmental Assessment Form
- _____ Erosion and sediment control plan
- _____ Plans and profiles of any proposed roads, walkways and utilities
- _____ Preliminary plans and elevations of structures, types of dwellings proposed
- _____ Landscaping, screening, fencing, lighting and buffers
- _____ Signage location and detail (uniform, coordinated)
- _____ Architectural Review

II. REQUIRED PLAN ELEMENTS

- Title of drawing and name, address of preparer
- Name, address of applicant/developer
- North point, date and scale (1"=50' or greater)
- Certification of the site survey attesting to the information provided on the plan with source of title and its place of record
- Horizontal dimensions to the nearest one hundredth (1/100) of a foot and bearings to the nearest ten (10) seconds
- Compliance with the uses and regulations of the Town of Lockport Zoning Ordinance, Article XVIII, CH.200, Site Plan Review (2005)

- Summary of project acreage, development, parking, density and percentage of uses

III. REQUIRED SITE PLAN IMPROVEMENTS

- _____ Public and private roadways and their right-of-way
- _____ Pedestrian walkways and sidewalks
- _____ Easements of access, utility, drainage, recreation, etc.
- _____ Sewer, water, storm water management
- _____ Common area improvements
- _____ Landscaping and buffers
- _____ Connections to adjacent similar facilities and publicly maintained facilities
- _____ Off-site improvements for public continuity and coordination

Bonding will be required for improvements located within or connected to any public right-of-way or public facility. This typically includes highways, drainage, utility improvements and erosion and sediment control measures applicable to site development and required off-site improvements. Sureties of public improvements are subject to reasonable estimates and acceptance by the Zoning Official along with proper guarantee of performance as required by the Town of Lockport Zoning Ordinance.

Site plans are required for uses subject to Special Exception Permits, planned unit developments, multi-family dwellings (3+units), institutional structures (schools, churches, etc.), hotels/motels and commercial and industrial buildings. *Two 24x36 and (12), 11x17 copies of the site plan* are to be submitted with this application to the Building Office for distribution to the appropriate review agencies and the Town of Lockport Planning Board. These are subject to review and consideration by the Planning Board which has the final responsibility for approval. *All site plans must be accompanied by the appropriate fees to be received and processed for review.*

ESTIMATED FEES FOR THIS SITE PLAN, BASED ON THE SCOPE AND EXTENT OF DEVELOPMENT, ARE:

\$ _____