

15.02.055 - Review Criteria for All Application Types

No major, minor, or administrative development application shall be approved unless it meets the following review criteria, except that individual types of applications described in this land development code specifically may include exceptions to these criteria or impose additional criteria:

1. The application is consistent with the comprehensive plan and the purpose of the code and zoning district; conforms to any previously approved concept plan, preliminary plat, or PUD overall development plan; and complies with all applicable statutes, codes, ordinances and regulations.
2. The application complies with applicable city standards, including for street and utility design and layout, and adequate utilities are available or will be provided for appropriate urban-level services.
3. The application proposes development compatible with surrounding properties in terms of land use, site and building layout and design, and access.
4. The application will not adversely affect surrounding properties, the natural environment, existing or planned city transportation, or utility services or facilities, or the adverse impacts of the use will be mitigated to the maximum extent feasible.
5. The application, where required, complies with the sustainability evaluation system requirements to mitigate impacts of development within the city's riparian areas, and as applicable to other projects as determined by separate agreement.
6. The application includes an appropriate transportation plan, including multi-modal transportation access, and is integrated and connected, where appropriate, with adjacent development through street connections, sidewalks, trails and similar features.

(Ord. No. O-2019-62, § 2, 10-22-2019)

15.02.070 - Review Standards and Procedures for Specific Minor Development Applications

A. **Final Subdivision Plats.**

1. **Generally.** Final subdivision plat approval may be sought for all or a portion of the land area included in an approved preliminary subdivision plat. Review of a final subdivision plat may be done concurrently with an application for preliminary subdivision plat approval if the director determines the plat is simple enough to process both applications at once.
2. **Review Procedure.** All applications for final subdivision plats shall follow the core review procedure for minor development applications described in subsection 15.02.050.C, unless concurrent review is allowed with the preliminary plat.
3. **Additional Review Criteria.** Final subdivision plats shall also comply with the following additional review criteria:
 - a. As applicable, the applicant has executed a public improvement agreement under section 15.02.110 below, and posted required financial security.
 - b. When the subdivision generates a need for public school sites, the applicant has made its fair contribution to the cost, construction, or provision of such public school sites that is acceptable to the school district.

B. **Minor Subdivision Plats.**

1. **Generally.** The minor subdivision plat process may be used in lieu of the preliminary and final plat processes for subdivisions of three or fewer new lots, boundary line adjustments, right-of-way dedications and conveyance plats if the following conditions apply:
 - a. No variances or subdivision exceptions are required or requested;
 - b. Significant changes in street alignment are not required or requested; and
 - c. The property was not the subject of a minor subdivision plat approval during the prior one year.
2. **Review Criteria - Subdivision of Three or Fewer Lots.** For subdivisions of three or fewer lots, the minor subdivision

plat application shall comply with the review criteria applicable to preliminary subdivision plats stated in subsection 15.02.060.E of this chapter.

