



*Article 3
Division II*

SITE PLANS

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Section 3.010. Purpose and Intent

The intent of site plan approval is to further the purposes of these regulations by ensuring that redevelopment and new development are designed in a manner that reasonably protects the public welfare and which conforms to the applicable general requirements and any supplemental conditions established by a planned or special use approval.

Section 3.020 Types of Site plans; when required

The term "site plan" shall include the following required plans:

- A. Preliminary Site Plan (Concept Plan): A preliminary site plan is a development plan showing uses and structures proposed for a parcel or parcels of land as required by Section 3.040. The preliminary site plan is required to depict conceptual development plans for purposes of approval of a planned or special use.
- B. Final Site Plan (Improvement Plans): A final site plan is required to approve the final site requirements as set forth in Section 3.050. Final site plan approval is required prior to the following activities:
 - 1. the grading of any site for development or the issuance of any building permit for any new principal structure, including building and/or parking lot expansion, regardless of type of use;
 - 2. a change in the type of occupancy of a property as defined in the City's adopted building codes and that would also require a building permit; or
 - 3. any other change in any principal or accessory use of a property as determined by the Director.
- C. Sketch Site Plan (one and two-family plot plan): A Sketch Site Plan is required in lieu of a Preliminary Site Plan and Final Site Plan for the construction or improvements of a single-family detached structure, single-family attached villa, or a duplex. At a minimum, a sketch plan shall depict all proposed improvements to the site, limits of the parcel, building setbacks, easements, finished floor elevations, all existing uses located on the site and other such information as may be needed to verify compliance with all other laws and regulations of the City. Sketch plans shall be approved administratively in the manner provided for site plans for permitted uses. No building permit shall be effective until a required sketch plan has been approved.

Section 3.030. Site Plan Exceptions:

The Director may waive the requirement that a site plan be submitted when the applicant demonstrates to the Director one of the following:

- A. That the proposed development, issuance of a certificate of occupancy or change in the principal use of property will have no detrimental impact on adjoining property and would otherwise clearly comply with all regulations of the City without review of the plan, thereby eliminating the necessity for the establishment of or revision to a site plan; or
- B. That the proposed development will conform in every material respect to a site plan previously approved for the same property, or
- C. That valid and complete subdivision improvement plans already have been approved by the City for the development as proposed.

Section 3.040. Preliminary Site Plan.

A. Application Submittal Requirements.

Unless otherwise required in this Chapter or by the Director, the following items must be submitted to the City for an application to be considered complete (the quantities and formatting requirements of each item shall be detailed in an application packet to be provided by the City):

- 1) Site Plan Application, completed and signed in such form as provided by the Director
- 2) Site Plan Application Fee
- 3) Consultant Site Plan Review Payment Responsibility Form
- 4) Site Plan Review Fee Deposit
- 5) Proof of Ownership
- 6) Proof of Public Notice Intent as required by the City
- 7) Preliminary Site Plan
- 8) Building and Accessory Structure Elevations
- 9) Sign Concept
- 10) Preliminary Utilities Studies and plans as may be required by the City.
- 11) Preliminary Drainage Report as may be required by the City
- 12) Written narrative explaining the overall development plan proposed by the Preliminary Site Plan including proposed uses, densities, open space areas, public land dedications areas, trails, public area landscaping, roadways, utility services, and other required improvements. Include analysis relating the preliminary site plan to the review and approval criteria set forth in this article.
- 13) Additional information as may be requested by the City including, but not limited to: traffic impact study, access management plan, geologic hazard study, environmental impact report, historic inventory study, and data which estimates and documents how the project will affect population, employment, schools, parks, streets, utilities, public safety, and other City services as applicable.

B. Preliminary Site Plan Formatting Requirements

The Department of Planning and Zoning shall maintain a policy memorandum approved by the Director specifying and describing the formatting requirements, content, scales, sizes, and quantity required for submission of the preliminary site plan, landscaping plan, architectural elevations, and sign concept. The policy memorandum shall include the following:

- 1) Detailed list of information necessary for the City to complete an adequate review of the requirements described in Section 3.060(D) General Site Plan Review Criteria.
- 2) Site plans may include but are not limited to the following items: names of adjacent property owners, property boundaries, utilities, easements, existing and proposed grading extending beyond the property line, floodplain, natural features, structures, roads and right-of-ways, parking, phasing, lighting, legal description, and summary tables, or other such information as required to determine compliance with city laws and regulations.



