

Chapter 8

DESIGN AND DEVELOPMENT PLAN REVIEW FOR PERMITTED USES

9-8-1: PURPOSE:

- A. The purpose of this chapter is to set forth the criteria whereby the city reviews permitted use applications prior to building permit issuance or approval of the use for which the application is made. This process does not include any provisions for subdivision review, which is subject to the requirements of the Sunset City ordinance. A use otherwise permitted may be denied if it does not meet the required standards of this code.
- B. To assure that a high level of quality and durability is maintained as development occurs in the city, this chapter also includes design and material criteria. General minimum standards for design, building materials, appearance and landscaping are required to enhance the character of the city. (Ord. 2002-05, 4-2-2002)

9-8-2: APPLICATION FOR DEVELOPMENT PLAN REVIEW:

All permitted use applications shall be processed by the city business office. Incomplete applications, or those requiring modifications will be returned to the applicant. Building permits will not be issued until a permitted use application has been approved. (Ord. 2002-05, 4-2-2002)

9-8-3: DEFINITIONS:

DETAILED PLAN: All plans, studies, plats, statements, reports and information required by all applicable provisions of this code.

SITE PLAN: A plan drawn to scale showing at a minimum main and accessory buildings in relation to one another, open space on site, required buffer spaces, easements, and right of way and to include the following information:

- A. Date, north arrow and appropriate scale to reflect adequately and clearly the detail necessary to describe the use. The drawing shall be accurate in terms of scale and dimensions;

- B. The legal description of subject property;
- C. The dimensions and location of existing and proposed improvements, including, but not limited to, buildings, fencing, hard surfacing and landscaping;
- D. Motor vehicle access, including individual parking stalls, circulation patterns and curb cuts;
- E. Any driveway or intersecting street across the street from the proposed development and driveways and streets within one hundred fifty feet (150') of the development site; and
- F. The location, height and size of proposed signs, lighting and advertising devices, if applicable. (Ord. 2002-05, 4-2-2002)

9-8-4: REQUIREMENTS FOR REMODELING AND CHANGE OF USE TO A PERMITTED USE IN AN EXISTING STRUCTURE ON A DEVELOPED SITE:

Application for remodeling and change of use to a permitted use in an existing structure on a developed site shall be accompanied by and shall comply with the following:

- A. Appropriate application form and fee.
- B. Five (5) copies of the site plan, unless a greater number of copies is required by the city due to the number of reviewing agencies.
- C. The following design criteria shall be met:
 - 1. Sign shall be compatible with the building with regard to aesthetics, size, design, etc., as determined by the city sign ordinance. The setback shall comply with the applicable provisions of the sign ordinance.
 - 2. Building additions shall be architecturally integrated with the existing buildings as to design and materials.
 - 3. All required on site parking shall be provided.
 - 4. All landscaping must be brought into conformance with the current city regulations. (Ord. 2002-05, 4-2-2002)

9-8-5: REQUIREMENTS FOR NEW CONSTRUCTION OF A SINGLE- OR TWO-FAMILY DWELLING:

Applications for new construction of a single- or two-family dwelling in Sunset City shall be accompanied by and shall comply with the following:

- A. Appropriate application form and fees.

- B. One copy of the detailed plan shall be required, which plan shall include a site plan and an architectural plan with appropriate drawings of adequate scale showing building materials, exterior elevations and floor plans of all proposed structures.

