



Staff Report

Text Amendment

Case #: TA-2017-03-00005

Attachments:

Staff Report, Current Code

Planning Commission Public Hearing: Thursday, April 6, 2017

City Council Introduction: Tuesday April 11, 2017

City Council Final: Tuesday April 25, 2017

City Council Request (Ordinance):

Introduction to an Ordinance to Amend Unified Development Code Ordinance # 14-5634 to provide relative to Article 2 Administration Section 2.3.5 Site Plan Review (Case#TA-2017-03-00005) Recommend approval by Planning Commission

Additional Information:

Remove Entire Section: **These site plans are currently reviewed by Planning and Building to verify setbacks, drainage and flood requirements.**

(3) No Site Plan Required

No site plan review is required for the following however a building permit may be required in accordance with Chapter 9 – Buildings and Building Regulations in the City Code of Ordinances:

- (a) Construction or expansion of less than three residential (single family or duplex) units on a placed lot of record.
- (b) Creation of up to 1,000 square feet of additional impervious surface (paving).
- (c) Construction of accessory structures in residential districts

Public Hearing:

For: NONE

Against: NONE

Commission Recommendation:

Motion: To recommend approval

For: Matt Sandifer, Jeffrey Smith, Stanley Young

Against: NONE

Abstain: NONE

Absent: Jimmy Meyer, William Travis

Ordinance to Read:

WHEREAS the Planning Commission held a public hearing on April 6, 2017 and recommended approval to remove Article 2 Section 2.3.5 Site Plan review A) (3) No Site Plan Required

No site plan review is required for the following however a building permit may be required in accordance with Chapter 9 – Buildings and Building Regulations in the City Code of Ordinances:

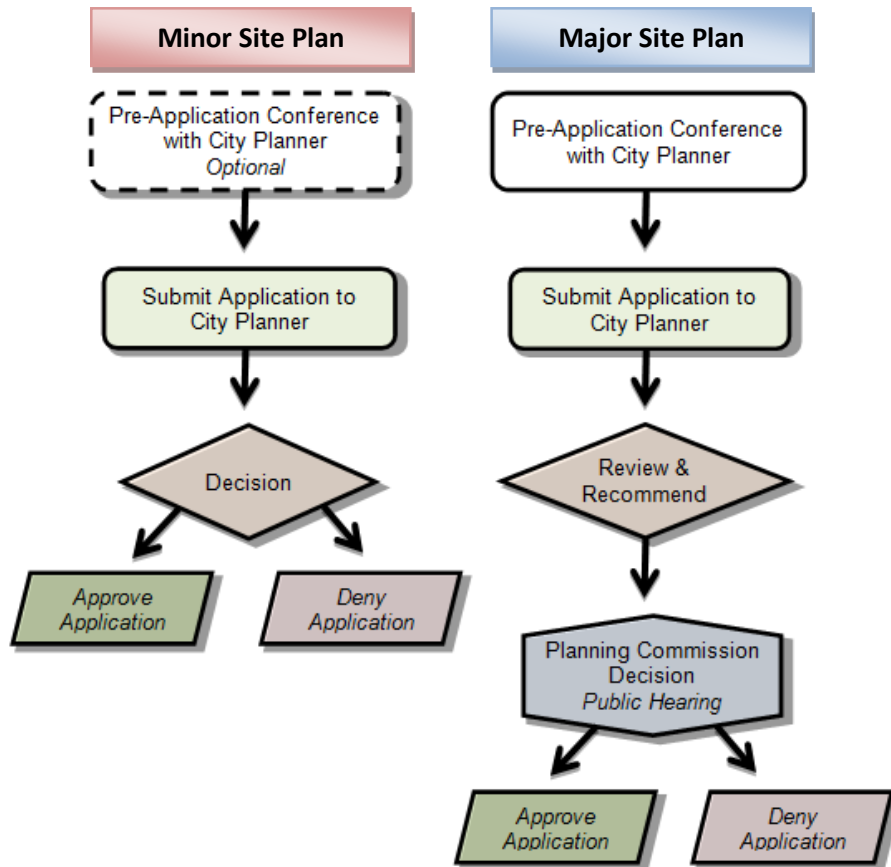
- (a) Construction or expansion of less than three residential (single family or duplex) units on a placed lot of record.
- (b) Creation of up to 1,000 square feet of additional impervious surface (paving).
- (c) Construction of accessory structures in residential districts

(2) A final decision by the Planning Commission on a major subdivision may be appealed to the city council.

