

ARTICLE XIV SITE PLAN

Section 14.0 Purpose and Intent.

The purpose of this section is to establish review and evaluation procedures by the Planning and Zoning Commission and City Council for the development projects defined below. The review shall focus on permitting a desirable living environment for the residents of multiple-family zoning districts, to provide timely logical large-scale commercial and industrial development and to encourage a harmonious relationship with surrounding developments.

Section 14.1 Applicability.

A permit for building or building expansion of the following types of development shall not be issued prior to following the appropriate city approval process listed below.

Proposed Use	Technical Review Committee	P&Z Commission Approval	City Council Approval
Commercial building sites	1 acre or less in the RPO district	1 acre or less	Appeal of TRC or PZ; all those over 1 acre
Industrial building sites		1 acre or less	Appeal of PZ; all those over 1 acre
Multifamily developments			All
Mobile home parks;			All
New development in the downtown redevelopment area*	Old Town Projects less than an acre	Less than 1 acre	1 acre or more
Institutional developments			All
Conditional uses.			All
Planned Developments (and Districts)			All

*For the purposes of this section the term "new development in the downtown redevelopment area" shall include renovation of any facility requiring an increase of twenty-five (25) per cent or more of the gross square footage of the floor area.

Section 14.2 Formal Site Plan Submittal Requirements.

The following must be submitted to the City:

- A. Completed application form.
- B. A statement describing the general character of the intended development and the proposed method of preservation and maintaining open space shall accompany the required number of copies of the preliminary site plan.
- C. A reproducible scaled and dimensioned site plan drawn to a scale not to exceed fifty (50) feet to one (1) inch, prepared by a State of Florida registered engineer, land surveyor, landscape architect or architect. The site plan shall include:
 1. Name, location (including a vicinity map), owner and designer of the proposed development.

2. Location of the site in relation to surrounding properties, including the means of ingress and egress to such properties and any screening or buffers on such properties.
 3. Future land use and zoning of the subject property and all adjacent properties.
 4. Date, north arrow and graphic scale (not less than one (1) inch equals fifty (50) feet, unless the parcel is over fifty (50) acres, site plans over fifty (50) acres may be presented at a scale of one (1) inch equals one hundred (100) feet.
 5. Property size and parcel identification information. Location of all property lines, existing streets, easements, and utilities, as well as proposed drainage structures and culverts, and proposed streets, driveways, structures and general site layout.
 6. Location of all trash receptacles.
 7. All structures and major features shall be fully dimensioned including distance between structures, distance between driveways, parking areas, property or lot lines and building height.
 8. A rendering, elevation or photo of the proposed development.
 9. Fire Lanes:
 - a. Fire Lanes shall be required for all buildings that are set back more than one hundred and fifty (150) feet from any roadway (public or private) or any structure more than thirty feet (30) in height, which is setback fifty feet (50) or more feet from any roadway. Variations to this requirement may only be approved by the Indian River County Emergency Services.
 - b. All fire lanes shall be a minimum of twenty (20) feet in width and shall be located a minimum of ten (10) feet from any exterior building wall.
 - c. All fire lanes shall be appropriately marked and shall be posted as no parking areas.
 - d. Dead end fire lanes exceeding three hundred (300) feet or more shall be provided with a cul-de-sac, to the requirements of the Indian River County Emergency Services.
- D. An environmental impact assessment in accordance with Article XIII.
- The City Council may authorize total or partial relief from the requirement of an environmental impact report if it finds, after receiving the recommendation of the Technical Review Committee and based on conditions peculiar to the proposed development, that the information foregone by such relief is not needed to determine the environmental impact of the proposed development.
- E. A digital version of the site plan.
- F. Adequacy of Public Facilities.

The proposed building or use complies with the standards of section 17.24.

G. Adequacy of Fire Protection.

The applicant has obtained from the Indian River County Emergency Services written confirmation, or has otherwise demonstrated by substantial credible evidence, that water supply, evacuation facilities, and emergency access are satisfactory to provide adequate fire protection.

H. Adequacy of School Facilities.

The proposed building or use will be served by adequate school facilities, consistent with the City's Comprehensive Plan and with any Interlocal Agreement for school concurrently entered into between the City and Indian River County School Board.

I. Existing Conditions.

1. An aerial photograph of the property on which the development activity is to take place. The aerial photograph used to satisfy this requirement may be obtained from the Indian River County Property Appraiser.

J. Environmental Impact Report.

1. Applicability

- a. Whenever a submission of a site plan is required, an environmental impact report shall be provided if the proposed development meets any of the following:

- 1) The property is ten (10) acres or over;
- 2) The property is identified on any applicable "Inventory of Native Ecosystems"; or
- 3) The proposed development is located in whole or part within the One Hundred (100) Year Flood Plain.

