



## **SUMMARY OF SUP / SITE PLAN REVIEW APPLICATION REQUIREMENTS**

### **Application Review Requirements:**

1. Meet with Development Services Staff to review the application requirements for your specific request.
2. Make sure you have everything on the attached Check List.
3. Completed application with signatures of owners and/or applicant
4. Application Fees are established in the Fee Schedule as adopted.
5. Must have the address and/or the lot, block and subdivision name or legal description of the subject property.
6. It is the applicant's responsibility to provide evidence or proof that all taxes, assessments, debts, or obligation directly attributable to said property and owed by the owner or previous owner thereof shall have been paid at the time of application submittal.
7. Submit any drawing, plans, exhibits, information about proposed uses in order to ensure that the request is understood. Development Services Staff will let you know if additional copies are needed and what size they need to be.
8. Digital set of plans will need to be copied on a usb drive and submitted with the application. The usb drive will not be returned and can contain all sets to be reviewed.
9. This application and/or payment will not be accepted if it is incomplete. Staff will not retain partial packets.
10. Please check your submittal date and time on our website at [Forms | Kaufman, TX \(kaufmantx.org\)](http://Forms | Kaufman, TX (kaufmantx.org)). Applications will only be accepted during the listed times.

**Application must be signed by the property owner before the request can be scheduled with the Planning and Zoning Commission and City Council.**

### **DELIVERY ADDRESS:**

DEVELOPMENT SERVICES DEPARTMENT  
CITY OF KAUFMAN  
209 S. WASHINGTON  
KAUFMAN, TEXAS 75142

**DIRECT QUESTION TO DEVELOPMENT SERVICES STAFF AT  
(972)-932-2216  
FAX NUMBER (972)-932-6288**



## SPECIFIC USE PERMIT CHECK LIST

ITEMS REQUIRED	
Specific Use Permit Check List	
Application for Specific Use Permit	
Specific Use Permit Fee of \$500.00 plus \$20.00 per acre	
Tax Certificate certified by Kaufman County Tax Office showing all taxes have been paid.	
Proposed Site Plan to be reviewed	
Digital copy on a usb drive (the drive will not be returned and can contain all sets)	
<b>The following will be required for new development only and not for existing buildings.</b>	
Final Plat / Replat (If the property is already platted, then attach a copy of the approved plat)	
Application	
Platting/Replatting fees	
Proposed plans to be reviewed	
Digital copy on a usb drive (the drive will not be returned and can contain all sets)	
<b>The information below is for staff regarding notifications.</b>	
Assign case number: Z-	
Public Hearing	
<b>Newspaper notification</b>	
<b>300' buffer notification</b>	

### Summary of the considerations for approval of a Specific Use Permit.

1. That the specific use will be compatible with and not injurious to the use and enjoyment of other property, nor significantly diminish or impair property values within the immediate vicinity;
2. That the establishment of the specific use will not impede the normal and orderly development and improvement of surround vacant property;
3. That adequate utilities, access roads, drainage and other necessary supporting facilities have been or will be provided;
4. The design, location and arrangement of all driveways and parking spaces provide for the safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent development;
5. That adequate nuisance prevention measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration;
6. That directional lighting will be provided so as not to disturb or adversely affect neighboring properties;
7. That there are sufficient landscaping and screening to insure harmony and compatibility with adjacent property;
8. That the proposed use is in accordance with the comprehensive plan.



## SPECIFIC USE PERMIT APPLICATION

**1. Site Location:**

Street Address: \_\_\_\_\_

Lot, Block, & Subdivision Name: \_\_\_\_\_

**2. Applicant:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State: \_\_\_\_\_ Zip: \_\_\_\_\_

Office #: \_\_\_\_\_ Cell #: \_\_\_\_\_ Fax #: \_\_\_\_\_

Email Address: \_\_\_\_\_

**3. Property Owner:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State: \_\_\_\_\_ Zip: \_\_\_\_\_

Office #: \_\_\_\_\_ Cell #: \_\_\_\_\_ Fax #: \_\_\_\_\_

Email Address: \_\_\_\_\_

**4. Summarize the proposed development. If necessary, use a separate sheet.**

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5. Present Zoning: \_\_\_\_\_ Present Land Use: \_\_\_\_\_

