

ORDINANCE #12-9-2013B

**AN ORDINANCE AMENDING SECTION 1302 OF CHAPTER 165
OF THE MOUNT VERNON CODE OF ORDINANCES BY AMENDING
CURRENT SITE PLAN REVIEW, PROCESS AND REQUIREMENTS**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
MOUNT VERNON, IOWA:**

SECTION 1. AMENDMENT. That Chapter 165, "Zoning Regulations," of the Mount Vernon Code of Ordinances be and the same is hereby amended by amending Section 1302 to read as follows:

1302 Site Plan Review Procedure

a. Purpose

The Site Plan Review Procedure provides for the administrative review in addition to plan review required by other sections of the Mount Vernon Code of Ordinances of projects that have potentially significant effects on traffic circulation or a significant effect on land uses in adjacent neighborhoods. The procedure provides for review and evaluation of site development features and possible mitigation of unfavorable effects on surrounding property. This review supplements and does not replace any existing reviews or approvals required under this or other ordinances.

b. Administration

The Zoning Administrator, with the assistance of other City staff, shall review, evaluate, and act on all site plans submitted pursuant to this procedure and be responsible for timely submittal to and consideration of all site plans by the Planning and Zoning Commission and the City Council.

c. Uses Requiring Site Plan Review

All uses, except single-family residential, duplex residential, and all permitted agricultural uses, are subject to the Site Plan Review Procedure. No building permit will be issued for such uses unless the site plan is approved by the City Council..

d. Application Requirements

An application for a Site Plan Review shall be filed with the Zoning Administrator by the owner of a property or the owner's authorized agent. The application shall include the following information:

1. Name and address of the applicant.
2. Owner, address, and legal description of the property.

3. A description of the nature and operating characteristics of the proposed use.
4. A site plan, drawn to a scale sufficient to permit adequate review and dimensioned as necessary, showing the following information:
 - a) The date, scale, north point, title, name of owner, and name of person preparing the site plan.
 - b) The location and dimensions of boundary lines, easements, and required yards and setbacks of existing and proposed buildings and site improvements.
 - c) The location, size, and use of proposed and existing structures on the site.
 - d) The location of all proposed site improvements, including parking and loading areas, pedestrian and vehicular access, sewers, sidewalks, utilities, service areas, fencing, screening, landscaping, and lighting, with enough detail to demonstrate conformance with City codes.
 - e) Location of any major site feature, including drainage and contours at no greater than five foot intervals.
 - f) Any other information that may be required for review by the Zoning Administrator.

e. Review and Evaluation

1. The Zoning Administrator shall review and make the following findings in a report to the Planning and Zoning Commission and the City Council on the site plan based on the criteria established in Table 13-1 and conformance with applicable regulations in this Zoning Ordinance:
 - a) The proposed development, together with any necessary modifications, is compatible with the criteria established in Table 13-1.
 - b) Any required modifications to the site plan are reasonable and are the minimum necessary to minimize potentially unfavorable effects.
 - c) The site plan conforms to the Zoning Ordinance and other applicable City ordinances.
2. The Planning and Zoning Commission shall make its recommendation to the City Council to approve, approve with conditions or disapprove the site plan.

f. Modification of Site Plan

The Zoning Administrator, the Planning and Zoning Commission, or the City Council may require modification of a site plan as a prerequisite for approval. Required modifications may be more restrictive than base district regulations and may include, but are not be limited to, additional landscaping or screening; installation of erosion control measures and control of storm runoff as required by the Code of Iowa; improvement of access or circulation; rearrangement of structures on the site; or other modifications deemed necessary to protect the public health, safety, welfare, community character, property values, and/or aesthetics.

g. Term and Modification of Approval

1. A Site Plan Approval shall become void one year after the date of approval, unless the applicant is issued a Building Permit.
2. The Zoning Administrator may approve an application to modify a previously approved site plan if he/she determines that the modification does not affect findings related to the criteria set forth in Table 13-1 and is either minor in its essence or an improvement to the approved site plan.
3. The Zoning Administrator may revoke a Site Plan Approval if he/she determines that the development is not complying with the terms and conditions of the approval. Such revocation may be appealed to the City Council. The City Council shall consider the appeal at the first available meeting after the filing of the appeal.

h. Approval to Run With Land

An approval pursuant to this section shall run with the land until the expiration date of such approval.

SECTION 2. REPEALER. All Ordinances and parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 3. SEVERABILITY. If any section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 4. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

First reading on the ____ day of _____, 2013.

Second reading on the ____ day of _____, 2013.

Third and final passage on the ____ day of _____, 2013.

SCOTT C. PETERSON, MAYOR

ATTEST:

SUE RIPKE
ASSISTANT CITY ADMINISTRATOR/CLERK

I certify that the foregoing was published as Ordinance No. _____ in the
Mount Vernon Sun on the _____ day of _____, 2013.

SUE RIPKE
ASSISTANT CITY ADMINISTRATOR/CLERK