- C. The following design criteria shall be required:
 1. Both the exterior building design and the exterior building materials of all buildings shall be of sufficient quality, durability, and resistance to the elements to satisfy the purpose of this chapter. Exterior siding materials may include, but shall not be limited to, brick, concrete, glass, metal lap, vinyl lap, tile, stone, stucco and/or wood. All exterior materials shall be installed in a professional workmanlike manner and maintained.
 2. The roof of each dwelling shall have a minimum pitch of four inches to twelve inches (4" _12"). At nongable ends of the roof, there shall be an overhang at the eaves of not less than twelve inches (12") inclusive of rain gutters. For homes with cantilevered rooms, sixty percent (60%) of the eave's length shall have a twelve inch (12") eave. The roof overhang shall be measured perpendicular to the vertical side of the dwelling. Unfinished galvanized steel or aluminum roofing shall not be permitted. These pitch and overhang provisions shall not apply to porch covers, bay windows, or similar appendages.
 3. Each dwelling shall be not less than twenty feet (20') in depth at the narrowest point. The depth shall be considered to be the lesser of the two (2) primary dimensions of the dwelling exclusive of attached garages, bay windows, room additions, or other similar appendages.
 4. Any previously occupied dwelling which is to be moved from an existing location to a lot within Sunset City shall be inspected by the building official of Sunset City, or his designated representative, prior to the move to ensure that it meets applicable building codes.
 5. Prefabricated or modular homes or structures shall have their plans inspected by the building official of Sunset City, or his designated representative, prior to the move to ensure that they meet applicable building codes.
 6. Landscaping on residential lots shall comply with the following:
 - a. Landscaping shall be installed in front yards between the front line of the house and the sidewalk on the entire width of the lot excluding the driveway. On corner lots, landscaping shall be installed in all areas between the sidewalk and the side of the house between the front property line and the rear property line which are visible from the public right of way.

- b. Landscaping shall include at least one tree and a combination of lawn, shrubs or ground cover. Ground cover may include vegetative vines, low spreading shrubs, or annual or perennial flowering or foliage plants. Ground cover may also include mineral or nonliving organic permeable material or nonliving organic permeable material in not more than fifty percent (50%) of the net landscaped areas. Mineral ground cover may include such materials as rocks, boulders, gravel, or brick over sand. Species, size, and placement of landscape elements shall be determined by the homeowner.
7. Final grading of individual lots shall be performed in such a way that excess water shall be contained entirely on the site or directed to an improved street or directed to an approved drainage inlet, drainage channel or drainage easement. Excess water shall not be allowed to drain onto adjacent private property unless approved as part of an overall system, as reflected in the subdivision approval or otherwise. Residents shall cooperate to ensure that drainage water is properly channeled to and through the proper easements. Rain gutters, in addition to those required by the building code, may be required.
8. All dwellings shall meet any additional state or federal requirements to be classified and taxed as real property.
9. All single-family detached dwellings shall have a minimum area of one thousand (1,000) square feet on the main floor, or floors. A basement shall not be considered as a main floor. Measurements to determine the minimum area of a dwelling shall be taken from the outside of foundation walls.
10. The site plan shall reflect all easements on the property. (Ord. 2002-05, 4-2-2002)

9-8-6: REQUIREMENTS FOR NEW CONSTRUCTION OF AN UNDEVELOPED OR REDEVELOPED SITE OF COMMERCIAL AND MULTI-FAMILY USES OR REMODELING OF EXISTING STRUCTURES:

Applications for new construction on an undeveloped or redeveloped site of commercial and multi-family permitted uses or remodeling of existing structures shall be accompanied by the following:

A. Appropriate application form and fees.

B. Five (5) copies of the detail plan shall be required and shall include the following:

1. A site plan which also shows:

- a. The location of neighborhood box units for mail delivery, screened trash receptacles and loading areas;
- b. As a minimum, all curb cuts and intersections within one hundred fifty feet (150') of the subject property. A greater distance may be required by the city. Proposed rights of way in, and adjacent to, the subject property shall be shown;