Future Land Use Designation: \_\_\_\_\_

6. Attach: additional maps, exhibits, drawings, or pictures necessary to help explain the request.

**I UNDERSTAND THAT IT IS NECESSARY FOR ALL ENGINEERING FEES TO BE PAID BEFORE STAFF FILES ANY PLATS OR ISSUES ANY PERMITS. IF THE FEES ARE NOT PAID A LIEN WILL BE FILED AGAINST THE PROPERTY.**

**Who will be responsible for paying for any City of Kaufman engineering fees? If it is "Other" you will need to complete the following section:**

**Applicant**

**Property Owner**

**Consultant**

**Other Name:** \_\_\_\_\_

**Other Mailing Address:** \_\_\_\_\_

**Other Phone:** \_\_\_\_\_ **Other Email:** \_\_\_\_\_

I hereby authorize the undersigned applicant to act as my agent for the representation and/or presentation of the request.

Applicant Name (print or type): \_\_\_\_\_

Applicant Signature: \_\_\_\_\_

Owner Name (print or type): \_\_\_\_\_

Owner Signature: \_\_\_\_\_

# Kaufman Zoning Ordinance

## Section 30      Specific Use Permits (SUP)

### 30.1    SPECIFIC USES:

The purpose of this overlay district is to allow certain uses within base zoning districts that, under most circumstances, would not be compatible with other permitted uses but with certain conditions and development restrictions may be compatible.

The City Council by an affirmative vote may, after public hearing and proper notice to all parties affected, and after recommendations from the Planning and Zoning Commission that the uses are in general conformance with the intent of the Comprehensive Plan and with general objectives of the City, and containing such requirements and safeguards as are necessary to protect adjoining property, authorize certain uses by a Specific Use Permit (SUP). As a zoning action, issuance of an SUP shall only apply to real property (i.e., shall not be attached to any person, business entity, etc.), shall not be transferred from one property to another (i.e., shall not move if a business operation relocates), and shall not expire without proper zoning action to rescind the SUP (i.e., change the zoning to remove the SUP, with appropriate public notification, public hearing, etc.).

A zoning application for an SUP shall be accompanied by a metes and bounds description and a survey (i.e., drawing) exhibit showing the property for which the SUP is being requested, and by a site plan (see Section 39) drawn to scale and showing the general arrangement of the project, together with essential requirements such as off-street parking facilities; size, height, construction materials, and locations of buildings and the uses to be permitted; location and construction of signs; means of ingress and egress to public streets; the type of visual screening such as walls, plantings and fences; and the relationship of the intended use to all existing properties and land uses in all directions to a minimum distance of three hundred feet (300'). The City shall make available application forms specifying drawing requirements. The Director (or his designee), Planning and Zoning Commission or City Council may require additional information or drawings (such as building floor plans), operating data and expert evaluation or testimony concerning the location, function and characteristics of any building or use proposed. The site plan shall be reviewed and approved along with the SUP zoning application, and in accordance with Section 39 of this Ordinance.

### 30.2    SPECIFIC USE PERMIT REGULATIONS:

A. In recommending that a Specific Use Permit for the premises under consideration be granted, the City shall determine that such uses are harmonious and adaptable to building structures and uses of abutting property and other property in the vicinity of the premises under consideration, and shall make recommendations as to requirements for the paving of streets, alleys and sidewalks, means of ingress and egress to public streets, provisions for drainage, adequate off-street parking, screening and open space, heights of structures, and compatibility of buildings. In approving a requested SUP, the Planning and Zoning Commission and City Council may consider any or all of the following:

1. The use is harmonious and compatible with surrounding existing uses or proposed uses;
2. The activities requested by the applicant are normally associated with the permitted uses in the base district;
3. The nature of the use is reasonable;

4. Any negative impact on the surrounding area has been mitigated; and/or
5. That any additional conditions specified ensure that the intent of the district purposes are being upheld.

