

DRAFT CODE AMENDMENTS TO P4 PROCESS

10-1-2: DEFINITIONS:

PRELIMINARY PROJECT PLAN: A preliminary project plan represents a generalized land use/site plan for the area proposed to be included within a Planned Development (PD) District and/or **any proposed rezoning of property**. It is an optional step that allows early, informal, non-binding evaluation of a proposed PD and/or any **rezoning within any** Zoning District request before detailed planning and engineering work has been undertaken and before substantial expenses have been incurred.

10-1-8: PRELIMINARY PROJECT PLANS; ~~PLANNED DEVELOPMENT DISTRICTS~~:



(A) Applicant Submittal: A prospective applicant for a rezoning amendment seeking ~~Planned Development (PD) zoning~~ a Planned Development (PD) **and/or a rezoning of any parcel of property** may elect to submit a preliminary project plan in accordance with this section.

(B) Preliminary Project Plans Pre-Application Conference: Applicants shall attend a pre-application conference before submitting a ~~PD~~ preliminary project plan for review.

(C) Submittal Of ~~PD~~ Preliminary Project Plan: A ~~PD~~ preliminary project plan shall be submitted to the Community Development Director, together with the required fee. At a minimum, the ~~PD~~ preliminary project plan shall include the following information:

1. Uses proposed;
2. Intensity or density of uses proposed;
3. Location of public and private open space;
4. Location of existing and proposed buildings on the site;
5. Road, street, and pedestrian networks proposed; and
6. Existing or proposed utilities and public services for the development.

(D) Community Development Director/Staff Review And Report: The Community Development Director and staff shall review the PD-preliminary project plan. Based on the results of those reviews, the Community Development Director shall provide a report to the Planning Commission.

(E) Planning Commission's Review:

1. The Planning Commission shall review the PD preliminary project plan and shall offer its comments regarding the plan to the applicant, unless such review is waived by the Community Development Director due to direct submission of the plan to the City Council. The Community Development Director shall present the preliminary project plan; the applicant may be present to listen to comments. No comments made by the Planning Commission shall be binding on the City's consideration of any subsequent application, and are intended only to provide an informal evaluation of the proposed project.

2. After the Planning Commission's review, the applicant may submit the original or revised PD preliminary project plan to the City Council or may withdraw the PD preliminary project plan from any further consideration by submitting a letter to the Community Development Director.

3. The Planning Commission review may be waived in order to provide for direct City Council review at the discretion of the Community Development Director.

(F) City Council Review: After receipt of the PD preliminary project plan package, including any revisions made by the applicant, the City Council shall review the PD preliminary project plan in a meeting, taking into account the Planning Commission's comments, if any. The Community Development Director shall present the preliminary project plan; the applicant may be present to listen to comments. No comments made by the City Council shall be binding on the City's consideration of any subsequent application, and are intended only to provide an informal evaluation of the proposed project. The City Council review is deemed to be legislative-nonadjudicatory action.

(G) Effect Of Review: The PD preliminary project plan is not part of a formal application for approval of a PD PD and/or a rezoning request and no comments made by the City in reaction to a PD preliminary project plan shall be binding on the City's consideration of any subsequent PD PD and/or a rezoning application nor result in the vesting of any rights under this Code or State Statute. The voluntary submission of a PD preliminary project plan shall constitute a complete waiver of any and all legal claims that are based on, or arise from, Planning Commission or City Council review of, or comment upon,

such ~~PD~~ preliminary project plan. Since the ~~PD~~ preliminary project plan is conceptual only, there are no lapse provisions applicable.

(H) All Requirements Remain In Effect: The ~~PD~~ preliminary project plan does not constitute an application for a ~~PD-zoning~~ PD zoning amendment **and/or a proposing a rezoning**. Unless a zoning amendment **proposing a rezoning** is filed within sixty (60) calendar days following Council review of a ~~PD~~ preliminary project plan, the preliminary project plan shall be deemed expired and closed.