

**OFFICIAL MINUTES
SUMMERSET PLANNING AND ZONING COMMISSION
REGULAR MEETING
7055 LEISURE LANE
SEPTEMBER 14, 2021 @ 6:00 P.M.**

The meeting was called to order by Commissioner Oldfield at 6:00 p.m.

ROLL CALL: Brody Oldfield via telephone, Dustin Hirsch, Casey Kenrick, and Mike Martin-present. Also, present was the City Administrator.

CALL FOR CHANGES: Motion by Kenrick, second by Martin to approve the agenda of the meeting for September 14th, 2021. Motion carried.

CONSENT CALENDAR: Motion by Kenrick, second by Martin to approve the minutes of the regular meeting of August 24th, 2021. Motion carried.

BRITTANY NEMEC – LAYOUT PLAN

Tract 2 of Richardson Plat, Lot M less Lot M-1, Lot N Revised and Lot A.

The engineering comments from HDR stated:

That the proposed driveway will need to be approved by SD DOT and since the shop house would fall under the proposed residential zoning – single family houses are to be detached dwellings. That would need to have an approved variance regarding the same.

Motion by Kenrick, second by Martin, to open discussion on the Layout Plan. Motion carried.

Ms. Nemeccame before the Board to discuss their intentions on the Layout Plan.

The Board addressed the comments from HDR with Ms. Nemecc. Discussion ensued on the size of the lot, size of the house with attached shop, along with the septic system, and that they would need to voluntarily annex into the City.

The Board’s general consensus to Ms. Nemecc was to move forward with the plan and proceed with the outlining comments from HDR.

FINAL PLAT – JOSIAH SCULL/RDR INVESTMENTS

Plat of Lot 4 of Block 5 Summerset USA (formerly a portion of Tract 3 of the S1/2 of Section 25, and a portion of Lot B of the E1/2 of the NW1/4 of Section 25, and a portion of the Patriot Drive Right-of-Way) located in the NE1/4 of the SW1/4, and the SE1/4 of the NW1/4, and in the NW1/4 of the SE1/4, Section 25, Township 3 North, Range 6 East, Black Hills Meridian, Summerset, Meade County, South Dakota.

Motion by Kenrick, second by Martin, to approve the Final Plat. Motion carried.

ADJOURNMENT

Motion by Hirsch, second by Martin to adjourn the meeting at 6:35 p.m. Motion carried.

Candace Sealey, Finance Officer

Brody Oldfield, Chairman

Published once September 23, 2021 at a cost of \$49.12.

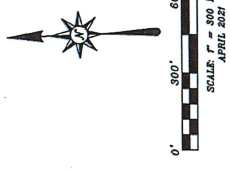
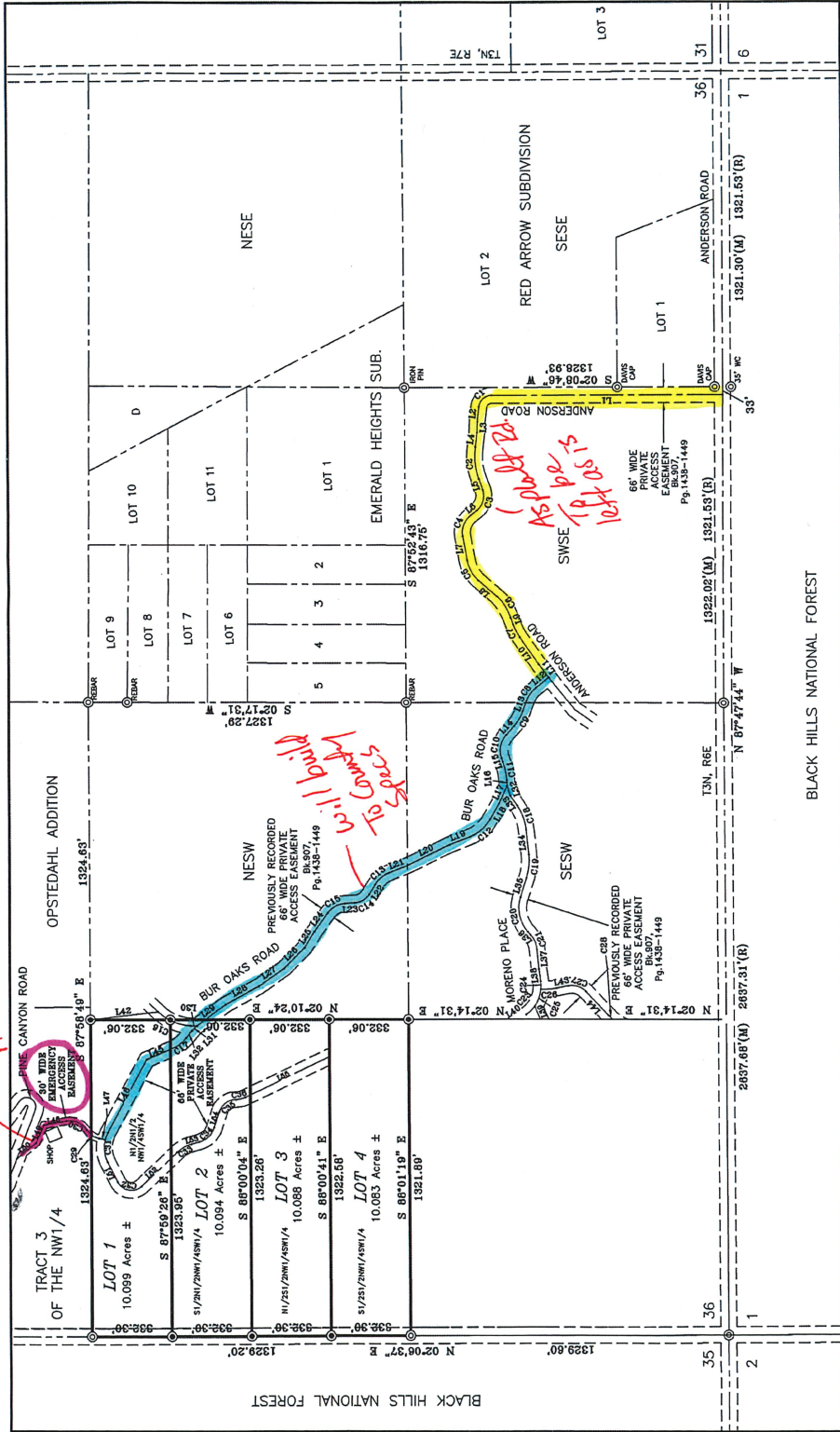
Memo