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- 3) All preliminary site plans shall bear the seal of a Professional Engineer (P.E.) or other such professional certification and seals as the City may require. Requirement for P.E. certification may be exempt under unusual circumstances as determined by the Director.
- 4) The Director shall have the authority to modify the policy memorandum as need arises in order for the City to better review an application's adherence and appropriateness to the requirements of Section 3.060(D) General Site Plan Review Criteria.

C. Duration of validity (Preliminary Site Plans)

Unless a shorter time is otherwise specified, an approved preliminary site plan shall be valid for a period of twelve (12) months from the date of such approval for planned uses and special uses. The City Council may grant one extension not exceeding twelve (12) months upon written request. If a final site plan is not approved prior to the final expiration of preliminary site plan, a new preliminary site plan shall be required subject to the City's current submission criteria and approval process as provided herein. Grading and construction permits shall not be issued prior to the approval of the Final Site Plan.

Section 3.050. Final Site Plan

A. Application and Submission Requirements.

Unless otherwise required in this Chapter or by the Director, the following items must be submitted to the City for an application to be considered complete (the quantities and formatting of each item shall be detailed in an application packet provided to the applicant by the City):

- 1) Site Plan Application, completed and signed in such form as provided by the Director
- 2) Site Plan Application Fee
- 3) Consultant Plan Review Payment Responsibility Form
- 4) Site Plan Review Fee Deposit
- 5) Proof of Ownership
- 6) Final Site Plan
- 7) Final Utilities Studies and plans as may be required by the City.
- 8) Final Drainage Report as may be required by the City
- 9) Deeds of dedication for all rights-of-way or easements required as a result of preliminary site plan approval, if conveyance thereof is not to be made by plat or by the filing of the final site plan pursuant to this Section.
- 10) A copy of all covenants and restrictions applicable to the development, if required.
- 11) Evidence of the establishment of the agency for the ownership and maintenance of any common open space and all assurances of the financial and administrative ability of such agency, if required by the terms of the approved preliminary site plan.
- 12) Evidence of satisfaction of any conditions of the preliminary site plan approval that were conditions prior to consideration of the final site plan.
- 13) Documentation reflecting how common areas will be maintained under the ownership or control shall be submitted prior to final site plan approval. The documents shall include, but are not limited to,

homeowners association documents, joint agreements and covenants clearly defining the shared maintenance of common open spaces and detention/retention areas and other utilities within each of the zoning lots and/or phases comprising the proposed development, shared access and parking arrangements, joint maintenance agreements, common design elements including integration of common architectural themes, and active and passive open space and landscaped areas.

- 14) Additional information as may be requested by the City including, but not limited to: traffic impact study, access management plan, geologic hazard study, wildlife impact report, historic inventory study, and data which estimates and documents how the project will affect population, employment, schools, parks, streets, utilities, public safety, and other City services.

B. Final Site Plan Formatting Requirements.

For a Final Site Plan to be accepted for review, all of the information required by the policy memorandum for the Preliminary Site Plan must be shown on the Final Site Plan along with the additional requirements set forth below, as applicable.

- 1) Final storm water collection, detention, erosion control plans and calculations;
- 2) Final analysis of the capacity of the existing sanitary sewer receiving system.
- 3) Final water and sanitary sewer plans.
- 4) Final grading plans.
- 5) Photometric Plan formatted in accordance with this Code.
- 6) Final Landscape Plan formatted in accordance with this Code
- 7) Building and Accessory Structure Elevations
- 8) One or more illustrations shall be submitted with the Final Site Plan showing dimensions and areas of all floors within proposed buildings.
- 9) All proposed improvements shall be in accordance with the City's Land Subdivision regulations as they apply to the development and all final improvement standards prior to the authorization of any clearing, grading or construction permit(s). Exceptions to these requirements may be granted subject to approval by the City Council.

C. Consideration of Final Site Plans

- 1) No changes: A Final Site Plan that contains no changes or additions to the approved Preliminary Site Plan shall be approved by the Director upon a determination that all conditions of approval of the Preliminary Site Plan, if any, have been satisfied by the applicant, and that all other submission requirements have been satisfied.
- 2) Minor changes: A Final Site Plan that contains minor changes to the approved Preliminary Site Plan may be approved by the Director. A determination by the Director on such minor changes shall be made pursuant to this paragraph, provided that the Director may, at his discretion, may submit the changes to the City Council for its review. For purposes of this Section, "minor changes" from the approved Preliminary Site Plan shall mean all of the following changes that are otherwise authorized by the underlying district regulations:
 - a) Changes in the density of residential uses of up to 5%.
 - b) Increase in the total floor area of all nonresidential buildings covered by the plan of up to 10%.