B. In granting a Specific Use Permit, the Planning and Zoning Commission and City Council may impose conditions which shall be complied with by the owner or grantee before a certificate of occupancy may be issued by the Building Official, or his designee, for use of the building on such property pursuant to such Specific Use Permit and such conditions precedent to the granting of the certificate of occupancy. Any special conditions shall be set forth in writing by the City Council prior to issuance of the Certificate of Occupancy, and shall be incorporated into the amending ordinance establishing the SUP.

C. No Specific Use Permit shall be granted unless the applicant, owner and grantee of the Specific Use Permit shall be willing to accept and agree to be bound by and comply with the written requirements or conditions of the Specific Use Permit, as incorporated into the amending ordinance establishing the SUP, and as reviewed by the Planning and Zoning Commission and approved by the City Council.

D. A building permit or certificate of occupancy shall be applied for and secured within six (6) months from the time of granting the Specific Use Permit, provided however, that the City Council may authorize one (1) extension of one (1) additional six (6) month period. After a one (1) year period including the one (1) six (6) month extension, if such has been granted by City Council, has elapsed, the Planning and Zoning Commission and City Council may review the site plan for continued validity and compliance. If the site plan is determined to be invalid or no longer viable, then the applicant/property owner(s) must submit a new or revised site plan for approval prior to any construction or to application for a building permit for the area designated for the Specific Use Permit. The new site plan must be resubmitted for review and approval in accordance with Section 39 of this Ordinance. If building construction/use of an SUP has not commenced within a reasonable amount of time after one (1) year, then the City Council, at its option, may initiate proceedings to rescind said SUP for lack of use.

E. No building, premise, or land used under a Specific Use Permit may be enlarged, modified, structurally altered, or otherwise significantly changed unless an amended Specific Use Permit is granted for such enlargement, modification, structural alteration, or change.

Minor changes or alterations may be approved by the Director, or his designee.

F. The Zoning Board of Adjustments shall not have jurisdiction to hear, review, reverse, or modify any decision, determination, or ruling with respect to the specific land use designated by any Specific Use Permit.

G. When the City Council authorizes granting of a Specific Use Permit, the Zoning District Map shall be amended according to its legend to indicate that the affected area has conditional and limited uses, and said amendment is to indicate the appropriate zoning district for the approved use and prefixed by a "SUP", or "S" designation.

\*H. A time limit may be imposed as a condition upon the granting of an SUP. If a time limit has been imposed, the SUP automatically terminates when the time limit expires. Except as otherwise provided in Subsection 30.2.I.; the applicant shall go through the procedures outlined above in Subsection 30.2.A-30.2G to renew an SUP.

\*I. As part of an SUP ordinance or ordinance amendment, the city council may declare that an SUP is

eligible for automatic renewal pursuant to this subsection. Automatic renewal is an alternative to the standard method of renewing an SUP by amending the SUP ordinance. In order for automatic renewal to occur, the property owner or his representative must file a complete application for automatic renewal with the director after the 180th day but before the 120th day before the expiration of the current SUP time period. If a fee is required, the application is not considered "filed" until the fee is paid.

