

DRAFT

Chapter 335 SITE DESIGN REVIEW

- 335.01 Purpose**
- 335.02 Applicability**
- 335.03 Type I Site Design Review Approval Criteria**
- 335.04 Type II and Type III Site Design Review and Application Submission Requirements**
- 335.05 Site Design Review Approval Criteria**
- 335.06 Bonding and Assurances**
- 335.07 Development in Accordance With Permit Approval**

335.01 Purpose.

The purpose of this Chapter is to:

- A. Provide rules, regulations and standards for efficient and effective administration of site development review.
- B. Carry out the development pattern and plan of the County and its Comprehensive Plan policies;
- C. Promote the public health, safety and general welfare;
- D. Lessen or avoid congestion in the streets, and provide for safety from fire, flood, pollution and other dangers;
- E. Provide adequate light and air, prevent overcrowding of land, and facilitate adequate provision for transportation, water supply, sewage and drainage;
- F. Encourage the conservation of energy resources; and
- G. Encourage efficient use of land resources, full utilization of urban services, mixed uses, transportation options, and detailed, human-scaled design.

335.02 Applicability.

Site Design Review shall be required for all new developments and modifications of existing developments, except that regular maintenance, repair and replacement of materials (e.g., roof, siding, awnings, etc.), parking resurfacing, and similar maintenance and repair shall be exempt. The criteria for each type of review are as follows:

- A. **Type I Site Design Review.** Type I Site Design Review applies to those uses listed as “Uses Permitted Through A Type I Procedure” in the applicable chapters in Articles 4-7. Type I Site Design Review is a non-discretionary or “ministerial” review conducted by the Planning Director without a public hearing. (See Chapter 205 for review procedure.) It is for less complex developments and land uses that do not require Type II or Type III site design review approval.

Type I Site Design Review is based on clear and objective standards and ensures compliance with the basic development standards of the land use district, such as building setbacks, lot coverage, maximum building height, and similar provisions.

- B. **Type II Site Design Review.** Type II Site Design Review applies to those uses listed as “Uses Permitted Through A Type II Procedure” in the applicable chapters in Articles 4-7. Type II Site Design Review is a discretionary review conducted by the Planning Director with public notice and an opportunity for a hearing (See Chapter 205 for review procedure.) Type II Site Design Review ensures compliance with the basic development standards of the land use district (e.g., building setbacks, lot coverage, maximum building height), as

DRAFT

well as the detailed design standards and public improvement requirements.

- C. Type III Site Design Review. Type III Site Design Review applies to those uses listed as “Uses Permitted Through A Type III Procedure” and all Conditional Uses in the applicable chapters in Articles 4-7. Type III Site Design Review is a discretionary review conducted by the Planning Commission. (See Chapter 205 for review procedure.) Type III Site Design Review ensures compliance with the basic development standards of the land use district (e.g., building setbacks, lot coverage, maximum building height), as well as the detailed design standards and public improvement requirements.

335.03 Type I Site Design Review Approval Criteria.

Type I Site Design Review shall be conducted only for the developments listed in Section 335.02(A) above, and it shall be conducted as a Type I procedure, as described in Chapter 205. Prior to issuance of building permits, the following standards shall be met:

1. The proposed land use is permitted by the underlying land use district;
2. The land use, building/yard setback, lot area or parcel size, lot dimension, density, lot coverage, building height and other applicable standards of the underlying land use district and any overlay zones are met;
3. All applicable building and fire code standards are met; and
4. The approval shall lapse, and a new application shall be required, if a building permit has not been issued within one year of Site Design Review approval, or if development of the site is

in violation of the approved plan or other applicable codes.

335.04 Type II and Type III Site Design Review and Application Submission Requirements.

~~All of the~~ The following information is required for Type II and Type III Site Design Review application submittal: if applicable to the specific request. Documentation in addition to or in lieu of the following list may be required for a specific permit or action, as required by other chapters of this ordinance. The Planning Director will have the ultimate authority to determine what information is required, including the request of additional or a waiver of required information.

- a. Appropriate application form.
- b. Narrative that describes the proposed project and addresses the applicable approval criteria.
- c. Site plans drawn to scale describing existing and proposed conditions. The site plans shall depict:
 - (1) Date of preparation, true north, scale and gross area of the site.
 - (2) Property lines of subject property(ies).
 - (3) Existing and proposed building locations, dimensions and height in respect to the subject property.
 - (4) Existing and proposed irrigation canals and ditches, pipelines and railroads, and any natural features, such as rock outcroppings, marshes, wooded areas and natural hazards.
 - (5) Location and direction of watercourses and location of areas subject to flooding and high water tables.

DRAFT

(6) Off-street parking spaces and loading areas.

(7) Existing and proposed points of ingress and egress - both vehicular and pedestrian ways.

(8) All existing and proposed screening and landscaping, including number, size, and species of plantings.

(9) Existing topographic and preliminary grading plan.