Date: Wednesday, September 22, 2021
Project: Subdivision of NW ¼ SW ¼ of Sec. 36, T3N, R6E, Black Hills Meridian, Meade County, SD
To: Lisa Schieffer, City Administrator
From: HDR, Inc
Subject: Layout Review

Roadway

1. The proposed layout exceeds the City's maximum 1,500 ft cul-de-sac requirement. A 30' emergency access easement is not a secondary egress. The secondary egress would need to be a public right-of-way and designed to the City's roadway design standards.
2. The proposed road would be considered a Lane / Place roadway as there would be less than 12 residences. Minimum paved street width would be 20' with no on street parking. It appears that the portion of Anderson Rd. indicated "to be left as is" does not meet the 20' minimum paved width. It would need to be improved to the minimum approved section.
3. Summerset requires curb and gutter and sidewalks. The developer will need an approved variance to do a rural section (paved roadway with ditches).
4. Summerset requires a street light every 400 ft. The developer will need an approved variance to not install street lights.

**PLAT OF
LOT 1 THRU 4 OF BUR OAKS ESTATES, A GATED COMMUNITY.**
Formerly the NW 1/4SW 1/4 and SW1/4SW1/4 of Section 36. All located in
Township 3 North, Range 6 East, Black Hills Meridian, Meade County, South Dakota.



- ⊙ Found or Set 5/8" Rebar with Cap Marked Marked 'VASKNETZ RLS 7719'.
- ⊙ Found U.S.F.S. 3" Aluminum Cap Monument Unless Otherwise Noted.
- (R) Denotes Measurements Previously Recorded.
- (M) Denotes Measurements Per this Survey.

SURVEYOR'S NOTES

- 1) Recorded Information: 250, Plat Book 8 at Page 57; Plat Book 8 at Page 59; Plat Book 8 at Page 115; Plat Book 10 at Page 85; Plat Book at Page 2, and Plat Book 115, located in the Meade County Register of Deeds Office, Sturgis, South Dakota.
- 2) Utility & Meter Delineation Easements: 8' Wide on the interior side of all lot lines.
- 3) Easement Substrate: Per Meade County Ordinance, 25' Front and Rear Lot Line, 8' on All Side Lot Lines and 25' from all Right-of-Way Lines.
- 4) Bases of Bearings using Geodetic North Determined from Global Positioning System (GPS).
- 5) Per FEMA Map Panel 46093C: 1800F, Located in an Area of Potential Flood Hazard, Zone D, Effective Date 09/18/2011.

PREPARED BY: BASELINE SURVEYING, INC.,
2305 JUNCTION AVENUE, STURGIS, S.D. 57795
PHONE: 605 490-1401 JOB NO. 21-061
EMAIL: baseline7710@gmail.com



COMMUNITY PLANNING & DEVELOPMENT SERVICES

City of Summerset
12150 Siouxland Road, Summerset, SD 57718
Phone: (605) 718-9858 Fax: (605) 718-9883 Web: www.summerset.us

LAYOUT PLAN

There are no filing fees for a Layout Plan

Description: This is an optional procedure to determine potential development requirements. The procedure may be utilized by any developer, but may be particularly helpful for less experienced developers that are unfamiliar with the platting processes and improvement requirements.

NOTE: The subdivider shall be required to submit a petition for voluntary annexation of his subdivision into the City with the Final or Minor Plat Application if any portion of the subdivision is adjacent to the City's municipal boundary. For the purposes of Ordinance #115, the term adjacent ignores any right-of-way or dedication that lies between the municipal boundary and the subdivision boundary.

Materials required of the Applicant:

1. A completed application signed by the property owner(s) or their designee.
2. A minimum of one (1) copy of the all submission requirements shall be provided. Applicant must also submit one (1) electronic copy of submission requirements by disk, email, or other approved electronic media. Additional copies may be required as determined by the Planning Department.
3. Scaled drawing of the proposed subdivision showing the location of the lots, streets and public areas.
4. A north arrow, scale, creation date and legend.
5. Vicinity Sketch showing the proposed subdivision in relation to surrounding development (may be on 8 1/2" x 11" sheet).
6. A one page written layout plan description of the proposed subdivision and the subdividers intent for the subdivision (including resubdivision). Any additional supplemental information would be appreciated to help us provide a written review.

Procedure:

1. Upon receipt of the required application and supporting information, Planning Department will route the information to all affected departments and agencies.
2. Within fifteen (15) working days, the City shall provide the applicant with review comments. (Please note that a Layout Plan is not approved or denied by the City. The review is intended to provide the applicant with a list of items that must be addressed in order to meet minimum design standards.)



