

Title 17 - ZONING
Chapter 17.38 Site Development Plan

Chapter 17.38 Site Development Plan¹

17.38.010 Purpose and intent.

The purpose and intent of the Site Development Plan (SDP) is to depict the general layout of a residential subdivision or the site layout, site improvements and building configuration of a multifamily residential, commercial, industrial, or mixed-use development. The SDP ensures that the proposed development is consistent and compatible with:

- A. All applicable Town-adopted plans and the general health, safety, and welfare;
- B. Any pre-existing land use approvals for the subject property; and
- C. Surrounding neighborhoods and with the residential-nonresidential interface regulations.

The SDP may constitute a site-specific development plan for purposes of establishing vested property rights (see Chapter 17.08).

(Ord. No. 2019-028 , § 3, 9-17-2019)

17.38.020 Site Development Plan/Public and Private Improvements required.

- A. An approved SDP is required prior to construction of a structure or addition, or installation or modification of site improvements, except as authorized under Subsection 15.54.020.F of the Code in any zoning district unless:
 - 1. The property use is single-family or duplex, has R-1, R-2, R-3 or residential PD zoning and has an existing Plat; or
 - 2. The property is Town-owned.
- B. As set forth in Section 15.50.010, CRMC, the Developer is required to construct Public and Private Improvements necessary to serve the development. An improvement agreement guaranteeing the installation of such improvements shall be executed by the Developer at the time of platting or construction document approval pursuant to Section 15.50.030 of the Code.

(Ord. No. 2019-028 , § 3, 9-17-2019)

17.38.030 Approval and appeals.

All Site Development Plans must be submitted in accordance with the Development Procedures Manual and be reviewed and approved by the appropriate decision-making body as outlined in the following table. When public hearings are required, the hearing on the SDP shall be noticed and conducted in accordance with the provisions of Sections 17.04.060 and 17.04.090, respectively. All review, action and appeals of applications shall be based on the review and approval criteria set forth in Section 17.38.040. In addition, Use by Special Review (UBSR)

¹Editor's note(s)—Ord. No. 2019-028 , § 3, adopted September 17, 2019, repealed the former Ch. 17.38, §§ 17.38.010—17.38.080, and enacted a new Ch. 17.38 as set out herein. The former Ch. 17.38 pertained to similar subject matter and derived from Ord. No. 2015-06 , § 3, 2-17-2015; Ord. 2012-18 §1.

applications shall also be subject to the criteria in Chapter 17.39. SDPs within the Wolfensberger North Zoning Overlay District shall also comply with the standards in Chapter 17.46. The review, approval and appeal process for an Administrative Site Development Plan is prescribed in Sections 17.04.100 and 17.04.110 respectively. The applicant for a UBSR-Tenant Finish that is denied by the Planning Commission may appeal to the Town Council within 30 days of the Planning Commission's action. The Town Council shall review and consider the Site Development Plan-UBSR following the notice and public hearing procedures in Chapter 17.04 and the review and approval criteria set forth in Section 17.38.040 and Chapter 17.39.

Site Development Plan	Administrative	Planning Commission	Design Review Board	Town Council
Site Development Plan	Administrative	Planning Commission	Design Review Board	Town Council
General	Recommendation	Recommendation		Decision
Administrative	Decision			Appeal
Downtown	Recommendation		Decision	Appeal
UBSR	Recommendation	Recommendation		Decision
UBSR - Tenant Finish	Recommendation	Decision		Appeal
Major Amendment	Recommendation	Recommendation		Decision
Minor Amendment	Decision			Appeal