(10) Location, width and use or purpose of any existing easement or right-of-way for utilities, bikeways, trails, access corridors, natural resources, roadway, rail and/or other easements or rights-of-way within and adjacent to the site.

(11) Existing sewer lines, septic system drainage fields, water mains, wells, culverts and other underground and overhead utilities within and adjacent to the proposed partition, together with pipe sizes, grades and locations.

(12) Contour lines related to some established benchmark or other acceptable datum and having minimum intervals of 2' for slopes of less than 5%, 10' for slopes of 20%, and 20' for slopes greater than 20%.

(13) Zoning classification of lands within and adjacent to the proposed partition.

(14) Existing and proposed lighting including lights for signage.

d. Stormwater and erosion control plans.

e. Architectural plans and elevations.

f. Sign plan depicting location, size, and type of signs and other advertising features.

g. Applicable fee.

A. General Submission Requirements. The applicant shall submit an application containing all of the general information required by Section 205.05 (Type II application) or Section 205.06 (Type III application), as applicable, along with the information specified in Section 205.10. The type of application shall be determined in accordance with Section 335.02.

B. Site Design Review Information. An application for site design review shall include the following information, as deemed applicable by the Director:

1. Site analysis map. At a minimum the site map shall contain the following:

a. The applicant's entire property and the surrounding property to a distance sufficient to determine the location of the development in the County, and the relationship between the proposed development site and adjacent property and development. The property boundaries, dimensions and gross area shall be identified;

b. Topographic contour lines at intervals determined by the County;

c. Identification of slopes greater than 15 percent;

d. The location and width of all public and private streets, drives, sidewalks, pathways, rights-of-way, and easements on the site and adjoining the site;

e. Potential natural hazard areas, including any areas identified as subject to a 100-year flood, areas subject to high water

DRAFT

- table, and areas mapped by the County or State as having a potential for geologic hazards;
- f. Resource areas, including marsh and wetland areas, streams, wildlife habitat identified by the County or any natural resource regulatory agencies as requiring protection;
 - g. Site features, including existing structures, pavement, large rock outcroppings, areas having unique views, and drainage ways, canals and ditches;
 - h. Locally or federally designated historic and cultural resources on the site and adjacent parcels or lots;
 - i. The location, size and species of trees and other vegetation having a caliper (diameter) of 6 inches or greater at four feet above grade;
 - j. North arrow, scale, names and addresses of all persons listed as owners on the most recently recorded deed.
 - k. Name and address of project designer, engineer, surveyor, and/or planner, if applicable.
 - l. Other information, as determined by the Director. The County may require studies or exhibits prepared by qualified professionals to address specific site features.
 2. Proposed site plan. The site plan shall contain the following information, if applicable:
 - a. The proposed development site, including boundaries, dimensions, and gross area;
 - b. Features identified on the existing site analysis map which are proposed to remain on the site.
 - c. Features identified on the existing site map, if any, which are proposed to be removed or modified by the development;
 - d. The location and dimensions of all proposed public and private streets, drives, rights-of-way, and easements;
 - e. The location and dimensions of all existing and proposed structures, utilities, pavement and other improvements on the site. Setback dimensions for all existing and proposed buildings shall be provided on the site plan;
 - f. The location and dimensions of entrances and exits to the site for vehicular, pedestrian, and bicycle access;
 - g. The location and dimensions of all parking and vehicle circulation areas (show striping for parking stalls and wheel stops, as applicable);
 - h. Pedestrian and bicycle circulation areas, including sidewalks, internal pathways, pathway connections to adjacent properties, and any bicycle lanes or trails;
 - i. Loading and service areas for waste disposal, loading and delivery;
 - j. Outdoor recreation spaces, common areas, plazas, outdoor seating, street furniture, and similar improvements, as applicable;
 - k. Location, type, and height of outdoor lighting;
 - l. Location of mail boxes, if known;

DRAFT

- m. Name and address of project designer, if applicable.
 - n. Location of bus stops and other public or private transportation facilities.
 - o. Locations, sizes, and types of signs.
 - p. Other information, determined by the Planning Director. The County may require studies or exhibits prepared by qualified professionals to address specific site features (e.g., traffic, noise, environmental features, natural hazards, etc.), in conformance with this Code.
3. Architectural drawings. As deemed by the Planning Director, Architectural drawings may be required to show one or more of the following: ~~shall be submitted showing:~~
- a. Building elevations with building height and width dimensions;
 - b. Building materials, color and type.
 - c. The name of the architect or designer.
4. Preliminary grading plan. A preliminary grading plan prepared by a registered engineer shall be required for developments which would result in the grading (cut or fill) of 1,000 cubic yards or greater. The preliminary grading plan shall show the location and extent to which grading will take place, indicating general changes to contour lines, slope ratios, slope stabilization proposals, and location and height of retaining walls, if proposed. Surface water detention and treatment plans may also be required.
5. Landscape plan. A landscape plan is required and shall show the following:
- a. The location and height of existing and proposed fences and other buffering or screening materials;
 - b. The location of existing and proposed terraces, retaining walls, decks, patios, shelters, and play areas;
 - c. The location, size, and species of the existing and proposed plant materials (at time of planting);
 - d. Existing and proposed building and pavement outlines;
 - e. Specifications for soil at time of planting, irrigation if plantings are not drought-tolerant (may be automatic or other approved method of irrigation) and anticipated planting schedule.
 - f. Other information as deemed appropriate by the Director. An arborist's report may be required.
6. Sign drawings shall be required in conformance with the Chapter 730.
7. Copies of all existing and proposed restrictions or covenants.
8. Letter or narrative report documenting compliance with the applicable approval criteria contained in Section 335.05.