COMMUNITY PLANNING & DEVELOPMENT SERVICES

City of Summerset
12150 Siouxland Dr., Summerset, SD 57718
Phone: (605) 718-9858 Fax: (605) 718-9883 Web: www.summerset.us

APPLICATION FOR DEVELOPMENT REVIEW

REQUEST (please check all that apply)

- Annexation
- Comprehensive Plan Amendment
- Fence Height Exception
- Planned Development (Overlay)
 - Designation
 - Initial Plan Final Plan
 - Major Amendment
 - Minimal Amendment
- Subdivision
 - Layout Plan
 - Preliminary Plat
 - Final Plat
 - Minor Plat
- Rezoning
- Road Name Change

- Conditional Use Permit
 - Major Amendment
 - Minimal Amendment
- Vacation
 - Utility / Drainage Easement
 - R.O.W. / Section Line Highway
 - Access / Non-Access
 - Planting Screen Easement
- OTHER (specify) _____

LEGAL DESCRIPTION (Attach additional sheets as necessary)

EXISTING <i>NW 1/4 SW 1/4 of Section 36, T3N, R6E, B.H.M, Meade County, South Dakota. Parcel # 15.36.32</i>		
PROPOSED <i>To Plat NW 1/4 SW 1/4 into 4, 10 Acre lots. known as Lots 1-4 of</i>		
LOCATION <i>Bur Oaks LLC.</i>		
Size of Site--Acres <i>40</i>	Square Footage	Proposed Zoning
DESCRIPTION OF REQUEST: <i>See attached document of request and pictures</i>		Utilities: Private / Public
		Water <i>Private</i>
		Sewer <i>Private</i>

APPLICANT

Name *Roy Thompson (Bur Oaks LLC)* Phone *605-430-9055*
 Address *5217 Ridgeview Rd.* E-mail *roy@midco.net*
 City, State, Zip *Rapid City, SD 57701* Signature *[Signature]*

PROJECT PLANNER - AGENT

Name *Shanon Vasknetz, RL5# 7719* Phone *605-490-1401*
 Address *2305 Junction Ave* E-mail *ShanonV@rushmore.com*
 City, State, Zip *Sturgis, SD 57785* Signature _____

OWNER OF RECORD (If different from applicant)

Name _____ Phone _____
 Address *SAME* E-mail _____
 City, State, Zip _____

[Signature] *President* *9/7/21*
 Property Owner Signature Date Property Owner Signature Date

Signature _____ Date _____
 Print Name: _____
 Title*: _____

*required for Corporations, Partnerships, etc.

FOR STAFF USE ONLY

ZONING	
Current	
North	
South	
East	
West	
Planner	
File No.	
Comp Plan	
Received By:	

- Sewer Utility
- Fire Department
- Public Works
- Planning
- Building Inspector
- Engineering
- City Code Enforcement
- Police
- City Attorney
- BHP&L
- Finance Officer
- Register of Deeds
- County - Planning
- SD DOT
- SD DENR
- Auditor - Annexation
- Drainage
- Parks & Recreation
- Diamond D Water
- Black Hills Water
- Other: _____
- Other: _____
- Other: _____
- Other: _____



COMMUNITY PLANNING & DEVELOPMENT SERVICES

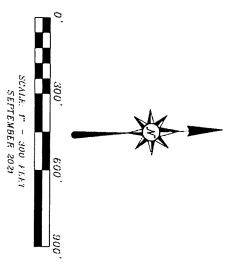
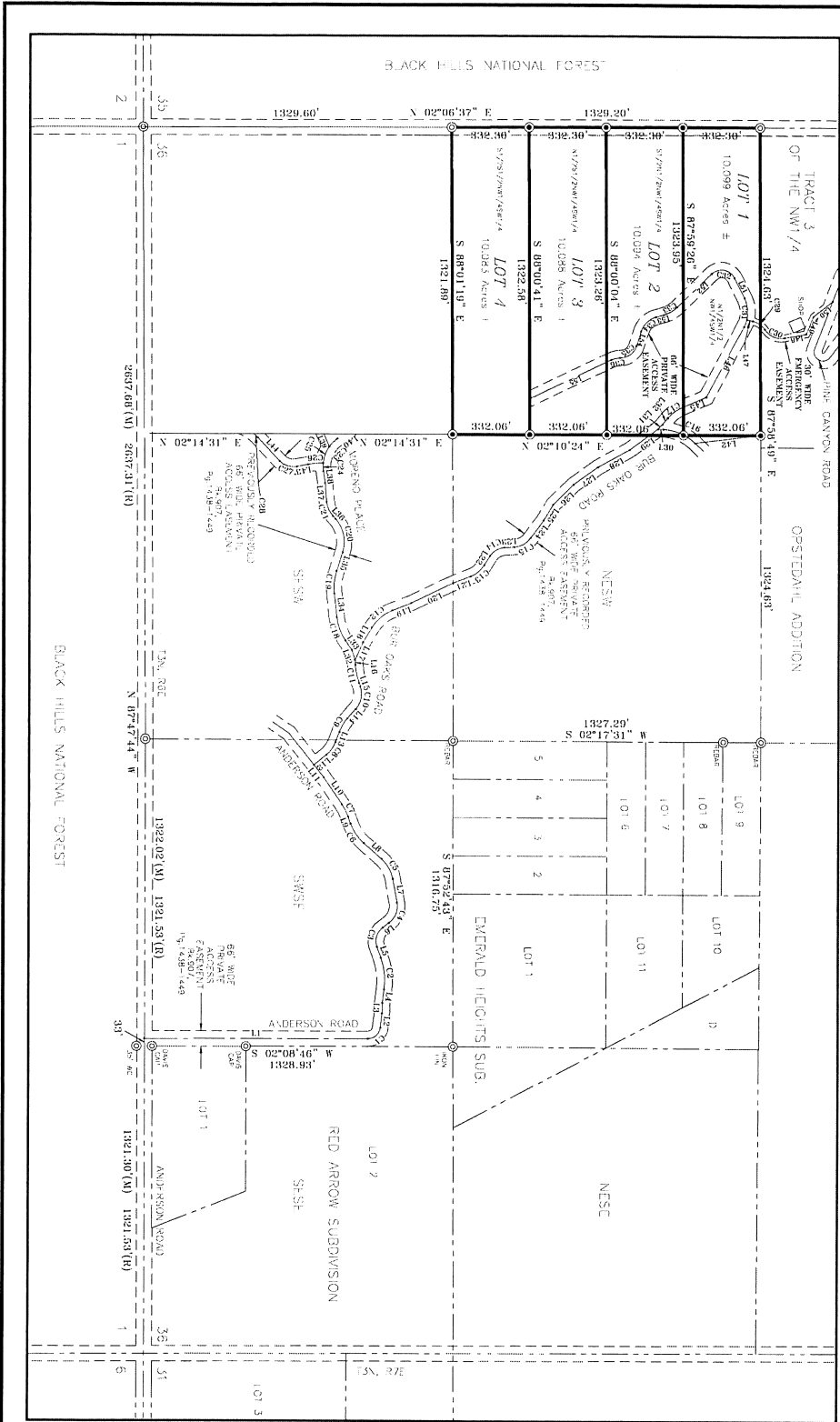
City of Summerset
12150 Siouxland Dr., Summerset, SD 57718
Phone: (605) 718-9858 Fax: (605) 718-9883 Web: www.summerset.us

