

## **ARTICLE 38. SITE PLAN REVIEW**

### **Section 1: - Purpose**

The purpose of these requirements is to promote the good arrangement and orderly development of certain activities in the City and to ensure that such activities are developed in a manner harmonious with surrounding properties and in the interest of the general public welfare. All features and elements of the site plan required by this article shall in all respects conform to all applicable provisions and standards of the Code of Virginia and U.S. Code and this Code.

### **Section 2: - Developments and uses requiring a site plan**

- 1) Site Plans for the following developments and uses shall be submitted and reviewed in accordance with the requirements and procedures of this article:
  - a) Planned unit developments;
  - b) Uses permitted by approval of a special use permit;
  - c) Commercial and industrial buildings and uses;
  - d) Religious assembly and institutions, public and private schools, child-care centers, hospitals, nursing homes and government offices;
  - e) Multiple-family dwelling developments;
  - f) Any development where the area of land disturbance will be ten thousand (10,000) square feet or greater, or two thousand five hundred (2,500) square feet or greater in a Chesapeake Bay Preservation Area, unless otherwise specifically exempted within the Petersburg City Code;
  - g) Any development that involves the provision of public improvements, such as streets, curbs, water, sewer and stormwater facilities;
  - h) Any parking lot or parking facility which is to contain more than ten spaces;
  - i) Additions to existing multiple-family, commercial, or industrial buildings, except that additions of less than ten (10) percent of the total square footage are permitted without a site plan unless such additions result in the need for ten (10) or more additional parking spaces per the requirements of this ordinance.
- 2) Except as identified in Section 2.1(f), accessory buildings shall be exempted from requiring a site plan, subject to providing a scaled sketch or drawing, which complies with all requirements of this ordinance.
- 3) Except as identified in Section 2.1(f), construction of a single detached single-family dwelling or two-family dwelling shall be exempted from requiring a site plan, subject to providing a scaled sketch or drawing, which complies with all requirements of this ordinance.

### **Section 3: - Changes of use of existing buildings or structures:**

Excluding Section 2 of this article, where a change of use of an existing building or structure can be accomplished without adding or constructing parking spaces or constructing additional public improvements, the Planning Director may waive site plan review, subject to the following:

1. The applicant shall prepare and submit to the Planning Director an as-built plan which contains the following information:

PART II - CODE  
APPENDIX B - ZONING

- a. Size, location and use of existing buildings;
  - b. Total number of existing parking spaces and their location in relationship to the existing buildings. Parking spaces which are not paved shall not qualify as existing parking;
  - c. Location of existing utilities;
  - d. Ingress and egress to the property;
2. The Planning Director, or the Director's designee, shall review and approve or disapprove as-built plans.
  3. In instances where an approved development plan or site plan exists, such plan may be used to determine compliance with this article. An existing plan may be used only if the site was constructed substantially in accord with the approved plan.

**Section 4: - Procedures for preparation**

1. Site plans shall be formatted in accordance with the policies set forth by the Department of Planning and Community Development.
2. Site plans or any portion thereof involving engineering, architecture, landscape architecture or land surveying shall be certified by an engineer, architect, landscape architect or land surveyor authorized by the commonwealth to practice as such.
3. If more than one sheet is used to supply the information required, the sheets shall be numbered, and match lines shall be provided when appropriate, to clearly indicate where the plans join.

**Section 5: Required Information**

Every site plan shall contain the following information:

1. Name and location of the proposed development;
2. The name and address of the property owner and/or developer of the site, if different than the owner and the name and address of the person or firm preparing the site plan;
3. Area and present zoning of the site proposed for development;
4. Adjacent and abutting properties with information on ownership, tax parcel number, zoning and current use;
5. Location of the lot or parcel by vicinity map. Site plans shall also contain a north arrow, original date, revision dates and graphical scale;
6. The names, locations, and width of existing and proposed public or private streets, alleys and easements on or adjacent to the site. The center lines or boundary of adjacent rights-of-way shall also be shown;
7. The exact location of buildings or structures existing on or proposed for the site, including their setbacks from property lines, and the distance between buildings or structures;