3. **Substitute Review Criteria - Boundary/Lot Line Adjustments.** Only the following criteria apply to boundary/lot line adjustments:
 - a. The adjustment affects only two adjacent lots and does not create new lots or parcels.
 - b. The adjustment does not affect a recorded easement without the prior written approval of the easement holder.
 - c. The adjustment is no greater than ten feet from the platted boundary or lot line, unless the director determines that a greater distance does not adversely affect the ability to develop the property or to provide or maintain city services and facilities.
 - d. Street locations will not be changed; however, new dedication of right-of-way is acceptable.
 - e. The adjustment will not create any nonconformities, or increase the degree of nonconformity of any existing structure or use.
 - f. The adjustment is referenced to the platted lot line in the newly written deeds for both lots (submitted with the application).
 - g. All owners of properties with adjusted boundaries or lot lines agree to the adjustment in writing.
 4. **Substitute Review Criteria - Conveyance Plats.** The conveyance plat application shall comply with the following review criteria only:
 - a. Each parcel is a minimum of ten acres, unless the director determines that existing conditions reasonably preclude compliance with the minimum area requirement, provided that any reduction in parcel area below this minimum does not adversely affect the ability to develop the property or to provide or maintain city services and facilities;
 - b. The conveyance plat is consistent with any previously approved concept plans covering the subject property; and
 - c. Where a conveyance plat is proposed for land that has been preliminarily but not finally platted, the conveyance plat is consistent with the preliminary plat covering the subject property.
 5. **Effect of Approval.**
 - a. **Record of Boundary/Lot Line Adjustments.** The director shall place copies of the written approval and deeds for boundary/lot line adjustments in the building inspection division and planning and development services department files for each affected lot or parcel.
 - b. **Effect of Approval—Conveyance Plats.** Approval of a conveyance plat does not include any development entitlements. Any development is subject to preliminary and final plat, overall development plan, and/or site plan approval.
- C. **Site Plans.**
1. **Applicability.**
 - a. All new development, additions, site changes, or changes in use are subject to site plan review, unless eligible for a waiver under subsection 15.02.070.C.3 below. For changes in use, a waiver is required when changes in occupancy require structure or site changes to conform to municipal code requirements for the new use.
 - b. An approved site plan is required prior to issuance of a building or stormwater permit for any development subject to these provisions.
 2. **Exception.** A site plan is not necessary for development of single-family detached dwelling units and their accessory structures on individual lots.
 3. **Waiver by Director.**
 - a. **Applicability.** The director may waive site plan review for construction of additional building area or change in use, if the applicant demonstrates that such construction or change in use:

- i. Does not include new construction exceeding 25 percent of the existing building area on the property;
 - ii. Does not adversely impact on- and off-site traffic circulation or parking areas, public utilities or services, on-site drainage, landscaping or other existing improvements;
 - iii. Does not result in any safety problems or hazards;
 - iv. The applicant agrees to all conditions of approval; and
 - v. Complies with the approval criteria in section 15.02.055.
 - b. **Procedure.** A request for waiver of site plan review shall be considered an administrative application, not a minor development application, and shall follow only the notice, procedure, and other requirements of this development code applicable to administrative applications.
 4. **Coordination with Other Approvals.**
 - a. The director may allow review of a site plan concurrently with an overall development plan. Such review shall follow the review procedures for major development applications stated in subsection 15.02.050.B above.
 - b. Applications for a site plan may be processed concurrently with other applications including conditional use, limited use, or administrative modifications.
 - c. An application for a building permit may be submitted concurrently at the applicant's risk, as site plan revisions required during the review process may require building plan revisions. The applicant must coordinate plan revisions to ensure that site plan and building plans are consistent at all stages of review.
 - d. A final subdivision plat must be processed concurrently with the site plan if the proposed development involves subdivision. See subsection 15.02.070.A for procedures applicable to final subdivision plats.
 5. **Variances.** Applicants must obtain all necessary variances as a condition of approval of the site plan.
 6. **Strict Compliance.** The applicant shall develop the subject property in strict compliance with the approved site plan or one for which review has been waived.
 7. **Review upon Inactivity.** When construction activity on a partially-completed site plan has been inactive for a period of three years or more, the site plan shall be subject to review and a determination by the director of whether additional site plan review is required due to materially changed circumstances.
- D. **Limited Use Review.**
1. **Generally.** Limited use review is required for specified principal uses that may adversely impact surrounding properties or the character of the district. The director may impose conditions on the specified use to mitigate any adverse impacts.
 2. **Review Procedure.** All applications for limited uses shall follow the core review procedures for minor development applications, stated in subsection 15.02.050.C. Applications for a limited use shall be processed concurrently with an application for site plan review, as applicable, as indicated in subsection 15.02.070.C.4.
 3. **Commitment to Conditions of Approval.** The terms and conditions of approval are binding on the applicant, the applicant's successors, and assigns and shall run with the land, and the city shall record a notice of the approval in the county clerk and recorder's office.
 4. **Abandonment.** If a legally established limited use is abandoned, extinguished or discontinued for a period of one year or more, then the decision originally approving such limited use shall automatically lapse and be null and void.