

SECTION 24.19.500 SITE PLAN REVIEW PROCEDURE

24.19.510 PURPOSE

- A. The provisions of this chapter shall be known as the Site Plan Review Procedure.
- B. The City of Imperial finds that a Site Plan Review process supports the implementation of the Imperial General Plan. The City further finds that the quality of residential, commercial, industrial and public/quasi public uses has a substantial impact upon the visual appeal, environmental soundness, economic stability, and property values of the City. This Section is not intended to restrict imagination, innovation or variety, but rather to focus on design principles which can result in creative imaginative solutions for the project and quality design for the City. It is, therefore, the purpose of this Section to:
1. Recognize the interdependence of land values and aesthetics and provide a method by which the City may implement this interdependence to its benefit.
 2. Encourage the orderly and harmonious appearance of structures and property within the City along with associated facilities, such as but not limited to signs, landscaping, parking areas, and streets.
 3. Maintain the public health, safety and general welfare, and property throughout the City.
 4. Assist private and public developments to be more cognizant of public concerns for the aesthetics of development.
 5. Reasonably ensure that new developments, including residential, commercial, industrial, and public/quasi public development, do not have an adverse aesthetic, health or any kind of adverse effect on adjoining properties, or the City in general.
 6. Ensure that the proposed development complies with all of the provisions of the Zoning Ordinance and the General Plan.

24.19.520 APPLICABILITY

In order to safeguard and enhance the appearance and quality of development of the City of Imperial, Site Plan Review approval shall be required prior to the issuance of any building permit for single-family subdivision developments; mobile homes on permanent foundations; single family homes (custom); multiple-family developments; mobilehome parks; commercial or industrial establishments, including additions, alterations and redevelopment thereof.

24.19.530 PLANS AND DRAWINGS SUBMISSION

In addition to meeting all of the other requirements of the Zoning Ordinance, any applicant for a building permit for the establishment of single-family subdivision development; mobile homes on permanent foundations; single family home (custom); multiple-family developments; the establishment of commercial or industrial, uses; including additions, alterations and redevelopment thereof shall submit the following plans and drawings to the Director of Planning for review:

- A. A site plan, drawn to scale, showing the proposed location of structures and other improvements including, where appropriate, driveways, pedestrian walks, off-street parking areas, landscaped areas, fences, and walls. The site plan shall indicate the locations of off-street parking areas including entrances and exits and the direction of traffic flow into and out of off-street parking areas.
- B. A conceptual landscape plan, drawn to scale, showing the locations of existing trees proposed to be removed or retained on the site, the location and design of landscaped areas and the varieties and sizes of plant materials to be planted therein, and other landscape features as may be necessary to illustrate the landscape concept.
- C. Architectural drawings drawn to scale, including floor plans in sufficient detail to permit computation of yard requirement and all elevations of the proposed structures as they will appear upon completion. All exterior surfacing materials shall be specified.
- D. Accurate scale drawings of all signs indicating their size, material, color, and illumination, if any.
- E. Conceptual grading and drainage plans.
- F. Such other data as may be required by the Director of Planning to ensure that the purposes of this Section are satisfied.
- G. The Planning Director may waive requirements of this section or require additional data as deemed necessary to the decision-making process.

24.19.540 REVIEW AND EVALUATION

The Director shall review and evaluate Development Plans submitted in accordance with the following guidelines:

- A. Scope. The Director shall review and evaluate development plans for conformance with the site plan review standards and criteria set forth in the pertinent sections of the Zoning Ordinance.
- B. Modifications Required for Approval of the Development Plan. The Director may specify modifications, changes, and additions to the Development Plan in his recommendation or requirements for its approval. Such recommendations may be suggested by the Director to eliminate or mitigate significant adverse environmental effects disclosed by any environmental impact report or modifications, changes and additions that are necessary to meet the purposes of this Section.
- C. Improvements Required for Approval of the Development Plan. The Director shall insure that all Development Plans provide for on and off-site improvements which may be required to implement the purposes of this Section of the Zoning Ordinance, the General Plan and all policies of the City Council.

24.19.550 ACTION BY DIRECTOR

The Director shall have the authority to approve, deny or modify applications for Site Plan Review.

Within fifteen (15) days of the date that application is deemed complete by the Director, the Director shall approve, conditionally approve, or disapprove the application, or shall request the applicant to revise said applications. Failure of the Director to act within fifteen (15) days shall be deemed approval of the application unless the applicant shall consent to an extension of time.

