

26.80.070 Community Unit Plan (CUP)

A. The owner or owners of any tract or tracts of contiguous land comprising an area of not less than fifteen (15) acres, including streets and alleys except boundary streets, may submit a plan for the use and development of all of such tract or tracts of land to the Community Development Commission.

B. A filing fee, set forth in Section 26.98, shall be required at the time such a plan is submitted to the Community Development Commission.

C. Upon receipt of a plan by the Community Development Commission, it shall review said plan and make a report of its findings and recommendations, in writing to the Board of Aldermen. The Community Development Commission in making its report to the Board of Aldermen shall set forth its reasons for approval or disapproval of the plan and specific evidence and facts as to whether or not the proposed community unit plan meets the following conditions:

1. That the values of buildings and the character of the property adjacent to the area included in said plan will not be adversely affected;
2. That said plan is consistent with the intent and purposes of the zoning code to promote public health, safety, morals and general welfare;
3. That the average lot area per family contained in the site, exclusive of the area occupied by street, shall not be less than the lot area per family required for the district in which the development is located.

D. Upon the receipt of the Community Unit Plan in the Board of Aldermen or the expiration of forty-five (45) days from the date of the submission of the plan to the Community Development Commission, a proposed ordinance may be introduced in the Board of Aldermen. When such proposed ordinance is introduced in the Board of Aldermen, the Committee to which it is properly referred for consideration shall hold a public hearing and publish notice thereof in accordance with the procedure for rezoning as set out in Section 26.92.040 of the Code. If the Board of Aldermen approves the ordinance for the Community Unit Plan, building permits and certificates of occupancy may be issued therefor, even though the use of land, height and location of structures, including yards and open spaces, does not conform in all respects to the zoning district regulations.

E. Any proposed change in any Community Unit Plan consisting of a change in boundary or change in use shall be submitted for approval as an amendment to the Community Unit Plan in the same manner as provided in subsections C and D of this section.

F. Any other proposed change shall be submitted for approval as an amendment to the Community Unit Plan in the same manner as provided for the granting of conditional use permits in accordance with the procedure set out in Section 26.80.010 of the Code.

G. At the time any amendment to a community unit plan is submitted a filing fee of twenty dollars (\$20.00) shall be required. (Ord. 63299 § 2, 1994: prior: Ord. 59979 § 21 (part), 1986.)