LAYOUT PLAN CHECKLIST

X	APPLICANT	STAFF	X
	A completed application signed by the property owner(s) or their designee.		
	Scaled drawing of proposed subdivision showing the location of the lots, streets and public areas.		
SITE PLANS MUST INCLUDE THE FOLLOWING INFORMATION			
	-A north arrow, scale, creation date and legend.		
	-Lot configurations with approximate areas designated in square feet		
	-Vicinity Sketch showing proposed subdivision and surrounding development on 8 1/2" x 11" sheet.		
	-A paper copy of submission requirements was received, as well as one in electronic format.		
	-A one page written layout plan description of the proposed subdivision and the subdividers intent for the subdivision (including resubdivision). Any additional supplemental information would be appreciated to help us provide our written review.		

APPLICANT SIGNATURE	DATE:	STAFF SIGNATURE	DATE:
	9/9/2021		

PLAT OF
LOT 1 THRU 4 OF BUR OAKS ESTATES,
 Formerly the NW 1/4SW 1/4 of Section 36, All located in
 Township 3 North, Range 6 East, Black Hills Meridian, Meade County, South Dakota.



- 1) Grade of Section 5/8/21 based upon 2011 Meade County Assessor's Map.
- 2) Easement in Section 36, Township 3 North, Range 6 East, Black Hills Meridian, Meade County, South Dakota, as shown on the plat.
- 3) Easement in Section 36, Township 3 North, Range 6 East, Black Hills Meridian, Meade County, South Dakota, as shown on the plat.
- 4) Easement in Section 36, Township 3 North, Range 6 East, Black Hills Meridian, Meade County, South Dakota, as shown on the plat.
- 5) Easement in Section 36, Township 3 North, Range 6 East, Black Hills Meridian, Meade County, South Dakota, as shown on the plat.
- 6) Easement in Section 36, Township 3 North, Range 6 East, Black Hills Meridian, Meade County, South Dakota, as shown on the plat.
- 7) Easement in Section 36, Township 3 North, Range 6 East, Black Hills Meridian, Meade County, South Dakota, as shown on the plat.
- 8) Easement in Section 36, Township 3 North, Range 6 East, Black Hills Meridian, Meade County, South Dakota, as shown on the plat.
- 9) Easement in Section 36, Township 3 North, Range 6 East, Black Hills Meridian, Meade County, South Dakota, as shown on the plat.
- 10) Easement in Section 36, Township 3 North, Range 6 East, Black Hills Meridian, Meade County, South Dakota, as shown on the plat.
- 11) Easement in Section 36, Township 3 North, Range 6 East, Black Hills Meridian, Meade County, South Dakota, as shown on the plat.