- c) Increase of lot coverage of up to 5%.
 - d) Changes in the height of any building of up to 10%.
 - e) Changes of any peripheral setback of up to 5%.
 - f) Decrease of areas devoted to open space of up to 5%.
 - g) Minor changes in the landscape plan except that total landscape area cannot be decreased.
- 3) Substantial changes: A Final Site Plan that contains any changes that are not “minor changes” shall be considered substantial changes from the approved Preliminary Site Plan and may be approved only by the City Council. The City Council shall apply the criteria set forth herein, applicable to a Preliminary Site Plan application.
- 4) Conditions on approval: If the City Council attaches conditions to the approval of a Final Site Plan, it shall designate specific requirements, if any, that must be met before issuance of a grading permit or building permit. The City Council may delegate to the Director the authority to determine whether the specifically prescribed conditions attached to the approval have been satisfied by the applicant. Such conditions may arise from a change in circumstances following the original approval, identification of new information, or other reasonable factors warranting conditions as necessary to satisfy the approval criteria.

D. Duration of validity (Final Site Plan).

Final Site Plan approval shall, unless a shorter time is specified, be valid for a period of twelve (12) months from the date of such approval, unless within such period a building permit is obtained and substantial construction is commenced and all additional building permits necessary to complete the project as approved in the Final Site Plan schedule are obtained in a timely fashion, as determined by the Building Official. An application for extension of a final site plan may be granted, if the application is filed before the final site plan expires. Upon granting an extension, the City Council has the authority to attach new conditions to the Final Site Plan as it deems appropriate. Substantial construction as used in this Section shall mean completion of at least ten (10) percent of the construction in terms of the total expected cost of the project for which the permit was issued. Whenever a Final Site Plan or phase thereof has expired as provided in this Section, no development shall take place on the property until a new Final Site Plan has been submitted and approved. A new Final Site Plan shall be required for any construction not completed within five years of the date of the Final Site Plan approval.

E. Recording of Final Site Plans for Planned and Special Uses.

Following the approval of a Final Site Plan for any PUD or Special Use, a copy of the site plan signed by the Mayor and City Clerk shall be filed by the applicant with the Recorder of Deeds of St. Clair County. All filing fees shall be paid by the person who filed the site plan application. The authorization for the use approved by the site plan shall not become effective until a copy of the recorded plan bearing its recordation notations shall be returned and placed on file with the City Clerk. Unless waived by the Director, the Final Site Plan shall be combined with the Final Plat where easements or infrastructure are to be dedicated to the public or the Final Site Plan includes the subdivision of land. Such waiver may be granted where the dedication and transfer of easements, improvements, or land can be lawfully satisfied pursuant to this code without recording of a final plat.

Section 3.060. General Site Plan Review Procedures

The required general site plan review procedures are as follows:

- A. Permitted Use: The Planning Director has the authority to administratively approve a preliminary, final or sketch site plan for a permitted use in any district. A petitioner requesting site plan approval for a permitted use may file a final site plan without providing application of a preliminary site plan.
- B. Special Use: An application for a special use must comply with both the preliminary and final site plan application contents and submittal requirements and procedures and the requirements in Article 8 for special uses. A Preliminary Site Plan for a special use shall be submitted to the Planning Commission for approval, conditional approval, or denial as part of the special use application, with the City Council having the authority to exercise their right of review within 21 days of the Planning Commission's decision to approve, approve with conditions or deny a site plan for a special use as provided in Article 8. The Final Site Plan for a special use may be approved under the administrative process for permitted uses.
- C. Planned Use: An application for a planned use must comply with both the Preliminary and Final Site Plan application contents and submittal requirements and procedures as well as the requirements outlined in Article 9 for planned uses. The approval of a planned use is a legislative act of rezoning, therefore, the review and approval of a Preliminary Site Plan for a planned use must be conducted in accord with all rezoning requirements, including the requirements of Article 8, Division II "Notices and Hearings". The Preliminary Site Plan shall be incorporated in and subject to the ordinance approving any planned use as provided for in Article 9, or as otherwise provided in this Code. The Final Site Plan for a Planned Use may be approved under the administrative process for permitted uses.
- D. Reports Required for Planned and Special Uses: The Department of Planning and Zoning shall prepare a project report for Special and Planned Uses that provides a review of the preliminary site plan in light of the Comprehensive Plan, the applicable review criteria set forth herein, the requirements of this Chapter, and the input of appropriate City departments. The Director shall forward a copy of the report to the applicant. The Director shall forward any completed application for a site plan for a Special and Planned Use to the Planning Commission and/or City Council for further review and consideration.
- E. General Site Plan Review Criteria: In reviewing a site plan application, the Director shall identify and evaluate all factors relevant to the application, including whether it complies with all applicable provisions of this Chapter. Generally the following criteria are used to evaluate both the Preliminary Site Plan and Final Site Plan:
 - 1) Conformance with the requirements of the applicable zoning ordinances and this Code, and all other applicable codes and policies of the City.
 - 2) Circulation in terms of an internal street circulation system designed for the type of traffic generated, safety, separation from living areas, convenience, access, handicap access, noise and exhaust control. Though generally discouraged, private internal streets may be considered where appropriate to the development. A proper institutional framework must be established for maintenance thereof and the streets must be accessible by police and fire department vehicles for emergency purposes. Bicycle and pedestrian traffic shall be considered and provided for when necessary;

