

CITY OF GRANITE FALLS

ORDINANCE NO. 568

AN ORDINANCE OF THE CITY OF GRANITE FALLS ESTABLISHING GUIDELINES FOR A BINDING SITE PLAN IN THE INDUSTRIAL PARK ZONE, AMENDING ORDINANCE NO. 370, SECTION 3.99, CODIFIED AS 19.04.090, GRANITE FALLS MUNICIPAL CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRANITE FALLS.

Section 1. An Application for a Binding Site Plan shall be submitted pursuant to Granite Falls Municipal Code, Chapter 17, Ordinance No. 562.

Section 2. The applicant or developer shall present a binding site plan map in sufficient detail to enable the Planning Commission to evaluate the proposed development in accordance with the provisions of this Ordinance and make recommendations to the City Council. The binding site plan shall include:

- (A) A circulation plan;**
- (B) Location of utilities and community facilities;**
- (C) Location of all proposed structures;**
- (D) A detailed landscape plan showing greenbelts and open space, and indicating the location of existing vegetation to be retained, location of vegetation and landscaping structures to be installed, the type of vegetation by common name and taxonomic designation, and the installed and mature height of all vegetation;**
- (E) Schematic plans and elevations of proposed buildings with samples of all exterior finish material and colors. the type and location of all exterior lighting, signs and accessory structures;**
- (F) Contain inscription or attachment setting forth limitations and conditions for use of the land as specified in the approval;**
- (G) Contain provisions requiring site development to be in conformity with the approved binding site plan.**

Section 3. Submittal requirements. For a new or revised site plan, submittal requirements must include at least the following:

- (A) Format details and number of site plan copies;
- (B) Title documentation;
- (C) Applicant's name and address;
- (D) Legal description;
- (E) Zoning information;
- (F) Site characteristics;
- (G) Number of lots;
- (H) Location of existing and proposed site improvements and structures;
- (I) Location of natural drainage courses;
- (J) Location of existing and proposed open space;
- (K) Location and identification of critical areas;
- (L) All legal instruments containing covenants, conditions, restrictions, easements, and other similar documents required by this chapter.
- (M) Traffic study based on preconstruction conference;
- (N) An environmental checklist;
- (O) Required fees.

Section 4. Review standards.

(A) In order to approve a binding site plan, the Planning Commission must find that the newly created lots function and operate as one site, and that the binding site plan and record of survey comply and are consistent with the following provisions as well as any other applicable regulations as determined by the Planning Commission

1. The requirements of this title;
2. Review for compliance with sewage disposal requirements.
3. Review for compliance with water line size and connection requirements.
4. Review for compliance with noise standards.
5. Review for compliance with engineering design standards and specifications, right-of-way permit requirements, access requirements, and right-of-way establishment;
6. Review for compliance with fire lane, emergency access,

7. Review for compliance with applicable zoning code requirements.
8. Review for compliance with applicable shoreline management code requirements.

Section 5. Phased development.

An applicant who chooses to develop a site in phases or divisions shall submit a phasing plan for concurrent review with the application for a binding site plan. Site improvements designed to relate to, benefit, or be used by the entire development (such as stormwater detention pond or tennis courts in a residential development) shall be noted on the phasing plan. The phasing plan shall relate completion of such improvements to completion of one or more phases or stages of the entire development. Once a phasing plan has been approved, the information contained therein shall be shown on, or the phasing plan attached to and made a part of, the binding site plan. Approval of a phasing plan does not constitute approval of the binding site plan. No land may be used, no buildings may be occupied, and no lots may be sold except in accordance with the approved binding site plan.

Section 6. Acceptance of site improvements.

All public and private site improvements must be completed and accepted by the City or subjected to a performance security approved by the City Council prior to issuing the first building permit for the site, prior to issuing the first building permit for any phase, or prior to issuing a specific building's certificate of occupancy. Alternatively, the City Council may condition the completion of such improvements pursuant to an approved phasing plan.

Section 7. Bond or performance security.

(1) Prior to issuing the first building permit for a site development, prior to issuing the first building permit for each phase, or prior to issuing a specific building's certificate of occupancy, the City Council may require performance security to be provided in a form and amount deemed necessary to assure that all work or actions required by this Ordinance are satisfactorily completed in accordance with the approved binding site plan, and to assure that all work or actions not satisfactorily completed will be corrected to comply with the approved binding site plan to eliminate hazardous conditions, to restore environmental damage or degradation, and to protect the health, safety, and general welfare of the public.

(2) The performance security shall be a surety bond obtained from companies registered as surety in the state or certified as acceptable sureties on federal bonds. In lieu of a surety bond, the City Council may allow alternative performance surety in an amount equal to that required for a surety bond and in a form approved by the City Council. The surety bond or other performance security must be conditioned on the work or requirements being completed in accordance with the binding site plan, on the site being left in a safe condition, and on the site and adjacent or surrounding areas being restored in the event of damages or other environmental degradation from development activities conducted pursuant to the binding site plan. The amount of the surety bond or performance security shall be one hundred twenty-five percent of the estimated cost, as approved by the City Council, of binding site plan implementation, including corrective work and compensation, enhancement, mitigation, and restoration. All performance securities must be submitted in their original form with original signatures or authorization.

(3) If during the term of the performance security, the City Council determines that conditions exist which do not conform with the binding site plan, a stop work order may be issued prohibiting any additional work until the condition is corrected. The City Council may revoke the performance security, or a portion thereof, in order to correct conditions that are not in conformance with binding site plan requirements. The applicant may not proceed with work until the original amount of the performance security has been re-established. The performance security may be released upon written notification by the City Council, following final site inspection, when the City Council is satisfied that the work or activity complies with and conforms to the binding site plan, including corrective work, compensation, enhancement, and mitigation or restoration, when required.

Section 8. This Ordinance shall be in full force and effect after passage and approval.

Said Ordinance was passed in open session by the City Council of the City of Granite Fall on the 25 day of September, 1996.

APPROVED:



Mayor

ATTEST:

Gerry James
City Clerk

APPROVED AS TO FORM:

Cheryl L. Buyer
City Attorney

FIRST READING:	September 11, 1996
SECOND READING:	September 25, 1996
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