PART II - CODE  
APPENDIX B - ZONING

8. The existing topography of the parcel prior to grading and the proposed finished contours of the site with a maximum of two-foot contour intervals;
9. Boundary/Property lines of the parcel(s) proposed for development, including the distances and bearings of these lines. If only a portion of a parcel is proposed for development, a limit of development line shall also be shown;
10. The tax parcel number(s) of parcels proposed for development and depicted on the site plan;
11. The name of adjacent property owners and the owners of any property on which any utility or drainage easement may be required in conjunction with the development;
12. The nature of the land use(s) proposed for the site;
13. The location, type, and size of site access points such as driveways, curb openings, and crossovers. Sight distances at these access points shall be provided. If existing median cuts will serve the site they shall be shown. If new median cuts are proposed, their location shall also be shown;
14. All proffers accepted by City Council as a condition of a rezoning or conditions placed on an approved special use permit;
15. Off-street parking areas and parking spaces including handicapped spaces, loading spaces, and walkways indicating type of surfacing, size, angle of stalls, width of aisles, and a specific schedule showing the number of spaces provided and the number required by this ordinance;
16. The number of stories, floor area, and building height of each building proposed. If more than one land use is proposed the floor area of each land use shall be provided. Floor area shall be calculated on the basis of parking required for the use(s).
17. For residential developments, the type of dwelling unit shall be stated along with the number of units proposed. Where necessary for determining the number of required parking spaces, the number of bedrooms in each unit shall also be provided;
18. The location of proposed or required fire lanes and signs;
19. Detailed utility plans and calculations shall be submitted for sites for which public water or sewer will be provided or for sites on which existing utilities will be modified. The Director of Public Works or designee shall have the authority to set the standards for such plans;
20. An erosion and sedimentation control plan and detail sheet shall be submitted for site developments involving the grading disturbance of greater than 2500 square feet of area, or 1,000 cubic yards of material. A narrative shall be submitted, including a schedule for maintenance and removal of measures
21. A detailed storm water management plan and calculations shall be submitted. The City Engineer or designee shall determine the requirements for such plans;
22. The location of existing and proposed freestanding signs on the parcel;
23. The location and type of proposed exterior lighting, including height of poles and type of fixtures. A photometric detail shall be provided;
  - a. Streetlights shall be provided in accordance with the City's Subdivision Ordinance
  - b. On-site lighting shall be provided for off-street parking areas if parking spaces are to be used at night. Light sources are to be shielded to minimize glare on adjacent properties or streets and the foot-candle for lighting shall not exceed 1.0 at the property line
24. The location of any 100-year flood plain and floodway on the site and the relationship of buildings and structures to this floodplain and floodway;

EXHIBIT A

PART II - CODE  
APPENDIX B - ZONING

25. All environmentally sensitive features including wetlands, steep slopes, shrink swell soils, historic sites, gravesites and location of endangered species;
26. The location of required or proposed buffer yards, screening, fencing, and site landscaping and irrigation. The type and size of the plant materials and screening to be used shall be provided. In addition, the relationship of these materials to physical site improvements and easements shall be provided. The preferred trees and shrubs will be native or direct cultivars of native plants (Nativars) to Virginia. The Director of Planning & Community Development, in consultation with the Police Department, shall approve a landscape plan as part of the site plan for the development. To ensure survival, the landscaping shall be bonded or a guarantee provided by a nursery for a period of one (1) year after installation.
27. The location of dumpsters, trash compactors and screening materials;
28. The location of sidewalk, curb, and gutter, including appropriate corresponding detail;
  - a. Where they do not exist, curbs, gutters, and sidewalks shall be installed along the streets abutting any property subject to a site plan. The applicant shall be responsible for the installation of the curbs, gutters and sidewalks, which shall conform to the applicable requirements of the City Code
  - b. Existing curbs, gutters, and sidewalks along the streets abutting any property subject to a site plan shall be brought into conformance with applicable requirements of the City Code
29. A traffic impact analysis whenever a proposed site plan substantially affects transportation on City Streets through traffic generation. This requirement may be waived by the Director of Public works.