- c. Exterior lighting for structures, walkways and parking lots. Such lighting shall be directed away from adjacent properties;
 - d. If open space is proposed, show all areas to be reserved or dedicated as common park areas or as sites for schools or other public buildings. Include a statement concerning the development schedule and method by which open space is to be preserved;
 - e. The development phasing and associated schedule, if phasing is anticipated. Phasing shall be carefully developed so that each phase can adequately function on its own;
 - f. The proposed and existing easements and their type, on and adjacent (within 50 feet) to the subject property. Include any solar access easements;
 - g. The site plan shall include a table indicating the total area of the site and the percentage of that total which is occupied by structures, parking and service areas, and usable open space;
 - h. All existing and proposed fences including type, height and location;
 - i. Proposed location and size of sewer and water lines as approved by the city engineer.
2. A preliminary grading and drainage plan which shall:
 - a. Be completed by a professional engineer. Existing and proposed contours at one foot (1') intervals are required unless a variation from the one foot (1') topographic interval is allowed by the city. The final grading plan must be approved by the city prior to the issuance of first building permit;
 - b. Show waterways and ditches on and adjacent to the subject property and within fifty feet (50'). Piping or relocation shall be approved in writing by the appropriate ditch company and/or independent water users before issuance of the building permit.
 3. A landscape plan shall include plant location, type, size and quantities.
 4. An architectural plan which shall include appropriate drawings of adequate scale showing building materials, exterior elevations and proposed colors. Garish or bright colors (i.e., orange, bright yellow, or fluorescent colors) should only be used as accents and not the main color. In no case shall such coloring exceed five percent (5%) of each wall area.
 5. Include any other information, exhibits or models that the applicant deems pertinent.
 6. Any other information, plans or modifications specifically required by the following departments, divisions or other agencies shall be attached or incorporated in the final development plan:
 - a. Sunset City:
 - (1) Building inspection division.
 - (2) Fire department.
 - (3) Public works department.
 - (4) Police department.
 - b. County agencies.
 - c. State agencies.

- d. Federal and other agencies.
 - e. Public utilities.
7. A traffic impact study may be required by the city, and must be prepared by a registered traffic engineer. The traffic study shall include an analysis of on site circulation, capacities of existing streets, number of additional trips which will be generated, origin/destination studies and peak home traffic generation and movements.

C. The following design criteria shall be required:

1. All requirements of sections [9-8-4](#) and [9-8-5](#) of this chapter, unless modified by any of the following items:
 - a. A minimum of ten percent (10%) of any commercial site and thirty percent (30%) of a multiple-family residential site shall be landscaped. The landscaped buffer required along public streets by this code may be included in computing the percentage of landscaping. Upon request, landscaping requirements may be reduced by the city when, due to the size of the parcel, the amount of landscaping required is unreasonable and cannot be located in useful locations.
 - b. Landscaping shall be distributed throughout the project by placing landscaping along street frontages, throughout parking areas and adjacent to service and delivery areas.
 - c. For the purpose of buffering and site compatibility with surrounding development, commercial and industrial projects may require additional landscaping and architectural integration. Landscaping percentages and buffer strips may be increased to ensure compatibility. Site compatibility is particularly important when commercial or industrial projects are developed adjacent to residential and professional office zones.
 - d. Fencing may be required depending on the adjacent land use and the applicant's security needs. Where visual barrier fencing containing wood, metal, plastic or vinyl strips is either proposed by the applicant or required by the city, such strips shall be properly secured. Screening of any outside storage shall be required if appropriate, with a combination of fencing, walls, live plants and/or earth berming. Fences shall be constructed so that significant variations in top line, bottom line and/or height does not occur due to erratic grading of the site. (Ord. 2002-05, 4-2-2002)
 - e. In commercial zones, a Georgian theme must be implemented throughout the landscaping, lighting and small improvements to a remodeled building or the style of a new building. (Ord. 2003-06, 8-5-2003)
2. The following criteria is applicable to developments:
 - a. Exterior Masonry: Masonry will be required on the exterior of all developments. The minimum area (A) of masonry required (measured in square feet) will be determined by multiplying the outside perimeter (P) of the foundation (measured in feet), including the garage, by four feet (4') as follows:

$$P \times 4 = A$$

The planning commission shall determine the type of masonry to be used that would meet architectural standards of appearance and conformity with surrounding structures.