1. Automatic renewal does not result in an amendment to the SUP ordinance. An applicant seeking to change the SUP conditions or to otherwise amend the SUP ordinance must go through the procedures outlined in Subsection (b).
2. An application for automatic renewal must be filed with the director on a form furnished by the city for that purpose. As part of the application, the property owner or his representative shall state that all existing SUP conditions have been complied with, and that no changes to the conditions or other SUP ordinance provisions are being requested.
3. Failure to timely file a complete application required under Paragraph (1) renders the SUP ineligible for automatic renewal. The city council may, however, reinstate an SUP's eligibility for future automatic renewals as part of a new SUP ordinance or ordinance amendment.
4. Upon the filing of a complete application for automatic renewal, the director shall send written notice to all owners of real property lying within 200 feet of the area governed by the SUP. The notice must state that the SUP is eligible for automatic renewal and may be automatically renewed without further notice.
5. If the owners of 20 percent or more of the land within 200 feet of the area governed by the SUP file a written protest against the automatic renewal in accordance with this paragraph, the director shall forward the application to the city plan commission and city council for further action. Written protests against an automatic renewal must be filed with the director before 5:00 p.m. of the 21st calendar day after the date the notice is mailed. A protest sent through the mail must be received by the director before the deadline. If the deadline falls on a Saturday, Sunday, or an official city holiday; then the protests must be filed before noon of the following working day. To the extent that they do not conflict with this subsection, the provisions of Section 10.8.D governing written protests in zoning cases apply to protests filed under this subsection.
6. After the deadline for filing written protests has passed, the director shall review the conditions of the SUP and determine whether the conditions have been met. If the director determines that the conditions have not been met, he shall forward the application to the city plan commission and city council for further action.
7. "Further action" as that term is used in Paragraphs (5) and (6) means that the director shall schedule the application for public hearings before both the city plan commission and the city council. Notice of the public hearings must be given as would be required by law for a change in zoning district classification. The city plan commission shall make a recommendation to the city council regarding the proposed renewal based on staff reports, field inspections, and the evidence presented at its public hearing.
8. In connection with an application that has been forwarded to it by the director pursuant to Paragraph (5) or (6), the city council may:

- a. pass an amending ordinance to repeal the SUP's eligibility for automatic renewal, or to supplement, remove, or amend any of the conditions or other provisions in the SUP ordinance; or
  - b. take no action and thereby allow the SUP to automatically renew as a matter of law.
9. No renewal or expiration of an SUP may occur while the application is pending before the city plan commission or city council. If the application is pending at the end of the current time period stated in the SUP ordinance, the time period shall be extended as a matter of law until:
  - a. the day following the next succeeding official agenda meeting of the city council after the council makes its final decision on the application; or
  - b. if the council votes to pass an amending ordinance, until the effective date of the amending ordinance.
10. The renewal of an SUP eligible for automatic renewal occurs as a matter of law at the end of the current time period as stated in the SUP ordinance, or as extended pursuant to Subparagraph (9). Unless otherwise specified in the SUP ordinance, an automatic renewal is for the same time period as the immediately preceding time period [excluding, if applicable, extensions pursuant to Subparagraph (9)].
11. An SUP that is automatically renewed pursuant to this subsection may continue to be automatically renewed in perpetuity so long as the owner or his representative continues to timely file the applications for automatic renewal required under Section 30.2.I. Failure to timely file this application during any renewal period renders the SUP ineligible for further automatic renewal. The city council may, however, reinstate the SUP's eligibility for future automatic renewals as part of a new SUP ordinance or ordinance amendment.
12. This subsection does not impair the ability of the city plan commission or city council to call a public hearing on its own motion for the purpose of passing an amending ordinance to repeal an SUP's eligibility for automatic renewal, or to supplement, remove, or amend any of the conditions or other provisions in an SUP ordinance.

### **30.3 USE REGULATIONS:**

- A. Uses permitted by SUP are specified in Section 33 (Use Charts).

### **30.4 PRIOR SUP ORDINANCES REMAINING IN EFFECT:**

Prior to adoption of this Ordinance, the City Council had established various SUP's, some of which are to be continued in full force and effect. The permits or parts of permits approved prior to this Ordinance, and specified in Table 30-1, shall be carried forth in full force and effect and are the conditions, restrictions, regulations and requirements which apply to the respective Specific Use Permits shown on the Zoning District Map as of the effective date of this Ordinance.

### **30.5 SPECIAL REQUIREMENTS:**

- A. For site plan requirements, see Section 39.
- B. Unless specifically addressed in the Specific Use Permit (SUP) conditions all other requirements of the base district will apply in addition to all the requirements as established in the Development Standards, Sections 34 through 44.

