

Attachment B

SECTION 400.340: SITE PLAN REVIEW

A. *Applicability.* Site plans prepared and approved in accordance with the provisions of this Chapter are required to assist City Administrative Officials in assuring compliance with all applicable requirements of this Chapter and to assist in the review of building permits. Whenever a site plan is required by this Chapter, a building permit shall not be issued until the site plan is approved.

B. *Developments Requiring A Site Plan.* Unless otherwise exempted by Subsection (C), a site plan is required for permitted and conditional uses in zoning districts as specified in [Article V](#).

C. *Exemptions.* The following uses and activities shall be exempt from the requirements of this Section:

1. Construction of or additions to single-family or duplex dwellings on a lot of record.
2. Construction of or addition to any permitted accessory use to a single-family or duplex dwelling on a lot of record.
3. Remodeling of a building or structure if no enlargement or expansion is involved.
4. Any temporary use permitted by this Chapter.

D. *Site Plan Application.*

1. *Minor or major site plan determination.* The site plan application shall be either for minor site plan approval or major site plan approval. A minor site plan shall be required for proposed development on existing platted lots of record that do not require the extension or construction of public improvements to the site. In all other situations where a site plan is required, a major site plan shall be submitted.

2. *Pre-application conference.* Although not required, it is recommended that the applicant request a pre-application conference with the City to determine that a minor site plan application is appropriate for the proposed development and to assist the applicant in ensuring conformity with the requirements of the site plan application.

3. *Site plan contents.* The site plan application shall contain the information specified in [Article XIV](#) and shall be submitted to the City Clerk.

E. *Minor Site Plan Review Process.*

1. The minor site plan application shall be reviewed by the Administrative Official designated by the City within thirty (30) days of application or such longer time as may be agreed to by the applicant. The City shall review the site plan to determine compliance with the applicable regulations of this Chapter and the standards established in Subsection (H). Upon completion of review, the City shall either approve the site plan based on findings in accordance with Subsection (H), approve the site plan subject to specific modifications or, based on such findings, decline to approve the site plan.

2. The City shall return one (1) copy of the site plan to the applicant indicating the determination made and any modifications necessary. If the City takes no action within the thirty (30) days specified, the site plan shall be deemed to be approved.

3. If the City declines to approve the site plan or if it approves the site plan subject to certain modifications that are not acceptable to the applicant, the applicant may request review and determination by the Planning and Zoning Commission. The applicant shall submit a written request for review by the Commission within fifteen (15) days of decision by the City Administrative Official. The Commission shall have forty-five (45) days from the date of the applicant's request to make a determination. The actions of the Commission shall be final.

F. Major Site Plan Review Process.

1. *Commission review.* The Commission shall review all major site plan applications. The application for major site plan review shall be submitted no less than fifteen (15) working days prior to the Commission meeting at which the site plan will be considered. The City Clerk will transmit the site plan to the City Engineer or other Administrative Official for review and recommendations prior to the scheduled Commission meeting.

2. *Commission action on site plan.* The Commission shall review the site plan and shall make its determination based on the standards for site plan review in accordance with Subsection (H). The Commission may approve the site plan, approve the site plan subject to specific modifications or disapprove the site plan. The Commission shall have sixty (60) days to take action on the site plan. If no action is taken within the sixty (60) day time period, the site plan shall be deemed to be approved. Except where any other provision of this Chapter may require Board of Aldermen review of the site plan, the decision of the Commission is final.

G. Effect Of Site Plan Approval. Approval of the site plan, or of the site plan with modifications acceptable to the applicant, shall authorize the continued processing of applications for any further permits which may be required by this Chapter or any other ordinances of the City, including approvals such as a building permit, a certificate of occupancy or a conditional use permit. A site plan approval shall be valid for a period no longer than eighteen (18) months from the date of approval unless a building permit is issued and construction begun within the eighteen (18) month period.

H. Site Plan Review Standards. Site plans shall be reviewed and approved unless it is found in writing that:

1. The site plan application indicates violations of any applicable provisions of this Chapter, which the applicant has, after written request, failed or refused to correct.

2. The site plan will result in unauthorized encroachment on an easement, roadway, utility or public or private right-of-way.

3. In the case of a site plan submitted in conjunction with an approved development plan, conditional use permit, planned unit development or any other specific development standards, the site plan does not adequately meet the specified standards.

4. The proposed site plan does or will create specific drainage or erosion problems.
5. The screening and buffer area landscaping plan for the site does not or will not adequately shield the proposed use from adjacent uses which may not be compatible with the proposed use.
6. The circulation elements of the site plan, including road and pedestrian circulation elements, will create hazards to safety on or off the site, uncoordinated pedestrian or vehicular circulation paths on or off the site or result in undue interference or inconvenience to vehicular or pedestrian travel. (Ord. No. 020227 §1(3.22), 2-27-02)