Article 8:
DEVELOPMENT PLAN REVIEW

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Sec. 9-1.0800:
Purpose and Authorization

The purposes of Development Plan Review are to:

A. To ensure that new development or expansions of existing uses or structures occurs in a manner consistent with the overall goals and objectives of the General Plan, the objectives of the Development Code and with the neighborhood or area in which the development is proposed to be located;

B. To ensure that all new development is consistent with the development standards contained in the Development Code;

C. To ensure that the proposed architectural treatment of new buildings and structures, including landscaping, open space and signs, is consistent with the design guidelines contained in the Development Code;

D. To allow all City departments the opportunity to review new development proposals and place reasonable conditions to ensure that the public health, safety and welfare is maintained.

Sec. 9-1.0805:
Applicability

The following development projects are subject to Development Plan Review:

A. All residential dwellings that exceed two (2) dwellings per lot for a single development not a part of a larger project;

B. All residential subdivisions of five (5) or more lots, or development plans consisting of five (5) or more dwelling units;

C. All non-residential development uses in Residential Districts;

D. All commercial projects in the NC District;

E. Commercial projects in all other C Districts in excess of five hundred (500) square feet of floor area;

F. Industrial projects in excess of ten thousand (10,000) square feet of floor area;

G. Church additions to assembly areas and additions (cumulative) to non-assembly areas in excess of 500 square feet or a of twenty five percent (25%) of the original floor area, whichever is less.

H. Permanent buildings proposed in the P, OS, EA Districts in excess of five hundred (500) square feet of floor area;

I. Relocated buildings in any District;

J. Additions (cumulative) to existing commercial or industrial developments in excess of twenty five percent (25%) of the original structure.

K. Other projects, which, in the opinion of the City Planner, require such level of review prior to issuance of a building, permit.

Sec. 9-1.0810:
Scope of Review

Where Development Plan Review is required for a use or a structure under the provisions of this article, the following aspects of the project are to be reviewed by the Development Advisory Board and the Planning Commission if applicable:

A. The location of the site in relation to location of buildings on adjoining sites, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located;

B. The degree to which the proposed development will complement and/or improve upon the quality of existing development in the vicinity of the proposed project and the extent to which adverse impacts to surrounding properties will be minimized;

C. The effect of the proposed project on surrounding uses, including ensuring minimum disruption to such uses;

D. Whether the development standards set forth in the Development Code have been satisfied;

E. Whether the design guidelines set forth in the Development Code have been substantially met.

Sec. 9-1.0815:
Application and Fees

An application for Development Plan Review shall be filed with the Planning Department on the prescribed application form and shall be accompanied by the following:

A. A completed Environmental Information Form describing existing environmental conditions, the proposed project and identifying potential environmental impacts of the project;

B. Maps, drawings, site plans, building elevations, proposed colors and building materials, summary tabulations and other documents and information required on the standard City application form to describe the project adequately;

C. Required fee(s).

Sec. 9-1.0820:
Planning Department Action

The Planning Department shall refer the application and all accompanying maps, drawings, plans, elevations, tabulations and other information to the City departments comprising the Development Advisory Board. The referral shall be accompanied by a written report containing the department's recommendations on the application. The Development Advisory Board shall review the proposed development with the applicant as may be necessary.

Sec. 9-1.0825:
Development Advisory Board Action

Within forty-five (45) days of an application which is deemed complete, the Development Advisory Board shall take an action on the submitted application, which may include approving the application, approving the application subject to reasonable and appropriate conditions or disapproving the application.

If the action of the Development Advisory Board is to approve or conditionally approve the application, a majority of the members of the Board shall sign the Development Plan certifying that it meets all the applicable provisions of this chapter. The action of the Development Advisory Board and the reasons therefore shall be contained in a written report that shall be made available to the applicant.

The report of the Development Advisory Board pertaining to a development plan related to the following shall be reviewed and considered by the Planning Commission at the same public hearing at which one of the following applications may also be considered for the same project:

A. Conditional Use Permit;

B. Variance;

C. Change of zoning district or district boundaries;

D. Specific plan.

In addition to the above, the Planning Commission shall review and consider development plans for multiple dwelling developments consisting of four (4) or more units, regardless of whether a public hearing is required for a related application.

Sec. 9-1.0830:
Effective Dates: Effect of Appeals

Development Plan Review applications shall become effective ten (10) calendar days following approval or conditional approval by the Development Advisory Board, unless an appeal has been made to the Planning Commission or unless the Planning Commission shall have acted to review the decisions of the Development Advisory Board.

Sec. 9-1.0835:
Lapse of Development Plan Review

Approval by the Development Advisory Board or the Planning Commission shall lapse and become null and void two (2) years following the effective date of Development Plan review approval, unless, prior to the expiration date, a building permit is issued and construction diligently pursued towards completion or a certificate of occupancy is issued for the structure which was the subject of the application. A one (1) year extension may be granted by the Zoning Administrator upon written request by the applicant received at least thirty (30) days prior to plan approval expiration date, providing that there has been no change in the conditions of, or, findings for approval.

An application for renewal involving any substantial change from the original plan or the conditions of approval, as determined by the Zoning Administrator, shall be subject to all of the provisions of this article and shall require a new public hearing.

As a condition of granting an extension of time, the Zoning Administrator or Planning Commission may review or impose additional conditions to ensure that the development plan will be in compliance with City standards in effect at such time such extension is granted.

Sec. 9-1.0840:
New Applications

Following the denial of any application for Development Plan Review, no application for the same or substantially the same approval shall be filed within one (1) year after the date of denial.