

## 9.05. Site Plans

### A. Purpose

1. Through Site Plan review, zoning standards and other applicable municipal standards or ordinances that may apply to specific site development can be uniformly implemented by the City for townhome, multi-family, and nonresidential development.
2. The purpose of the Site Plan process is to:
  - a. Ensure compliance with adopted City development regulations and other applicable regulations that apply to the property for which the City has enforcement responsibility;
  - b. Promote safe, efficient and harmonious use of land through application of City-adopted design standards and guidelines;
  - c. Promote the vision established by the Comprehensive Plan;
  - d. Ensure adequate public facilities to serve development;
  - e. Coordinate and document the design of public and private improvements to be constructed;
  - f. Prevent or mitigate adverse development impacts, including overcrowding and congestion;
  - g. Aid evaluation and coordination of land subdivision, including the granting of easements, Right-of-Way, development agreements and provision of surety;
  - h. Identify and address environmental concerns (floodplain, drainage, trees, topography, etc.); and
  - i. Promote the public health, safety and welfare.

### B. Applicability

1. Processing and Timing: Two Different Types of Site Plans Exist
  - a. Site Plans Related to Rezoning Applications

A site plan is required for an Application for:

    - i. MF-16, Multiple-Family Dwelling District
    - ii. MF-22, Multiple-Family Dwelling District
    - iii. Specific Use Designation (SUDs)
    - iv. PD, Planned Development District
  - b. Site Plans Related to Building Permit Applications

No [Building Permit](#) shall be issued for any townhome, Manufactured Home Parks, multi-family, PD, Planned Development District, and nonresidential development unless a Site Plan is first approved by the City.
2. Effect

No [Certificate of Occupancy and Compliance](#) shall be issued unless all construction and development conform to the Site Plan as approved by the City.

C. Approval and Process

1. Site Plans Related to Rezoning Applications

The approval of a Site Plan related to a rezoning Application requires the following:

- a. Review by the [Planning Division Manager](#) and [Building Official](#),
- b. A recommended action by [Planning and Zoning Commission](#) for the Council's consideration, and
- c. Approval by the [City Council](#).

2. Site Plans Related to Building Permit Applications

The approval of a Site Plan related to a [Building Permit](#) or construction/development Application for townhome, multi-family, and nonresidential development requires the following:

- a. Review by the [Planning Division Manager](#) and [Building Official](#), and
- b. Approval by the [Planning Division Manager](#) and [Building Official](#).

D. Site Plan Exempted Development

The following types of development are exempted from the requirements of this Section [9.05 Site Plans](#):

- a. Agricultural buildings; and
- b. A [Temporary Building for New Construction](#) as permitted by [4.03 Use Chart](#).

E. Submission of Site Plan Applications

1. Coordinating Official

Applications for approval of plans required by this Section [9.05 Site Plans](#) must be submitted to the:

- a. The [Planning Division Manager](#) for [Site Plans Related to Rezoning Applications](#) or,
- b. The [Building Official](#) for [Site Plans Related to Building Permit Applications](#).

2. Calendar of Official Processing Dates

A calendar of official processing dates for items requiring City review, [Planning and Zoning Commission](#) recommendation, and [City Council](#) approval pursuant to this Section [9.05 Site Plans](#) shall be created by the City each calendar year.

3. Other Regulations for Applications

Applications are also governed by [Section 8 Zoning Application Submittal and Processing Procedures](#).

F. Fees and Forms

1. Schedule of Fees

The fees relating to the Site Plan approval process shall be established by the [Fee Schedule](#).

2. Forms and Standards

The [Planning Division Manager](#) shall establish forms and standards with regard to the content, format and number of copies of information constituting an Application for a Site Plan.

## G. Site Plan

### 1. Site Plan Application Procedure and Requirements

#### a. Site Plan Pre-Application Meeting

- i. Before preparing a [Site Plan](#), the [Applicant](#) may meet with the [Planning Division Manager](#) or [Building Official](#) to allow the Applicant to learn the general procedures for approval and to review the concept of the proposed development, if desired by Applicant.
- ii. No Application for a permit may be submitted to or accepted for filing during the meeting.

#### b. Site Plan General Application

The property owner or authorized agent shall file an Application for the approval of a Site Plan. This Application shall include the information listed on the Site Plan [Application Form](#), which shall be created and maintained by the [Planning Division Manager](#).

#### c. Site Plan Additional Information

The following plans may be required with a [Site Plan Application](#) and approval is necessary prior to final authorization for development:

- i. Final Plat or Replat,
- ii. Engineering plans or Construction Plans,
- iii. Traffic Impact Analysis, if applicable,
- iv. Façade Plan, if required,
- v. Landscape plans, if required,
- vi. Flood Study, if required, and
- vii. Other approvals as required by ordinance or resolution.

#### d. Site Plan Standards of Approval

##### i. Site Plan Approval

- (a) The [City Council](#) and [Planning Division Manager](#) shall use the review and approval process outlined in Section [9.05.C.1](#) (rezoning applications) and may approve, conditionally approve, table or deny a Site Plan based upon the criteria listed below.
- (b) The [Planning Division Manager](#) and [Building Official](#) shall use the review and approval process outlined in Section [9.05.C.2](#) (building permit applications) and shall approve, conditionally approve, or deny a Site Plan based upon the criteria listed below.

##### ii. Approval Criteria

- (a) Compliance with the [Zoning Ordinance](#) regulations and other applicable regulations and previously approved, valid plans for the property.
- (b) The City shall not take action on a Site Plan for property where City taxes are delinquent.

#### e. Site Plan Effect

- i. Approval of a [Site Plan](#) in association with a rezoning application is the City's authorization to apply for or for the issuance of [Building Permits](#), depending on the specific case.
- ii. During the time the Site Plan remains valid, the City shall not apply any additional requirements concerning building placement, streets, drives, parking, landscaping or screening.
- iii. Except where authorized by ordinance, a Site Plan may not be used to approve a variance to development regulations.

- iv. Where an approved plan conflicts with an adopted regulation and no zoning variance or zoning special exception is expressly approved, the regulation shall apply.
- f. Site Plan Lapse
  - i. Two Year Effective Period
    - (a) The approval of a Site Plan shall be effective for a period of two years from the date of filing of the Application.
  - ii. Expired Site Plans
    - (a) Upon expiration of a Site Plan, the Applicant shall be required to submit a new Site Plan subject to the then existing regulations (see [9.05.G.1 Site Plan Application Procedure and Requirements](#)).
    - (b) Site Plan approval shall expire upon completion of the improvements shown on the plan. Permits must remain valid during the construction process.
    - (c) Subsequent additional development, site modifications and redevelopment shall be considered a new project subject to the then existing ordinances, laws and regulations of the City.
- H. Revocation of Site Plan Approval

The City Council may revoke approval of a Site Plan if it determines that the conditions of the approval have not been met or if the plan contains, or is based upon, incorrect information or if it is determined that it was obtained using fraud or deceit.
- I. Compliance with other City Regulations Required

Compliance with the following design standards and specifications, as may be amended, is required in addition to the design standards and specification set forth in this Zoning Ordinance:

  1. Subdivision Regulations;
  2. Fire Code;
  3. Engineering Standards;
  4. Building Code; and
  5. Any additional design standards and specifications approved by the City Council.