SUBMITTER'S NOTES

- 1) Record information: Plat Book 3 of Book 756, Plat Book 8 of Book 757, Plat Book 10 of Book 758, Plat Book 12 of Book 759, Plat Book 14 of Book 760, Plat Book 16 of Book 761, Plat Book 18 of Book 762, Plat Book 20 of Book 763, Plat Book 22 of Book 764, Plat Book 24 of Book 765, Plat Book 26 of Book 766, Plat Book 28 of Book 767, Plat Book 30 of Book 768, Plat Book 32 of Book 769, Plat Book 34 of Book 770, Plat Book 36 of Book 771, Plat Book 38 of Book 772, Plat Book 40 of Book 773, Plat Book 42 of Book 774, Plat Book 44 of Book 775, Plat Book 46 of Book 776, Plat Book 48 of Book 777, Plat Book 50 of Book 778, Plat Book 52 of Book 779, Plat Book 54 of Book 780, Plat Book 56 of Book 781, Plat Book 58 of Book 782, Plat Book 60 of Book 783, Plat Book 62 of Book 784, Plat Book 64 of Book 785, Plat Book 66 of Book 786, Plat Book 68 of Book 787, Plat Book 70 of Book 788, Plat Book 72 of Book 789, Plat Book 74 of Book 790, Plat Book 76 of Book 791, Plat Book 78 of Book 792, Plat Book 80 of Book 793, Plat Book 82 of Book 794, Plat Book 84 of Book 795, Plat Book 86 of Book 796, Plat Book 88 of Book 797, Plat Book 90 of Book 798, Plat Book 92 of Book 799, Plat Book 94 of Book 800, Plat Book 96 of Book 801, Plat Book 98 of Book 802, Plat Book 100 of Book 803.
- 2) Utility & View: Developer's Responsibility: Bur Oaks Estates, Inc. shall be responsible for all utility and view easements shown on this plat.
- 3) Building Setbacks: Per Meade County Ordinance 10.01.01, all buildings shall be set back a minimum of 10 feet from all lot lines, except as otherwise noted.
- 4) Lots of 5/8 acre, with 1/4 acre of water. Water easements from Great Bend, SD (1995).
- 5) Plat, FVA, Map, Final 46033C, 18007, Issued in an Area of Uncertainty, 18007, Meade, June 11, 2021, Effective Date 08/07/2021.

PREPARED BY: BASELINE SURVEYING, INC.
 2305 JUNCTION AVENUE, STRIBS, S.D. 57785
 PHONE: 605-490-1401 JOB NO. 21-061
 EMAIL: Baseline@baseline-surveying.com

§ 155.357 REZONING REQUESTS.

An application for a rezoning shall be filed with the Zoning Administrator. Rezoning requests may be initiated by either the property owner or a designated representative or by an appropriate governmental agency. If by a designated representative, the designation shall be in writing, signed by the property owner, and filed with the application.

(A) *Appearance.* The applicant shall appear before the Planning and Zoning Board to present the application, at which time the Planning and Zoning Board may initiate a study of the request. If in the opinion of the Planning and Zoning Board a study is not required, a public hearing shall be set. *set public hearing for Oct 12th, 2021*

(B) *Notification procedure.* The applicant shall notify by certified letter, at least ten days in advance of the public hearing, the owners of equity of all property in the city limits within 250 feet, inclusive of streets and alleys, from any part of the property subject to the rezoning, of the date, place, and time of the public hearing. Such notification shall fully set forth a description of the development plan for the property, if any, in the event the rezoning request is approved.

(C) *Hearing by the Planning and Zoning Board.* The Planning and Zoning Board shall publish legal notice not less than ten days prior to the public hearing. At the close of the public hearing, the Planning and Zoning Board shall forward its recommendation to the Board of Commissioners.

(D) *Hearing by Board of Commissioners.* The Board of Commissioners shall publish legal notice not less than ten days prior to the public hearing. After taking into account all pertinent information and the recommendation of the Planning and Zoning Board, the Board of Commissioners shall make a final determination within 30 days of the date of the hearing.

(Ord. passed 2-3-2011, § 2.38.030)



COMMUNITY PLANNING & DEVELOPMENT SERVICES

City of Summerset

7055 Leisure Lane, Summerset, SD 57718

Phone: (605) 718-9858

Fax: (605) 718-9883

Web: www.summerset.us

APPLICATION FOR DEVELOPMENT REVIEW

REQUEST (please check all that apply)

- Annexation
- Comprehensive Plan Amendment
- Fence Height Exception
- Planned Development (Overlay)
 - Designation
 - Initial Plan Final Plan
 - Major Amendment
 - Minimal Amendment

- Subdivision
 - Layout Plan
 - Preliminary Plat
 - Final Plat
 - Minor Plat
- Rezoning \$ 300.00
- Road Name Change

- Conditional Use Permit
 - Major Amendment
 - Minimal Amendment
- Vacation
 - Utility / Drainage Easement
 - R.O.W. / Section Line Highway
 - Access / Non-Access
 - Planting Screen Easement
- OTHER (specify) _____

LEGAL DESCRIPTION (Attach additional sheets as necessary)

EXISTING		
PROPOSED Rezoned 7 lots for residential construction		
LOCATION		
Size of Site—Acres	Square Footage	Proposed Zoning
DESCRIPTION OF REQUEST: ↓		Utilities: Private / Public
		Water
		Sewer

APPLICANT

Name James Taylor Phone 605-430-1641
 Address 3975 Stargis Rd E-mail jtaylor@simon-team.com
 City, State, Zip Rapid City SD 57702 Signature [Signature] Date 9/8/21
PROJECT PLANNER - AGENT

Name _____ Phone _____
 Address _____ E-mail _____
 City, State, Zip _____ Signature _____ Date _____
OWNER OF RECORD (If different from applicant)

Name _____ Phone _____
 Address _____ E-mail _____
 City, State, Zip _____

James Taylor - Agent 9/9/21
 Property Owner Signature _____ Date _____ Property Owner Signature _____ Date _____

Signature _____ Date _____ Signature _____ Date _____
 Print Name: James Taylor Print Name: _____
 Title*: Manager Title*: _____

*required for Corporations, Partnerships, etc.