335.05 Site Design Review Approval Criteria.

The review authority shall make written findings with respect to all of the following criteria when approving, approving with conditions, or denying an application:

- A. The application is complete, as determined in accordance with Section 205.10(C) and Section 335.04.
- B. The application complies with the all of the applicable provisions of the

DRAFT

underlying Land Use District and Overlay Zone, including: building and yard setbacks, lot area and dimensions, density and floor area, lot coverage, building height, building orientation, architecture, and other special standards as may be required for certain land uses;

- C. The applicant shall be required to upgrade any existing development that does not comply with the applicable land use district standards, in conformance with Chapter 720, Non-Conforming Uses;
- D. The application complies with the Development Standards contained in Articles 3 and 7.
- E. Conditions required as part of a Conditional Use Permit (Chapter 210), Lot Line Adjustment (Chapter 310), Partition (Chapter 320), Subdivision (Chapter 330), or other approval shall be met.
- F. Exceptions to criteria above may be granted only when approved as a Variance (Chapter 240).

335.06 Bonding and Assurances.

- A. Performance Bonds for Public Improvements. On all projects where public improvements are required, the County shall require a bond in an amount not greater than 100% or other adequate assurances as a condition of site development approval in order to guarantee the public improvements;
- B. Release of Performance Bonds. The bond or assurance shall be released when the Planning Director finds the completed project conforms to the site development approval, including all conditions of approval.

- C. Completion of Landscape Installation. Landscaping shall be installed prior to issuance of occupancy permits, unless security equal to the cost of the landscaping as determined by the Planning Director or a qualified landscape architect is filed with the County Clerk assuring such installation within six months after occupancy. If the installation of the landscaping is not completed within the six-month period, the security may be used by the County to complete the installation.

335.07 Development in Accordance With Permit Approval.

Development shall not commence until the applicant has received all of the appropriate land use and development approvals (i.e., site design review approval) and building permits. Construction of public improvements shall not commence until the County has approved all required public improvement plans (e.g., utilities, streets, public land dedication, etc.). The County may require the applicant to enter into a development agreement (e.g., for phased developments and developments with required off-site public improvements), and may require bonding or other assurances for improvements, in accordance with Section 335.06. Site Design Review approvals shall be subject to all of the following standards and limitations:

- A. Modifications to Approved Plans and Developments. Minor modifications of an approved plan or existing development, as defined in Chapter 150, shall be processed as a Type I procedure.

Major modifications, as defined in Chapter 150, shall be processed as a Type II or Type III procedure and shall require site design review.

- B. Approval Period. Site Design Review approvals shall be effective for a period

DRAFT

of one year from the date of approval.
The approval shall lapse if:

1. A building permit has not been issued within a one-year period; or
2. Construction on the site is in violation of the approved plan.

C. Extension. The Planning Director shall, upon written request by the applicant, grant an extension of the approval period not to exceed one year; provided that:

1. No changes are made on the original approved site design review plan;
2. The applicant can show intent of initiating construction on the site within the one year extension period;
3. There have been no changes to the applicable Code provisions on which the approval was based. If there have been changes to the applicable Code provisions and the expired plan does not comply with those changes, then the extension shall not be granted; in this case, a new site design review shall be required; and
4. The applicant demonstrates that failure to obtain building permits and substantially begin construction within one year of site design approval was beyond the applicant's control.

D. Phased Development. Phasing of development may be approved with the Site Design Review application, subject to the following standards and procedures:

1. A phasing plan shall be submitted with the Site Design Review application.
2. The hearings body shall approve a time schedule for developing a site in phases,

but in no case shall the total time period for all phases be greater than 2 years without reapplying for site design review.

3. Approval of a phased site design review proposal requires satisfaction of all of the following criteria:

- a. The public facilities required to serve each phase are constructed in conjunction with or prior to each phase;
- b. The development and occupancy of any phase dependent on the use of temporary public facilities shall require Board approval. Temporary facilities shall be approved only upon County receipt of bonding or other assurances to cover the cost of required public improvements. A temporary public facility is any facility not constructed to the applicable County or district standard, subject to review by the County Engineer; and
- c. The phased development shall not result in requiring the County or other property owners to construct public facilities that were required as part of the approved development proposal.