- b. The City Council may authorize total or partial relief from the requirement of an environmental impact report if it finds, after receiving the recommendation of the Technical Review Committee and based on conditions peculiar to the proposed development, that the information foregone by such relief is not needed to determine the environmental impact of the proposed development.

2. Contents.

The environmental impact study shall contain the following information:

- a. A vegetation and substrate survey including:
 - 1) Extent and acreage of all upland hammock forests.
 - 2) The required first floor elevation, and whether all floor elevations will be above this level.
 - 3) An assessment of the impacts upon onsite vegetation and wildlife, a description of the planned approach that will be used

to minimize these impacts and an explanation of any mitigation that will be provided.

Section 14.3 Formal Site Plan Review Procedures.

Site plans shall be reviewed and processed as provided for in Article XVII, Section 17.20 A and B.

Section 14.4 Final Approval and Modifications to Approved Site Plans.

Upon the formal site plan being approved, the development shall be built substantially in accordance with the site plan and the plans and specifications. If after such approval should the owner/applicant or his successors desire to make any changes to said site plan, such changes shall first be submitted to the City Manager or designee to determine if the change can be approved by staff, or if it requires another hearing before the Planning and Zoning Commission and City Council. In determining whether a change qualifies for administrative or Council approval, criteria set forth in Section 17.20, E shall prevail. Modifications that do not meet such criteria need to be processed for reconsideration of the new development plan through Planning and Zoning Commission and City Council. Any proposed modifications to a site plan shall not violate any other provisions of this Code and the City's Comprehensive Plan.

Section 14.5 Phased Developments.

- A. All phases shall be shown to stand alone, according to the development requirements of this Code.
- B. If a development that is to be built in phases or stages includes improvements that are designed to, related to, benefit, or are to be used by the entire development (such as a swimming pool or tennis courts in a residential development) then as part of the application for site plan approval, the developer shall submit a proposed schedule for completion of such improvements. The schedule shall relate completion of such improvements to completion of one (1) or more phases or stages of the entire development. Once a schedule has been approved and made part of the development order by the order issuing authority, no land may be used, no buildings may be occupied, and no subdivision lots may be sold except in accordance with the schedule approved as part of the development order.
- C. Notwithstanding the provisions of this subsection, a formal site plan that includes more than one (1) principal structure shall expire if certificates of occupancy for all principal structures have not been issued within three (3) years after formal site plan approval.
- D. Formal site plan approval expiration.

All site plan approvals, unless otherwise noted, shall expire automatically one (1) year after the issuance of approval if the use authorized by a development approval has not commenced, or where no substantial construction, erection, alteration, excavation, demolition, or similar work is necessary before commencement of such use, an application for the next required development approval has not been filed.

- 1. Approval extension.

If application for the next required development approval is not filed within one (1) year after the date the site plan received final approval, a one (1) year extension may be granted. In order to obtain an extension, the applicant must

make the request in writing to the Community Development Department and will subsequently be placed on the City Council agenda. Only one (1) extension may be granted. If no extension is granted and/or construction is not commenced within a year, or if no construction is commenced within a year following the date the extension was granted, the site plan shall immediately become null and void and no construction shall be permitted until a new site plan application has been submitted. Such application shall meet all of the requirements and be in accordance with the procedure hereinabove set forth.

2. Discontinue or stoppage in work.

After the first year, a site plan approval shall expire automatically if during any twelve-month period less than twenty-five (25) per cent of the total remaining cost of construction, erection, alteration, excavation demolition or similar work on any development authorized by the building permit has been completed on the site. However, a six-month extension of the site plan approval may be considered provided that a written request is submitted sixty (60) days prior to site plan expiration. Consideration of an extension shall only be considered if the site has been properly maintained during construction. A site plan extension may be provided under the following circumstances:

- a. Delays attributable to governmental permitting agencies.
- b. Natural disasters.
- c. Conditions or circumstances peculiar to the applicant's land that are not a result of the land developer's actions.

E. Formal site plan approval time limitations.

All site plan approvals, unless otherwise noted, shall expire automatically one (1) year after the issuance of approval if the use authorized by a development approval has not commenced, or where no substantial construction, erection, alteration, excavation, demolition, or similar work is necessary before commencement of such use, an application for the next required development approval has not been filed.

1. Approval extension.

If application for the next required development approval is not filed within one (1) year after the date the site plan received final approval, a one (1) year extension may be granted. In order to obtain an extension, the applicant must make the request in writing to the Community Development Department and will subsequently be placed on the City Council agenda. Only one (1) extension may be granted. If no extension is granted and/or construction is not commenced within a year, or if no construction is commenced within a year following the date the extension was granted, the site plan shall immediately become null and void and no construction shall be permitted until a new site plan application has been submitted. Such application shall meet all of the requirements and be in accordance with the procedure hereinabove set forth.

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