FOR STAFF USE ONLY

ZONING	
Current	
North	
South	
East	
West	
Planner	
File No.	
Comp Plan	
Received By:	

- Sewer Utility
- Fire Department
- Public Works
- Planning
- Building Inspector
- Engineering
- City Code Enforcement
- Police
- City Attorney
- BHP&L
- Finance Officer
- Register of Deeds
- County - Planning
- SD DOT
- SD DENR
- Auditor - Annexation
- Drainage
- Parks & Recreation
- Diamond D Water
- Black Hills Water
- Quaal Road District
- Other: _____
- Other: _____
- Other: _____
- Other: _____

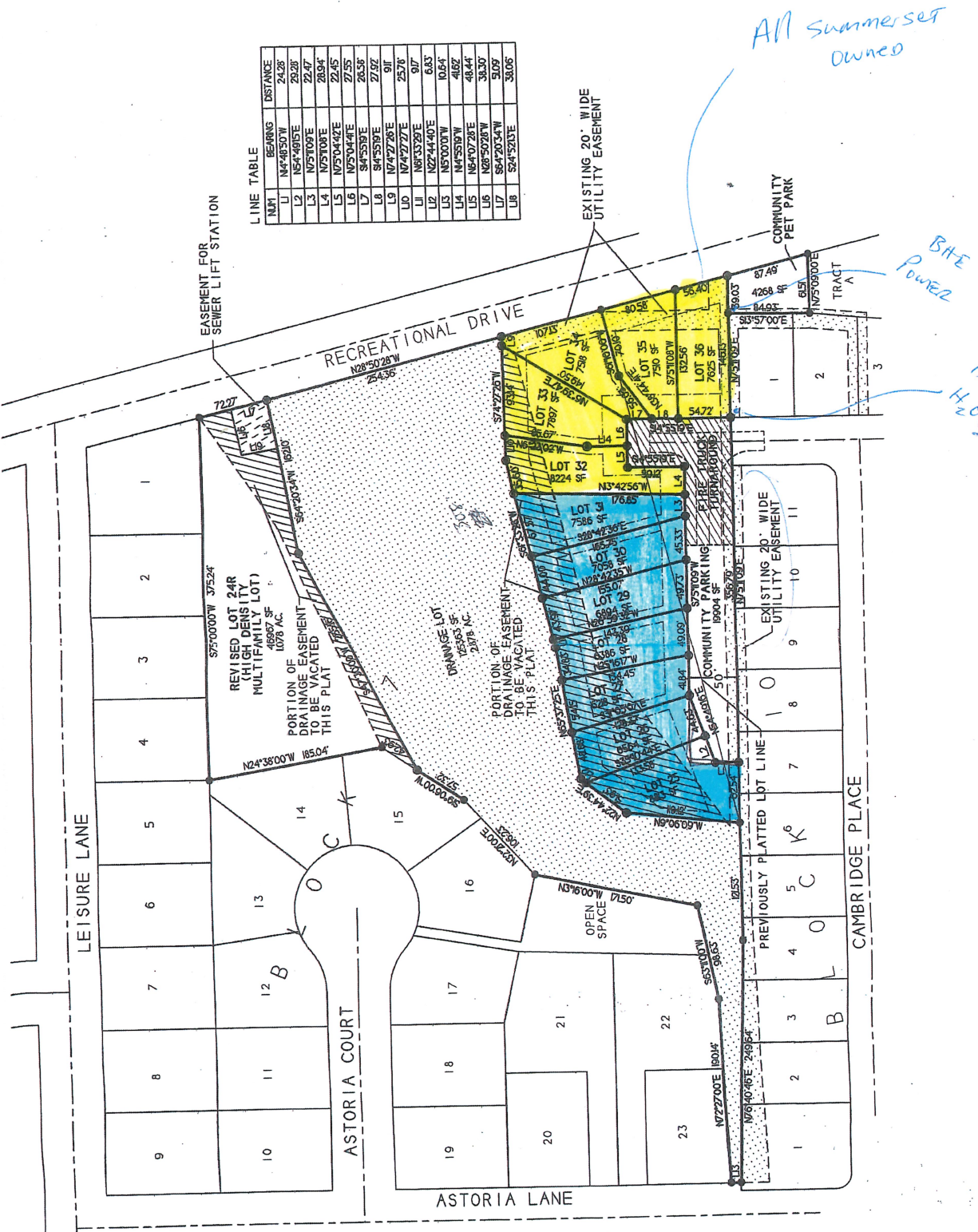
Planning and Zoning Meeting Date: _____
 Commission Meeting Date: _____
 Date Paid: _____

Payment Type: Cash Check Credit Card

LINE	BEARING	DISTANCE
L1	N4°46'50"W	24.28
L2	N5°49'05"E	29.28
L3	N5°10'09"E	22.47
L4	N5°10'08"E	28.94
L5	N5°04'42"E	22.45
L6	N5°04'42"E	27.55
L7	S4°55'09"E	26.58
L8	S4°55'09"E	27.92
L9	N4°27'26"E	25.76
L10	N4°27'27"E	25.76
L11	N6°13'29"E	9.07
L12	N22°44'40"E	6.63
L13	N5°00'00"W	10.64
L14	N4°55'00"W	4.62
L15	N64°07'28"E	48.44
L16	N26°50'28"W	38.00
L17	S64°20'34"W	50.69
L18	S24°52'02"E	38.06

EASEMENT FOR SEWER LIFT STATION

LINE TABLE



All SummerSet Owned

B/E Power

H2O

Turn Around

$$\frac{1}{115} = \frac{x}{82}$$

1/1

PLANNED DEVELOPMENT DISTRICT

§ 155.155 GENERAL DESCRIPTION.

(A) The purpose of the Planned Development District (PD) is to allow development of undeveloped parcels of land that, by virtue of their visually and/or environmentally unique location, lend themselves to a blend of diverse yet compatible uses, innovative layouts, or sensitive designs.