- b. Facade Variations: Structures greater than sixty feet (60') but less than one hundred twenty feet (120') in length must exhibit a prominent shift in the facade of the structure so that no greater than seventy five percent (75%) of the length of the building facade appears unbroken. Each shift shall be in the form of either a ten foot (10') change in building facade alignment or a ten foot (10') change in roofline height, or a combined change in facade and roofline totaling ten feet (10'). Structures which exceed one hundred twenty feet (120') in length on any facade shall provide a prominent shift in the mass of the structure at each one hundred twenty foot (120') interval (or less if the developer desires) reflecting a change in the function or scale. The shift shall be the form of either a fifteen foot (15') change in the building facade alignment or fifteen foot (15') change in roofline. A combination of both the roofline and facade change is encouraged. To that end, if the combined change occurs at the same location of the building place a fifteen foot (15') total change will be considered as full compliance.
- c. Screening: All developments shall hide/screen all mechanical equipment. (Ord. 2002-05, 4-2-2002)

9-8-7: DESIGN AND DEVELOPMENT PLAN REVIEW; DECISION PROCESS:

- A. The applicant shall prepare and make a submission to the city consistent with the standards contained in this chapter. The city shall review said submission for compliance with the regulations set forth herein. The applicant shall not alter the terrain or remove any vegetation from the proposed site or engage in any site development or building construction until the necessary approvals as outlined herein have been obtained.
- B. Proposed site plans shall be delivered by the applicant, as referred by the business office, to such city departments, special districts, governmental boards, bureaus, utility companies, and other agencies which will provide public and private facilities and services to the site for their information and comment. The business office is responsible for coordinating the comments received from all public and private entities, and shall decide to which agencies to refer proposed site plans.
- C. The business office shall review the site plan for conformance to the standards outlined herein; for conformance with the general plan and the zoning ordinance; for environmental impacts which may be associated with the design; and shall process the site plan and reports as provided for in this chapter.
- D. The public works department shall make comments concerning: flood control requirements; engineering requirements for street widths, grades and alignments; whether the proposed public improvements conform to the requirements of this chapter and other applicable ordinances and regulations; and shall be responsible for the approval and inspection of all public improvements.
- E. The city shall notify the applicant within a reasonable time of receipt of the application of the city's decision and shall either: 1) issue a building permit, or 2) advise the applicant of the approval of

the application, or 3) advise the applicant of the additional items required by the city in order to act upon the application. (Ord. 2002-05, 4-2-2002)

9-8-8: FINAL DESIGN AND DEVELOPMENT PLAN REQUIREMENTS:

The following information shall be required prior to a permitted use being approved and the business office issuing any building permits:

- A. Revised site plan incorporating all preliminary review comments and requirements.
- B. Final landscape plan.
- C. Final building construction plans.
- D. Complete engineering plans, including final construction drawings for streets, utilities, drainage and grading.
- E. Installation of on site and off site improvements or satisfactory arrangements concerning bonding as required by this code. (Ord. 2002-05, 4-2-2002)

9-8-9: APPEAL PROCEDURE:

- A. The applicant or any other person or entity adversely affected by a decision administering or interpreting a zoning ordinance may appeal, to the appeal authority that decision applying the zoning ordinance by alleging that there is error in any order, requirement, decision, or determination made by an official in the administration or interpretation of the zoning ordinance. (Ord. 2015-08, 11-4-2015)
- B. The person or entity making the appeal has the burden of proving that an error has been made. (Ord. 2002-05, 4-2-2002)
- C. A person may not appeal, and the appeal authority may not consider, any zoning ordinance amendments. (Ord. 2015-08, 11-4-2015)

D. Appeals may not be used to waive or modify the terms or requirements of the zoning ordinance.
(Ord. 2002-05, 4-2-2002)