- A. Site Development Plan - General shall apply to the following applications:
 - 1. Residential;
 - 2. Commercial subject to the Residential/Nonresidential Interface Regulations (see Chapter 17.50); and
 - 3. Commercial greater than 10-acres or 100,000 total square feet.
- B. Site Development Plan - Administrative shall apply to the following applications:
 - 1. Commercial not subject to the Residential/Nonresidential Interface Regulations (see Chapter 17.50); and
 - 2. Commercial less than 10-acres or 100,000 total square feet; and
 - 3. Commercial and mixed-use properties that exceed 10-acres and 100,000 square feet of proposed gross floor area if zoned Interchange Overlay Planned Development.
- C. Site Development Plan - Downtown shall apply to all Site Development Plans within the Downtown Overlay and are subject to all provisions of Chapter 17.42. An application for an amendment to a Site Development Plan - Downtown submitted for minor or non-material amendments that have no significant impacts, as determined by the Director, shall be processed administratively.
- D. Site Development Plan - Use by Special Review shall apply to all Site Development Plans that require approval of the Use by Special Review for proposed land uses except for commercial retail where only interior tenant finish improvements are proposed.
- E. Site Development Plan - Use by Special Review - Tenant Finish shall apply to all Site Development Plans that require approval of the Use by Special Review for proposed land uses for commercial retail where only interior tenant finish improvements are proposed.

(Ord. No. 2019-028 , § 3, 9-17-2019)

17.38.040 Site Development Plan review and approval criteria.

Site Development Plans and amendments shall be evaluated on the following criteria (and the criteria set forth in Chapter 17.39 for a Site Development Plan-Use by Special Review) as applicable to the type of development proposed:

A. Community vision/land use entitlements

1. Generally conforms to the Town's guiding documents that include, but are not limited to, Town Vision, Comprehensive Master Plans, Sub Area Plans, Design Guidelines, Corridor Plans and any other guiding document so long as the application of such document does not restrict the project's entitle use(s) and density.
2. Complies with existing Intergovernmental Agreements applicable to the development proposed.
3. Complies with any applicable Zoning Overlay Regulations and, if applicable, Skyline/Ridgeline Regulations.
4. Complies with the approved Planned Development Plan and Zoning Regulations.
5. Conforms to the Town's architectural goals by proposing architectural details that incorporate the use of high quality materials in a unique and varied design, while eliminating monolithic expanses of walls and rooflines through the use of varying planes and architectural projections to ensure a complete 360 degree architectural design.
6. Complies with all other relevant requirements of the CRMC.

B. Site layout.

1. Conforms to Chapter 17.50 Residential/Non-Residential Interface of the CRMC.
2. Site design shall be designed to maintain pedestrian and vehicle safety, provide for adequate fire safety, and mitigate impacts upon adjacent properties by ensuring all vehicular, fire and mitigation regulations contained within the CRMC, including technical criteria, have been met.
3. Provides adequate parking, on-site circulation and loading in accordance with Town regulations.
4. Provides appropriate screening and/or enclosure of outdoor storage of merchandise/materials, loading areas, trash receptacles, mechanical units, site utility equipment and building mounted utility hardware.
5. Provides adequate site design to protect major environmental characteristics that would include unique topographic features and significant vegetation where possible.

C. Circulation and connectivity.

1. Complies with all CRMC and technical criteria associated with circulation and connectivity.
2. Complies with all Fire regulations associated with land development.
3. Provides for pedestrian and bicycle traffic in a safe and convenient manner.
4. Provides for a high level of pedestrian connectivity between neighborhoods, schools, trails/open space and commercial areas.

D. Services, phasing and off-site impacts.

1. Complies with any phasing requirements associated with the approved zoning for the property. Provides phased improvements in a logical and efficient manner.

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2. Adequate water resources have been conveyed or purchased. Existing or proposed water and wastewater systems can support the proposed development pattern, uses and density.
 3. Existing or proposed stormwater systems can support the development and comply with applicable regulations.
 4. Provides adequate consideration for the future extension of streets and utilities to adjacent properties.
 5. Identifies and appropriately provides on-site and off-site public improvements to mitigate traffic impacts as required by the CRCMC and technical criteria.
- E. Open space, public lands and recreation amenities.
1. Provides adequate trail systems in terms of internal circulation and appropriate external connections deemed necessary by the Town to achieve connectivity goals.
 2. Ensures functional and accessible open space, consistent with the overall open space plan for development and preserves significant natural features.
 3. Ensures appropriate buffering, utilizing open space and/or setbacks to lessen any identified negative impacts.