## **Kaufman Zoning Ordinance**

## **Section 39      Site Plan Review**

### **39.1 SITE PLAN REVIEW:**

- A. **Purpose** - This Section establishes a site plan review process for proposed nonresidential and multi-family residential developments. The purpose of the review is to ensure efficient and safe land development, harmonious use of land, compliance with appropriate design standards, safe and efficient vehicular and pedestrian circulation, parking and loading, and adequate water supply, drainage and storm water management, sanitary facilities, and other utilities and services.
- B. **Applicability** - Site plan review and approval shall be required for the following:
  1. Any new nonresidential development.
  2. Any new multi-family development or manufactured home park.
  3. Any redevelopment, additions or alterations of existing sites or structures that exceeds 10% of the gross floor area, changes to a use that increases the parking requirement by more than 10% of the existing parking or materially changes the traffic circulation.
  4. Any nonconforming structure that has been abandoned for more than 6 months or any structure that has been damaged by fire, storms or other disaster beyond the control of the owner (exceeding 50% of its appraised value) must undergo site plan review and approval as well as meeting the criteria set forth in this Ordinance before reoccupation, repairs or restoration.
  5. No building permit shall be issued for any of the above developments until a site plan and all other required engineering/construction plans are first approved by the City. No certificate of occupancy shall be issued until all construction and development conforms to the site plan and engineering/construction plans, as approved by the City. A public hearing requiring notification as specified by State Law is not required on a site plan unless it is prepared in conjunction with a zoning request for a Planned Development or an SUP.
- C. **Exemptions and exceptions** - Site plan review shall not be required for single-family detached or townhouse residential developments (plats serve as a site plan for single-family developments), except as provided in Section B.5. above, unless the proposed subdivision will include a private amenity/facility comprised of one (1) or more buildings (e.g., a private recreation/swimming facility, etc.) or a golf course, or unless the proposed subdivision will have private (i.e., not public) streets. In these instances, site plan submission and approval (in accordance with this Section) will be required for the private

amenity/facility, the golf course clubhouse/hospitality area, and the gated (i.e., restricted access) entrances.

D. **Site plan submission requirements** - The site plan submission shall be comprised of the following: (all required items/information must be received by the Director, or his designee, in order for a site plan/development review submission to be considered complete -- incomplete submissions will not be reviewed until all deficient items/information has been received).

Application form (to be provided by the City) signed by the owner or his designated representative (if the applicant is not the owner of the subject property, then he shall submit verification in the form of a notarized statement that he is acting as an authorized agent for the property owner).

1. Filing fee (as established in the Fee Schedule as adopted).
2. Verification that all taxes and assessments on the subject property have been paid (see Subsection E below).
3. Two (2) full size copies (24x36) plus a digital copy of the initial submittal of site plan with elevation drawings of any façade facing a public roadway, drawn to a known engineering scale that is large enough to be clearly legible, shall be submitted for review by City staff. After review, markups shall be returned to the applicant for revisions. After the required revisions have been made by the applicant, submit one (1) full size copy and one (1) reduced copies (11x17) plus a digital copy of the revised drawings shall be submitted no later than one (1) week prior to the regularly scheduled Planning and Zoning Commission meeting in order to be placed on the Agenda.
6. Two (2) complete sets plus a digital copy of engineering/construction plans (including the approved site plan and plat) for all site work and for all required public improvements (e.g., water, wastewater, grading/storm drainage, streets, alleys, fire lanes and hydrants, etc.).
7. A final plat/replat submission (as per the Subdivision Ordinance) will also be required to be submitted along with the Site Plan, if the property has not yet been platted, requires lot reconfiguration, or if additional easements or rights-of-way will need to be established for the proposed development.
8. Two (2) complete sets of construction documents including landscaping and irrigation plans shall be submitted for review by the Building Official (or his designee) prior to issuance of the building permit.
9. Any additional information/materials (i.e., plans, maps, exhibits, legal description of property, information about proposed uses, etc.) as deemed necessary by the Director, or his designee, in order to ensure that the request is understood.