**Section 6: Procedures, Administrative Site Plan Review**

1. Prior to submission of a site plan, the applicant is advised to review plans in general or sketch form with the City's development review team.
2. When these regulations require site plan review, a preliminary site plan shall be submitted to the Department of Planning and Community Development for review of the plans for compliance with the regulations of this Article. The applicant shall submit hard copies of the plans as required by the development review team and a digital file of the same.
3. The Department of Planning and Community Development shall transmit said plans to other such staff and agencies as may be necessary for the review. The development review team shall examine the preliminary site plan with respect to the requirements of this ordinance in effect upon the date of submittal and in general with the objective of ensuring a durable, harmonious, and appropriate use of the land in accord with the objectives of the comprehensive plan.
4. Following review, the plans shall be returned to the applicant with relevant comments in accordance with Code of Virginia § 15.2-2259. The applicant is responsible for revising the site plan in a timely manner addressing all relevant comments to the satisfaction of the development review team. The City's comments or commitments on a preliminary site plan that has not achieved final approval shall be valid for a period of six months from the date that the comments are rendered, unless extended for a period of 15 days due to extenuating circumstances by the Planning Director, not to exceed 30 days.

PART II - CODE  
APPENDIX B - ZONING

5. If specified conditions or comments are met in revised plans within the time period specified and the plans meet the requirements of this Article, a final site plan shall be submitted and approved. After approval, the City shall require that all approved plans be submitted in digital format.
6. Nothing in this section shall be interpreted to permit a grant of a variance or exception to the regulations of this ordinance or to abridge the procedures or requirements of the laws and ordinances governing the subdivision of land.
7. The City shall require as-built plans of public improvements. As-built plans may be required for other site improvements as deemed necessary by the City.

**Section 7: Minor Revisions to Approved Site Plan**

The Planning Director may approve minor revisions to an approved site plan, providing that City requirements and specifications are not affected. Major revisions shall require that a new site plan be drawn and the review and approval process begun anew.

**Section 8: Appeals**

If a site plan is disapproved and the applicant contends that such disapproval was not properly based on this article or was arbitrary and capricious, the applicant may appeal to the City of Petersburg Circuit Court which shall hear and determine the case as soon as may be practicable, provided that his appeal is filed with the circuit court within sixty (60) days of the written disapproval by the Planning Director.

**Section 9: Agreement and bond for construction of certain improvements**

Prior to the issuance of a building permit, there shall be executed by the applicant an agreement to construct such required physical improvements located within the public right-of-way or easements connected to any public facility in form and substance as approved by the City. Such agreement shall be accompanied by a bond with surety or conditions acceptable to the City in the amount of the estimated cost of the required physical improvements as determined by the departments, divisions, or agencies responsible for such improvements.

The aforesaid agreement and bonds or conditions shall be provided for the completion of all work covered thereby within the time specified. The time period may be extended upon written application by the applicant, signed by all parties, including the sureties, to the original agreement.

The adequacy, conditions and acceptability of any bond hereunder shall be determined by the Director of Public Works.

**Section 10: Building Permits to comply with site plans.**

1. Approval of a site plan submitted under the provisions of this article shall expire five (5) years from the date of approval unless building permits have been obtained for construction in accordance therewith. A single one-year extension may be given upon written request by the applicant within ninety (90) days before the expiration of the approved site plan.

PART II - CODE  
APPENDIX B - ZONING

2. No permit shall be issued for any structure in any area covered by a site plan that is required under the provisions of this article except in conformity to such a plan which has been duly approved.

**Section 11: Compliance with approved site plan.**

1. Unless otherwise specifically provided in this chapter, the construction standards for all off-site improvements and on-site improvements required by this article shall conform to City design and construction standards and the approved site plan.
2. Inspections during the installation of the off-site improvements and required on-site improvements shall be made by the department responsible for such improvements as are required to certify compliance with the approved site plan and applicable City standards.
3. The owner shall provide adequate supervision on the site during the installation of all required improvements and have a responsible superintendent or foreman, together with one (1) set of approved plans, profiles and specifications, available at the site at all times when work is being performed.
4. Upon satisfactory completion of the installation of the required improvements, the owner may request the release of any bond which may have been furnished for the guarantee of satisfactory installation of such improvements or parts thereof.
5. The installation of improvements as required in this article shall in no case serve to bind the City to accept such improvements for the maintenance, repair or operation thereof, but such acceptance shall be subject to the existing regulations concerning the acceptance of each type of improvement.