I. Expiration

A preliminary plat expires after one year where a final plat application has not been filed. Each final plat for a phase of the preliminary plat extends the preliminary plat for an additional year. A final plat, once officially recorded, does not expire.

2.3.5 Site Plan Review



A. When Required

(1) Major Site Plan

Major site plan review by the Planning Commission is required for:

- (a) Construction of 10 or more residential units on a platted lot of record.
- (b) Construction or expansion of 5,000 or more square feet of Row House, Apartment, Mixed Use, Commercial or Industrial building types.

(2) Minor Site Plan

Minor site plan review by the City Planner is required for:

- (a) Construction or expansion of up to 5,000 square feet of Row House, Apartment, Mixed Use, or Industrial building types.
- (b) Construction of more than two, but less than 10, residential units on a platted lot of record.
- (c) Creation of more than 1,000 square feet of additional impervious surface (paving).

(d) Construction of accessory structures in nonresidential districts.

(3) No Site Plan Required

No site plan review is required for the following however a building permit may be required in accordance with Chapter 9 – Buildings and Building Regulations in the City Code of Ordinances:

(a) Construction or expansion of less than three residential (single family or duplex) units on a platted lot of record.

(b) Creation of up to 1,000 square feet of additional impervious surface (paving).

(c) Construction of accessory structures in residential districts.

B. Application and Fees

(1) A pre-application conference is optional for a minor site plan and mandatory for a major site plan.

(2) All applications for site plan review shall be filed in writing with the City Planner.

C. Review by City Planner

(1) The City Planner may refer the application to other affected or interested agencies for review and comment.

(2) The City Planner shall provide notice as set out in [Section 2.3.1](#).

(3) The City Planner shall recommend approval, approval with conditions, or denial of a Major Site Plan.

D. Minor Site Plan Decision by City Planner

(1) In deciding to approve, approve with conditions or deny the proposed site plan, the City Planner shall consider relevant comments of all interested parties and the review criteria below.

(2) The City Planner may attach any condition to the site plan necessary to ensure the site plan meets the requirements of the development code.

E. Major Site Plan Decision by Planning Commission

(1) The Planning Commission shall approve or deny the major site plan.

(2) In deciding, the Planning Commission shall consider the recommendation of the City Planner, relevant comments of all interested parties and the review criteria below.

(3) The Planning Commission may attach any condition to the site plan necessary to ensure the site plan meets the requirements of the development code.

F. Review Criteria

The City Planner and Planning Commission shall consider the following criteria in approving or denying a site plan:

(1) The proposed development is consistent with the pertinent elements of the City of Hammond comprehensive plan and any other adopted plans.

(2) The proposed development meets the requirements of this unified development code and any applicable City Ordinances;

(3) The site plan demonstrates compliance with any prior approvals.

G. Building Permit

No building permit shall be issued for development requiring a site plan until the site plan has been approved.

H. Dedication and Improvements

(1) In developing property requiring a site plan under this development code, the applicant must dedicate any additional right-of-way necessary to the width required by the City of Hammond for streets adjoining the property, install curbs and gutters and pave all streets adjoining the property, and install sidewalks and landscaping, all based on the unified development code.

(2) The applicant shall bear the costs of installation of any on-site or off-site improvements required by this development code, including provisions for stormwater management, paving and utilities.

I. Modification of Approved Site Plan

The City Planner is authorized to approve minor modifications to an approved site plan. All modifications not listed as minor below shall be considered by the body that approved original site plan. The following modifications shall be considered minor:

(1) Up to a 25 percent increase or any decrease in gross floor area of a single building;

(2) Up to a 25 percent reduction or any increase in the approved setbacks from exterior property lines; and

(3) Relocation of parking areas, internal streets or structures where such relocation occurs more than 100 feet from exterior property lines.

J. Appeal

(1) A final decision by the City Planner on a minor site plan may be appealed to the Board of Adjustment.