(B) Development of such parcels shall be accomplished while meeting public requirements, including preservation, promotion, and protection of open space, scenic vistas, and natural resources, by the application of extra administrative controls.

(C) All final plans in the Planned Development District shall be recommended by the Planning and Zoning Board and approved by the Board of Commissioners under the procedure set forth in § 155.159. Final approval by the Board of Commissioners is deemed to be an administrative act not subject to referendum.

(Ord. passed 2-3-2011, § 2.24.010)

§ 155.156 USES PERMITTED.

Unless expressly prohibited in § 155.157, the following uses are permitted:

(A) Any permitted and conditional use in the AG-Agricultural District;

(B) Any permitted and conditional use in the R-1 Single-Family Residential, R-2 One- and Two-Family Residential, and R-3 Multi-Family Residential Districts; and

(C) Any permitted and conditional use in the C-1 General Commercial District.

(Ord. passed 2-3-2011, § 2.24.020)

§ 155.157 USED PROHIBITED.

The following uses are prohibited:

(A) New and used vehicle or machinery sales and service;

(B) Manufactured home sales;

(C) Building material sales;

(D) Truck terminals, stand-alone warehouse facilities;

(E) Use requiring unscreened outside storage;

(F) Industrial uses; and

(G) Off-premises signs unless already located on the property.

(Ord. passed 2-3-2011, § 2.24.030)

§ 155.158 MINIMUM REQUIREMENTS FOR IMPROVEMENTS AND DESIGN.

(A) *General.* Minimum requirements for improvements and design are not subject to modification by the procedure outlined in § 155.159. Projects that exceed the minimum requirements are encouraged.

(B) *Area regulations.*

(1) Front, side, and rear setbacks and lot width and size are governed by the minimum requirements for parking and open space as described per divisions (C) and (F) below.

(2) Height restrictions are as follows:

(a) Commercial uses: five stories or 60 feet;

(b) Residential uses: five stories or 60 feet; and

(c) All other uses: five stories or 60 feet.

(C) *Parking.* For individual uses or approved as a comprehensive parking plan for integrated uses or for the overall development.

(D) *Lighting.* All lighting shall be fully shielded, 85% full cut-off fixtures.

(E) *Signs.* As regulated for individual uses, or approved as a comprehensive signage plan for the overall development when evaluated as a whole, all illuminated signage shall be down-lighted or back-lighted;

(F) *Open space.*

(1) *Common open space.* A minimum total area of 10% of the land included in the application shall be comprised of common open space, which shall be used for amenity or active or passive recreational use. Open space containing natural features may be left unimproved. Designated amenities including parks, playgrounds, and the like shall be installed immediately or bonded.

(2) *Individual lot open space.* Commercial: 20%; all other uses: 30%.

(G) *Landscaping.*

(1) Each application shall include a comprehensive landscaping plan showing the location and species of all plant materials and an irrigation plan, meeting the minimum requirements of the §§ 155.295 through 155.304.

(2) Additional requirements in the form of berms, open yard buffer areas, landscape islands, and live and/or constructed screening are encouraged and may be imposed as conditions of landscape plan approval.

(H) *Transportation system.* Each application shall include a transportation plan showing points of ingress and egress, circulation pattern, and integration with the system to which it relates.

(1) All streets, sidewalks, pedestrian ways, and rights-of-way to be dedicated to the city shall conform to the minimum requirements of the regulations of the city's ordinances, as adopted and in effect when the plan is approved.

(2) All streets, sidewalks, pedestrian ways, and rights-of-way to remain private shall be subject to approval as part of the overall development plan.

(Ord. passed 2-3-2011, § 2.24.040)

§ 155.159 PROCEDURE.

(A) *Initial development plan.* When a petitioner wants to request rezoning to the Planned Development District, he or she shall submit his or her request to the Planning Department, showing the information specified in § 155.160, a minimum of 20 days prior to the Planning Commission meeting at which consideration is desired. After the planned development request has been reviewed, the Planning Commission shall make a recommendation to the Board of Commissioners on the requested rezoning. The Board of Commissioners shall then act to approve or deny said request. This request for rezoning is subject to the requirements for amendment of the ordinance specified in §

155.358. No building permit shall be issued within the development until the final development plan is approved and the plat is filed.

(B) *Final development plan.*

(1) Prior to construction on any lots in the planned development, the petitioner shall present a final development plan showing the information specified in § 155.161 below to the Planning Commission, who shall make a recommendation to the Board of Commissioners on the requested rezoning. The Board of Commissioners shall then act to approve or deny said request. This request for rezoning is subject to the requirements for amendment of § 155.358.

(2) The final development plan may be submitted in conjunction with the initial development plan for concurrent approval on any subareas the developer is ready to commit to a final plan. All the information required for both an initial and final development plan must be shown for the area submitted for concurrent approval, except that the developer may reference the requirements of one of the traditional zoning districts as the development standard for a particular subarea.

(3) Signs shall be posted on the property for a continuous period of seven days immediately prior to any public hearing held by the Planning Commission or Board of Commissioners to consider any final development plan. Said signs shall be furnished by the city and posted by the applicant in the numbers and locations prescribed by the Administrator.

(C) *Amendments.*

(1) *Major amendments.* Major amendments to the initial and/or final development plan shall be required to be approved with a public hearing in the same manner as provided for in § 155.357.

(2) *Minor amendments.*

(a) Minor amendments to the initial and/or final development plan shall be required to be approved by the Planning Commission. Notice of such hearing shall be given by the posting of not less than four signs provided by the city.

(b) Minor amendments to the initial development plan may also be made by the submission and approval of a final development plan which is changed from the approved initial development plan. Any such amendments shall be shown as a change from the initial development plan on the final development plan.

