

Chapter 17.24

SITE PLAN REVIEW PROVISIONS

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17.24.010 Purpose

The purpose of this chapter is to set forth the regulations for the review and approval of site plans for all new construction on one acre or larger size property, or any size property adjacent to a residentially zoned property within the multiple-family district or any of the nonresidence districts. Site plans are a planning and regulatory mechanism that allow more precise implementation of the zoning ordinance by requiring or permitting large-scale planning in order to protect the natural environment, ensure compatible uses, conserve energy, achieve covert and diverse development patterns and ensure that roads and other infrastructure are adequate to serve new development. (Ord. 641 § 1.2, 1998; Ord. 617 § 1.1 Exh. A (part), 1996)

17.24.020 Minimum Requirements.

All site plans shall include the following:

- A. The location and extent of land uses showing building locations, setbacks, locations of signs, parking and all other existing or proposed uses of the property, including open space;
- B. The distribution, location and extent of major infrastructure systems to address transportation, sewage, water, drainage, solid waste and other essential services;
- C. A plan for phasing the development of land uses and infrastructure, including time guidelines, performance standards and criteria by which development will proceed;
- D. Where adjacent land uses are not compatible, appropriate standards for buffering, screening and open space to protect adjacent uses;
- E. Other information which may be required by the director of planning shall be provided upon request. (Ord. 641 § 1.3, 1998; Ord. 617 § 1.1 Exh. A (part), 1996)

17.24.030 General requirements.

The application, site plan map and associated text must include the following:

A. Name of project, assessor's parcel number or a legal description of the land subject to the plan, a vicinity map showing the location and acreage of the land subject to the development, date, north arrow and scale of plan;

B. The zoning designation of the land;

C. All existing lot lines, easements and rights-of-way, including the current routes for vehicular traffic, pedestrian traffic and transit facilities, and the location of all present public and private ways, parking areas, driveways, ramps, curbs, walls, fences, bicycle and pedestrian ways, and landscaping;

D. The maximum height and size of the proposed buildings, location, use and arrangement of all structures or outlines of areas within which buildings or structures may be located;

E. The proposed disposition of sanitary waste and stormwater;

F. The proposed plan shall include the provisions for parking of vehicles and the location and width of proposed streets and public rights-of-way, proposed traffic flow patterns, entrances and exits, loading and unloading areas, and emergency access areas;

G. The proposed general landscaping plan showing irrigation systems and plant material locations;

H. The substance of covenants, grants or easements, or other restrictions proposed to be imposed upon the use of the land, buildings and structures, including proposed easements or grants for public utilities;

I. Provisions for maintenance and enhancement of air quality, if any;

J. Provisions for emergency services, if any. (Ord. 641 § 1.4, 1998: Ord. 617 § 1.1 Exh. A (part), 1996)

17.24.040 Findings.

The approval or denial of the plan shall be accompanied by findings on the degree the plan would or would not be in the public interest including, but not limited to, findings of this section.

A. The extent to which the plan is consistent with the plan policies and area plan(s) and its compatibility with adjacent land uses;

B. The reasons why departures for regulations are or are not deemed to be in the public interest;

C. The physical design of the project and the manner in which the design does or does not make adequate provision for public services;

D. The property is adequate in size and shape to accommodate the proposed activity;

E. The relationship, beneficial or adverse, of the proposed project to the neighborhood in which it is proposed to be established;

F. The proposed activity will have minimal adverse effects upon the health, safety and general welfare of adjacent properties. (Ord. 641 § 1.5, 1998: Ord. 617 § 1.1 Exh. A (part), 1996)

17.24.050 Site Plan Review.

A. An approved site plan for a specified project on a particular parcel of property shall be binding upon the applicant and any successor assignee of applicant.

B. No building permit shall be issued for any building or structure not in accordance with the site plan.

C. The construction, location, use, or operation of all land and structures within the site shall conform to all conditions and limitations set forth in the site plan.

D. No structures, use or other element of an approved site plan shall be eliminated, altered, or provided in another manner unless an amendment is approved in accordance with the provisions of this section, except that the planning director, after consulting with the effected governmental entity having jurisdiction, may approve minor changes in the site plan that will not cause any of the following circumstances to occur:

1. A change in the character of the development;
2. An increase in the number of dwelling units;
3. An increase in the problems of circulation, safety and utilities;
4. An increase of any adverse external effects on adjacent property;
5. A reduction of the originally approved setbacks from property lines;
6. A reduction of the required off-street parking and loading space; and
7. A change in the size, lighting, or orientation of originally approved signs.

E. Whenever the building inspector finds that any proposed construction or occupancy will not, in his opinion, comply with the approved site plan, he shall refer the question to the planning staff for review and determination.

F. The approved site plan shall become invalid if a building permit has not been obtained within twenty-four months of the date of final approval. In the event a site plan becomes invalid, a new site plan application shall be required to be submitted for approval in the same manner as the original application.

G. The applicant or applicant's successor in interest must, upon request of the planning director, demonstrate good faith compliance with the conditions of the site plan. (Ord. 641 § 1.6, 1998: Ord. 617 § 1.1 Exh. A (part), 1996)

17.24.060 Date of public hearing.

Upon receipt of an application for a site plan review, the proposed site plan shall be considered filed and the director of planning shall set the matter for public hearing before the planning commission. Such hearing shall be held not more than sixty days after the filing of the site plan unless the time is extended by mutual agreement between the planning commission and the applicant. (Ord. 641 § 1.1, 1998 Exh. A (part), 1996)

17.24.070 Notice of hearing.

The planning director must give notice, not less than ten days before the date set for public hearing, of the time, place and the nature of the hearing to the owners of property within a distance of three hundred feet of the exterior boundaries of the subject property, as such owners appear in the last adopted tax roll of the county.

(Ord. 641 § 1.8, 1998: Ord. 617 § 1.1 Exh. A (part), 1996)

17.24.080 Hearing and decision.

At the time and place fixed for hearing the site plan, the planning commission shall review

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and consider the recommendations of the planning department, any relevant evidence and material from other departments as presented by the planning director, and approve, conditionally approve or disapprove the site plan. The planning commission shall set forth findings and conclusions they deem appropriate to the decision. The planning commission may continue the hearing, with the consent of the applicant, to obtain further information before making a decision. Unless the time is extended by mutual agreement, if the planning commission fails to take action within sixty days after filing the site plan application, the site plan shall be deemed approved. (Ord. 641 § 1.9, 1998: Ord. 617 § 1.1 Exh. A (part), 1996)

17.24.090 Effective date of decision.

The decision of the planning commission shall become effective five working days after the issuance of the decision. (Ord. 641 § 1.10, 1998: Ord. 617 § 1.1 Exh. A (part), 1996)

17.24.100 Appeal.

See Chapter 17.126. (Ord. 641 § 1.11, 1998: Ord. 617 § 1.16 Exh. A (part), 1996)

17.24.110 Termination or modification.

If the planning commission finds and determines, on the basis of substantial and material evidence, that the applicant or applicant's successor in interest has not complied in good faith with the terms and/or conditions of the site plan, the planning commission may take action to terminate or modify the site plan approval.

A. Action to terminate or modify an agreement may be initiated only by the planning commission.

B. No action to terminate or modify an agreement shall be taken without a public hearing noticed pursuant to this chapter in the same manner as the initial site plan application was noticed for public hearing.

C. Any action to terminate or modify an approved site plan may be appealed. (Ord. 641 § 1.12, 1998)