

SECTION 5. WHAT ASPECTS OF A DEVELOPMENT PROPOSAL SHOULD BE COVERED BY SITE PLAN REVIEW?

The basic objective of **site plan review** is to assure that nonresidential development (and multifamily housing development) is carried out in a way that makes it a positive addition to the community and does not create problems for the neighborhood or the larger community. A key step in developing a **site plan review** system is determining what aspects of nonresidential (and multifamily housing) development need to be reviewed to assure that this objective is met. This section will help you decide which factors to include in your local review process.

Before considering what should be covered by **site plan review**, recognize what **site plan review** should not address:

- **Site plan review** regulations should not include provisions dealing with the creation of lots. These should be addressed in the community’s subdivision regulations.
- **Site plan review** regulations should not establish standards for the construction of single family homes. If this is a concern, it should be dealt with in a zoning ordinance and/or through building permits.
- **Site plan review** should not try to control where in the community nonresidential development should and should not occur. This is a zoning question; it should be addressed through zoning.
- **Site plan review** should not deal with space and bulk issues such as the size of lots, street frontage, height of buildings, setbacks from property lines, and similar dimensional issues. These are essentially policy issues that should be addressed in a zoning ordinance.

In communities that have townwide zoning, there are many issues that can be

addressed either through the zoning ordinance or through **site plan review**. For example, a community may decide that it wants to address the noise levels from nonresidential uses and the impact of that noise on adjacent properties. The community may choose to:

- Include noise standards within its zoning provisions and provide for the review of the project to assure that the standards will be met through **site plan review**,

OR

- Include the noise standards and review process within the **site plan review** regulations.

In communities that do not have townwide zoning, the **site plan review** provisions will need to include both review procedures and standards for any aspect of the development that the community wishes to review.

■ FACTORS TO CONSIDER IN SITE PLAN REVIEW

Site plan review regulations typically cover three categories of interest:

- Public safety, health, and environmental factors
- “Good neighbor” factors
- Visual design factors

■ PUBLIC SAFETY, HEALTH, AND ENVIRONMENTAL FACTORS

Most communities choose to address basic issues dealing with public safety, public health, and the environment in their **site plan review** process. In these cases, factors considered in the review process may include:

- Adequacy of access to the site
- Provisions for access into and out of the site
- Pedestrian and vehicular circulation within the site
- Layout of parking
- Provisions for emergency vehicle access
- Stormwater management
- Erosion and sedimentation control
- The protection of the water quality in water bodies
- Groundwater quality protection
- Provisions for groundwater recharge
- Solid and hazardous wastes management
- Provisions for water supply and sewage disposal
- Handicapped accessibility
- Provisions for fire protection

- The management of important natural resources (floodplains, unique natural areas, wildlife habitat, etc.)
- The protection of historic and archaeological resources

■ “GOOD NEIGHBOR” FACTORS

In addition to health, safety, and environmental factors, communities often wish to assure that a proposed nonresidential development will be a “good neighbor” and will minimize its impact on neighboring properties. This may involve consideration of the following factors:

- Buffering and screening
- Noise levels
- Odors
- Vibrations
- Exterior lighting

■ DESIGN FACTORS

Finally, some communities choose to review how a proposed development fits into the environment and the character of the surrounding neighborhood. Considerations can include:

- Landscape design
- Site utilization and design

- Visual and scenic impact
- Compatibility with neighboring properties
- Architectural features
- Relationship of buildings to the street and/or adjacent structures.

■ SUBDIVISION CRITERIA

If you choose to use **site plan review** in lieu of subdivision review for multifamily housing, your review standards should include all of the subdivision review criteria set forth in 30-A M.R.S.A. § 4404. These can easily be included as additional standards that must be met by projects that require subdivision approval.

In the end, you must craft your **site plan review** provisions to address the issues that are important in your communities. For each factor you include, you will need to develop a standard that the reviewing body can use to determine if the site plan satisfactorily addresses the issues raised. Part B of the handbook looks at each of these topics in detail and lays out standards that can be incorporated into local **site plan review** provisions.

SECTION 5. ISSUES

- What areas of nonresidential development are of concern in the community?
 - Public health, safety, and environmental factors
 - "Good neighbor" factors
 - Visual and design factors
- Which of these factors are already addressed in other regulations or zoning provisions?
- What factors should be addressed in a local **site plan review** process?