24.19.560 APPEAL TO PLANNING COMMISSION

A decision of the Director may be appealed in writing, within ten (10) calendar days to the Planning Commission by the applicant or any other interested person, upon paying the established fee, or the Director's decision may be appealed by a member of the Planning Commission and/or City Council without fee.

24.19.570 ACTION BY PLANNING COMMISSION

Within thirty (30) calendar days, following the filing of an appeal of the Director's decision, the Planning Commission shall approve, conditionally approve, or disapprove the plans and drawings or shall request the applicant to revise the plans and drawings. Failure of the Planning Commission to act within thirty (30) days from the appeal shall be deemed approval of the plan and drawings unless the applicant shall consent to an extension of time.

24.19.580 CONDITIONS

Site Plan Reviews may be approved or modified subject to the performance of such conditions, including the provision of required improvements as the Director, shall deem to be reasonable and necessary, or advisable under the circumstances, so that the objectives of the Zoning Ordinance, General Plan, Planning Commission and City Council policies shall be achieved. Such conditions shall be imposed and enforced as follows:

- A. Security May be Required to Ensure Performance. In order to ensure the performance of conditions imposed concurrent with the granting or modification of a Development Plan, the applicant may be required to furnish security in the form of money or surety bond in the amount fixed by the authority granting or modifying the Development Plan. Such security shall be furnished as required by the City.
- B. Provision of Required Improvements. Whenever a Site Plan Review approval is granted or modified subject to the condition that specified improvements be provided by the applicant, such improvements shall be installed by the applicant and approved and accepted by the cognizant City authority prior to the time or events specified in the Site Plan Review approval. Improvements shall include but not be limited to curbs, gutters, sidewalks, street pavement and off-site improvements.
- C. Condition Declared Void. Whenever there becomes final any judgement of a court of competent jurisdiction declaring one or more of the conditions of a Site Plan Review approval to be void or ineffective, or enjoining or otherwise prohibiting the enforcement or operation of one or more of such conditions, said Site Plan Review approval shall cease to be valid and all rights or privileges granted thereby shall lapse, as provided by Section 24.19.585.

24.19.580 CONDITIONS (continued)

- D. Violation of Condition. Whenever a Site Plan Review is approved or modified by the approving authority subject to a condition or conditions, use or enjoyment of the Site Plan Review approval in violation of or without observance of any such condition shall constitute a violation of the Zoning Ordinance and said Site Plan Review approval may be revoked or modified as provided in Section 24.19.585.

24.19.585 REVOCATION OR MODIFICATION OF SITE PLAN REVIEW APPROVAL FOR CAUSE

A Site Plan Review approval may be revoked or modified by the approving authority for cause as provided by the provisions of this Section. For purposes of this Section, the modification of a Site Plan Review approval may include the modification of the terms of the Site Plan Review approval itself or the waiver, alteration, or imposition of new conditions pursuant to Section 24.19.580.

- A. Grounds for Revocation or Modification. A Site Plan Review approval may be revoked or modified by the approving authority pursuant to the provisions of this section upon a finding of any one or more of the following grounds:
1. That such Site Plan Review approval was obtained or extended by fraud.
 2. That one or more of the conditions upon which such Site Plan Review approval was granted have been violated.
 3. That the use for which the Site Plan Review approval was granted is so conducted as to be detrimental to the public health or safety, or as to be a nuisance.
 4. That construction on the subject property is not in conformance with the Site Plan Review approval or other applicable requirements.
- B. Notification. The Director shall notify the owner of the property of his action.
- C. Appeal. Revocation or modification of a Site Plan Review approval may be appealed pursuant to Section 24.19.560.

24.19.590 AUTOMATIC REVOCATION OF SITE PLAN REVIEW APPROVAL

If a Site Plan Review is approved or modified subject to one or more conditions, such Site Plan Review approval shall cease to be valid, and all rights or privileges granted thereby shall lapse, notwithstanding any other provisions of the Zoning Ordinance to the contrary, whenever there becomes final any judgement of a court of competent jurisdiction declaring one or more of such conditions to be void or ineffective, or enjoining or otherwise prohibiting the enforcement or operation of one or more of such conditions.

24.19.595 EXPIRATION AND EXTENSION

Any approval of a Site Plan Review shall expire within one year of such approval except where construction or use of the property in reliance on such Site Plan Review approval has commenced prior to its expiration. If construction and use of the property in reliance on a Site Plan Review approval has not commenced within the one year period, said period may be extended by the Director for a period not exceeding 6 months for each application up to a maximum of two years from the date of original approval.