E. No person who owes delinquent taxes, delinquent paving assessments, impact fees, or any other delinquent debts or obligations to the City of Kaufman, and which are directly attributable to a piece of property shall be allowed to submit an application for site plan/development review until the taxes, assessments, debts, or obligations directly attributable to said property and owed by the owner or previous owner thereof shall have been first fully paid, or until an arrangement satisfactory to the City has been made for the payment of such debts or obligations. It shall be the applicant's responsibility to provide evidence or proof that the taxes have been paid.

F. **Site plan details** - The site plan and accompanying engineering/construction plans shall contain sufficient information relative to site design and construction to clearly show the extent of the proposed development/ construction, and shall include but not be limited to the following:

1. The Site Plan drawing will include graphic scale, north arrow, location map, site summary (lot size, percent lot coverage, percent landscaping required, percent landscaping provided, parking required, parking provided, etc.) and legend. Title block shall be located in the lower right hand corner of the drawing with the name of the project, lot and block number and name of subdivision, address, phase number if applicable, PD or SUP ordinance number if applicable, zoning, names, addresses and phone numbers of owner, developer, architect, designer, engineer as applicable, and date.
2. A site inventory analysis, including major existing vegetation, natural watercourses, creeks or bodies of water, and an analysis of planned changes in such natural features as a result of the development. This shall include a delineation of any flood prone areas.
3. Any existing and proposed public/private streets and alleys; building sites or lots; any areas reserved as parks, parkways, playgrounds, utility easements or school sites; any proposed street widening and street changes (i.e., median cuts and turn lanes); the points of ingress and egress from existing/proposed streets (any access drives or changes affecting State controlled rights-of-way must have tentative approval of TxDOT before the site plan application will be placed on the P&Z agenda); location and description of existing and proposed utility services, including size of water and sewer mains and laterals, and storm drainage structures (including grading); the location and width for all driveway openings; topography at no more than two (2') foot contours; and existing development on all abutting sites and the zoning classification thereof.
4. Placement of all buildings on the site, showing the building footprints and setback lines, and all property lines, street curb lines, alley lines, easements, screening walls, signage, any service/delivery areas for trucks, fire lanes, fire hydrants, and parking areas (including parking space counts and a schedule of parking ratios used for the various proposed uses).
5. A landscape plan showing turf areas, screening walls, ornamental plantings, any existing wooded areas and trees to be planted.
6. Building facade (i.e., elevation) plans showing elevations with any attached (i.e., wall-mounted) signage to be used, as determined appropriate by the Director, or his designee.

Provision of the above items shall conform to the principles and standards of this Ordinance. To ensure the submission of adequate information, the City is hereby empowered to maintain and distribute a separate list of specific requirements for site plan review applications. Upon periodic review, the Director (or his designee) shall have the authority to update such requirements for site plan/development review applications.

G. **Supplemental requirements** - The City's staff may require other information and data for specific site plans. This data may include, but is not limited to geologic information, water yields, flood data, environmental information, traffic impact analysis, road capacities, market information, economic data for the proposed development, hours of operation, elevations and perspective drawings, lighting, and similar information. Approval of a site plan may establish conditions for construction based upon such information.

H. **Principles and standards for site plan review and evaluation** - The following criteria have been set forth as a guide for evaluating the adequacy of proposed development within the City of Kaufman, and to ensure that all developments are, to the best extent possible, constructed according to the City's codes and ordinances.

I. The Director, or his designee, shall review the site plan for compliance with all applicable City ordinances and with the Comprehensive Plan; for harmony with surrounding uses and with long-range plans for the future development of Kaufman; for the promotion of the health, safety, order, efficiency, and economy of the City; and for the maintenance of property values and the general welfare.