(Ord. No. 2019-028 , § 3, 9-17-2019)

17.38.060 Site Development Plan major/minor amendments.

Any change to an approved Site Development Plan triggers either a major or minor amendment. Criteria distinguishing a major amendment from a minor amendment are as follows:

- A. Major Amendment. Subject to Paragraph 17.38.060.B.2 below, a major amendment is required if one or more of the following changes are made to an approved Site Development Plan:
1. New building construction or building additions greater than 5% of the existing building gross floor area or 2,000-square feet, whichever is less;
 2. Changes in the area devoted to any use by more than 10%;
 3. Increases the density or square footage of uses by more than 10% or decreases the density or square footage of uses by more than 20%;
 4. Reduces open space by more than 5%;
 5. Constitutes a significant change in any portion of, or all of the design elements of the SDP;
 6. Creates new or additional impacts on adjacent properties; or
 7. Meets any of the criteria set forth in Chapter 17.50 (Residential/Nonresidential Interface).
- B. Minor amendment. A Site Development Plan shall be processed as a minor amendment if it:
1. Does not qualify as a major amendment; or
 2. Qualifies as a major amendment, but meets the following criteria:
 - a. The property is less than 10-acres in size.
 - b. Non-residential development is proposed adjacent to non-residential development, as defined in Chapter 17.50.
 - c. Less than 100,000-square feet of gross floor area is proposed.

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- d. The property is not subject to the Residential/Non-Residential Interface; or if the property is subject to the Residential/Non-Residential Interface, the Site Development Plan proposes minor revisions that do not affect adjacent residential properties such as, but not limited to:
 - 1) Signs facing commercial properties or streets.
 - 2) Minor site or parking modifications.
 - 3) Building remodel/painting or building additions under ten percent of the existing floor area.
 - 4) Outdoor dining areas/patio covers.
 - 5) Additional landscaping or new planters, walls and fences.
 - 6) Screening of mechanical units, trash enclosures, or loading docks.
 - 3. Is located within the Downtown Overlay District and complies with Subsection 17.38.030.C.1.
 - C. Non-material Amendment. A Site Development Plan shall proceed as a "Non-material Amendment" if determined by the Director to have no material impact upon the initial approved Site Development Plan. Non-material amendments are intended to address the most basic minor changes to a Site Development Plan that do not meet the need or requirements to process a complete Site Development Plan amendment described in Subsection 17.38.060(A) and (B) (Major and Minor). Non-material amendments shall be processed administratively and recorded in the public records. Submittal requirements for the Non-material amendment shall be based on the application, which will typically address minor changes to a single item on an existing Site Development Plan.

(Ord. No. 2019-028 , § 3, 9-17-2019)

17.38.070 Site Development Plan amendment review and approval process.

An application for an amendment to an approved Site Development Plan shall be processed as follows:

- A. Major amendment. A major amendment shall be processed, reviewed and acted upon in the same manner as an initial Site Development Plan - General.
- B. Minor amendment. A minor amendment shall be processed, reviewed and acted upon in the same manner as an initial Site Development Plan - Administrative.

(Ord. No. 2019-028 , § 3, 9-17-2019)

17.38.080 Recording, approval period and lapses.

- A. Upon approval by the Town Council or the Manager, the applicant shall have 180-days to submit to the Town the approved Site Development Plan (or amendment) in a format appropriate for recording, including all required signatures and recordation fees. Any other documents approved in conjunction with the Site Development Plan that must be recorded, shall be recorded simultaneously.
- B. The applicant may apply to the Manager for a single 180-day extension of the recordation period any time prior to the end of the 180-day time period. The extension application shall be on a form approved by the Manager and shall be accompanied by the renewal fee. The extension shall be granted automatically to any applicant who submits a timely and complete application along with the full renewal fee.
- C. After the 180-day or extended time period, the approval of the Site Development Plan shall lapse and be of no further force or effect.

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- D. Upon recordation of the Site Development Plan the owner and subsequent owners or assigns shall be required to have the site construction be in conformance with the approved Site Development Plan as well as maintain all site improvements (to include all landscaping) per the approved Site Development Plan or any subsequent amendments.

(Ord. No. 2019-028 , § 3, 9-17-2019)