(3) *Minimal amendments.* Minimal amendments to the final development plan shall be submitted to the Administrator on a reproducible development plan showing the requested changes. The Planning Director may then approve such change in writing if she or he deems it appropriate.

(Ord. passed 2-3-2011, § 2.24.050)

§ 155.160 INITIAL DEVELOPMENT PLAN.

Upon application for rezoning to Planned Development District, the petitioner shall present an initial development plan to the Planning Commission for review and to the Board of Commissioners for its approval showing the following information:

(A) Project name and legal description;

(B) A preliminary subdivision plan in compliance with Chapter 151; and

(C) (1) The proposed development scheme showing the following information:

(a) The proposed land uses, including the number and type of proposed residential buildings, the proposed number of dwelling units per building, the number and type of any proposed non-residential buildings, and their square footage;

(b) The proposed maximum density of the development, which shall not exceed the density allowed in the traditional zoning districts for similar uses, except where unique physical, environmental, or design characteristics make such densities undesirable;

(c) The proposed minimum setbacks which shall be no less than those required in the traditional zoning districts for similar uses, except where unique physical, environmental, or design characteristics make such setbacks undesirable;

(d) The proposed maximum height which shall be no greater than that required in the traditional zoning districts for similar uses, except where unique physical, environmental, or design characteristics make such heights undesirable;

(e) Proposed design features illustrating compatibility to the surrounding environment and neighborhood; and

(f) Anticipated subarea development sequence.

(2) In addition, the developer shall provide an eight and one-half by 11-inch scaled rendering on Mylar of the approved initial development plan showing each of the subareas.

(Ord. passed 2-3-2011, § 2.24.060)

§ 155.161 FINAL DEVELOPMENT PLAN.

(A) Prior to construction on any lots in the Planned Development Zoning District, the petitioner shall present a final development plan to the Planning Commission for review, and to the Board of Commissioners for its approval showing the following information:

(B) (1) Final development plan approval shall expire one year from the date upon which it becomes effective if no work has commenced. Upon written request to the Administrator and prior to the final development plan approval expiration date, a time extension for the final development plan approval may be granted.

(2) The final development plan shall show the following information:

(a) The subdivision name, the legal description, and the individual project name (if any);

(b) Boundaries of the subarea or subareas submitted for approval superimposed on the map of the initial development plan;

(c) A subdivision plat of the subarea or subareas submitted for approval in compliance with Chapter 151; and

(d) A scale drawing showing the following information will be required:

1. Size and location of proposed structures including height and number of units;

2. Calculated floor area for each structure and a generic listing of the uses within said structure;

3. Off-street parking lot arrangement designating all parking spaces, off-street loading spaces, and any outdoor trash container;

4. Any sidewalks, bikeways, or other paths;

5. Any outdoor lighting, type, and location, except for standard street lights provided by the city;

6. Landscaping plans showing the type and location of any walls or fences, the placement, size, and species of any trees or shrubs, and berms in areas that will be sod or seeded;

7. All existing and proposed utilities, drainage ways, watercourses, and location of above ground existing utilities on adjacent property;
8. Proposed final ground contours;
9. Curb cuts and all private drives;
10. Adjacent, existing, and proposed uses;
11. First floor elevation for any structure located in a flood hazard area;
12. Accurate building elevation of all proposed structures;
13. Documentation of the ownership and maintenance responsibility of any common open spaces, structures, or facilities, including private streets;
14. Any subareas proposed for multiple residential development will be required to provide an open area for recreation. Said open spaces shall not be included in any required yard, but shall be located in the same subarea it is intended to serve;
15. Proposed parking and loading spaces which shall be in conformance with §§ 155.255 through 155.257, except where unique physical, environmental, or design characteristics make such requirements undesirable; and
16. Unless otherwise specified on the final development plan, all development standards shall be the same as those set forth in the traditional zoning districts, which shall be referenced for each subarea as a part of the final development plan. For example, townhouses on block X shall be developed in conformance with the requirements of the R-1 Residential District.

(Ord. passed 2-3-2011, § 2.24.070)

§ 155.162 AMENDMENTS.

(A) *Major amendments.* The following changes in an initial and/or final development plan are considered major amendments:

- (1) Any change in the proposed land uses shall follow a rezoning process; and
- (2) An increase in density above that provided for in division (B)(5) below shall follow a rezoning process.

(B) *Minor amendments.* The following changes in an initial and/or final development plan are considered minor amendments:

- (1) Any adjustment in the size or shape of the building envelope (increasing the height or reducing the building setback);
- (2) Any change in the number or location of curb cuts;
- (3) Any decrease in the size of required open areas;
- (4) A minor change in the street pattern;
- (5) Any increase in density of a subarea:
 - (a) Less than 25% for a subarea with less than eight units;
 - (b) Less than 15% for a subarea with between nine and 20 units; and
 - (c) Less than 8% for a subarea with 21 units or more.
- (6) Any change in the number of parking spaces;

(7) Any minor change to on-premises signage; and

(8) Any major change in the street pattern.

(C) *Minimal amendments.* The following changes in an initial and/or final development plan are considered minimal amendments:

(1) Any adjustment of a building within a previously established building envelope;

(2) A reduction in density and scale;

(3) Any minimal change in the street pattern;

(4) Any minimal change in the parking and loading requirements;

(5) Any minimal change to on-premises signage; and

(6) Any adjustment in the size or shape of the building envelope by reducing the building setback by one foot or less.

(Ord. passed 2-3-2011, § 2.24.080)