Site plan review and evaluation by the Director, or his designee, shall be performed with respect to the following:

1. The site plan's compliance with all provisions of the Zoning Ordinance and other ordinances of the City of Kaufman including but not limited to off-street parking and loading, lighting, open space, and the generation of objectionable smoke, fumes, noise, odors, dust, glare, vibration, or heat.
2. The impact of the development relating to the preservation of existing natural resources on the site and the impact on the natural resources of the surrounding properties and neighborhood.
3. The relationship of the development to adjacent uses in terms of harmonious design, setbacks, maintenance of property values, and any possible negative impacts.
4. The provision of a safe and efficient vehicular and pedestrian circulation system.
5. The design and location of off-street parking and loading facilities to ensure that all such spaces are usable and are safely and conveniently arranged.
6. The sufficient width and suitable grade and location of streets designed to accommodate prospective traffic and to provide access for fire fighting and emergency equipment to buildings.
7. The coordination of streets so as to arrange a convenient system consistent with the Thoroughfare Plan of the City of Kaufman.
8. The use of landscaping and screening to provide adequate buffers to shield lights, noise, movement, or activities from adjacent properties when necessary, and to complement and integrate the design and location of buildings into the overall site design.
9. Exterior lighting to ensure safe movement and for security purposes, which shall be arranged so as to minimize glare and reflection upon adjacent properties.
10. The location, size, and configuration of open space areas to ensure that such areas are suitable for intended recreation and conservation uses.
11. Protection and conservation of soils from erosion by wind or water or from excavation or grading.
12. Protection and conservation of water courses and areas subject to flooding.
13. The adequacy of water, drainage, sewerage facilities, solid waste disposal, and other utilities

necessary for essential services to residents and occupants.

### **39.2 APPROVAL PROCESS:**

- A. The Director (or his designee) shall review and evaluate all site plan submissions, and shall make a recommendation to the Planning and Zoning Commission to approve the site plan, to approve the site plan with conditions or stipulations, or to deny the site plan for certain reasons. The Director, or his designee, may prepare a written report/evaluation of the site plan/development application, which may include background information on the subject property, its zoning history, development and zoning patterns surrounding the site, discussion of any issues or concerns, and a staff recommendation as described above. The staff report/evaluation should be made available to members of the Planning and Zoning Commission prior to the meeting date on which the application will be considered in order to allow time for review and for site visitation, if necessary.
- B. The Director, or his designee, shall schedule consideration of the site plan on the regular agenda of the Planning and Zoning Commission within thirty (30) days after the submission is received (or, in the case of an incomplete submission, after the submission is deemed complete). The Planning and Zoning Commission shall review the site plan and shall forward its recommendation to approve the site plan, to approve the site plan with conditions or stipulations, or to deny the site plan to the City Council. The site plan shall then be scheduled for consideration by the City Council at their next possible meeting. The City Council shall determine final approval or disapproval of all site plans.
- C. **Effect of site plan approval** - If development of a lot with an approved site plan has not commenced (i.e., a building permit has not been applied for or issued) within one (1) year of the date of final City Council approval of the site plan, then the site plan shall be deemed to have expired. Resubmission of the site plan (i.e., following expiration as described herein) shall be in accordance with site plan submission and review procedures then in effect and shall be accompanied by all required items/information (including payment of filing fees), and reconsideration of the site plan shall take into account all changes to applicable ordinances which may have occurred since prior approval of the site plan.

### **39.3 REVISIONS TO THE APPROVED SITE PLAN:**

- A. **Minor revisions/amendment** - It is recognized that final architectural and engineering design may necessitate minor changes in the approved site plan. In such cases, the Director, or his designee, shall have the authority to approve minor modifications to an approved site plan (which shall be submitted as an "amended site plan" which substantially conforms to the previously approved site plan), provided that such modifications do not materially change traffic circulation, building location(s) on the site, proximity of building(s) to nearby residential areas, the size or height (i.e., enlargement of buildings), or any other conditions specifically attached as part of City Council's approval of the site plan. Submission materials and requirements for approval of an amended site plan shall be as determined by the Director, or his designee.
- B. **Major revisions** - In the event of revisions that are more extensive in nature (i.e., do not conform to the description for minor amendments above), a "revised site plan" must be resubmitted, reviewed by the Director (or his designee), and reconsidered by the Planning and Zoning Commission and City Council in accordance with the procedures set forth in this Section.