- 3) Functional open space in terms of recreation, views, density relief, convenience, function and optimum preservation of natural features, including trees and drainage areas;
 - 4) The adequacy, safety, separation, convenience, access to points of destination, and attractiveness of pedestrian ways;
 - 5) Building type in terms of appropriateness to density, site relationship and bulk and building design in terms of orientation, spacing, materials, exterior color and texture, storage and lighting are appropriate for the development;
 - 6) Landscaping of total site as shown by amount, types and materials used, maintenance, suitability and effect on the neighborhood;
 - 7) The site plan has been shown to fit within the context of the planned land use pattern and roadway and utility systems of the larger surrounding sub-area.
 - 8) Consistency with the City's adopted Comprehensive Master Plan, the Commercial Design Handbook dated July 6, 2009 and on file with the City Clerk, and any adopted design guidelines applicable to the site, and any adopted sub-area master plan; (*Ord 3665; passed 5-3-10*)
 - 9) City water and sewer systems can adequately serve the proposed development;
 - 10) Stormwater runoff is not increased at the boundaries of the property or can adequately be handled by an off-site stormwater system.
- F. Denial of Site Plan Criteria. The applicant shall have the burden of demonstrating that the site plan application meets the applicable review criteria. The City shall not approve a site plan application unless the City determines that the proposed use or development:
- a) When completed pursuant to the proposed site plan, would be consistent with all applicable requirements of this Chapter or applicable Zoning Ordinance, Subdivision Ordinance, or other applicable municipal codes and policies; or
 - b) Would not adversely affect the safety and convenience of vehicular and pedestrian circulation in the vicinity of the subject property, including traffic reasonably expected to be generated by the proposed use and other uses in the area; or
 - c) Is compatible with existing or permitted uses on adjacent sites, in terms of building height, setbacks and open spaces, bulk and scale, landscaping, exterior building design features, drainage, access, parking and circulation features; or
 - d) Will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity for reasons specifically articulated by the Director.
- G. Appeals. Appeals of any determination made by the Director of Planning or other city official pursuant to this Article may be taken by filing an appeal with the City of O'Fallon Hearing Officer consistent with the procedures and regulations identified in Article 15.

Section 3.070 Site Plan Design Standards & Requirements:

The following guidelines, principles, and standards should be followed and respected when designing the site:

A. Site Design:

- 1) The site design must respect and enhance the physical and natural qualities of the site and retain the positive qualities of the existing environment. It should utilize existing topographic features and improvements, where feasible, and shall be so located as to complement and conform to the site topography rather than changing the site to accommodate a preconceived site design.
- 2) Areas which shall be visually deemphasized in design of the site are utilitarian areas such as HVAC equipment, loading docks, storage areas, service vehicles and trash enclosures. These areas should be located away from high exposure areas of the building and site (i.e., along street frontages or other highly visible portions of the site). When such utilitarian areas are visible from adjacent property or public right-of-way, screening shall be provided in accordance with Article 13, or as otherwise provided in this Code. All HVAC equipment shall be screened from view of any public right-of-way. Enclosures and screening structures shall be similar in design, color, and/or building materials to the principal building on site.
- 3) All fences for the purpose of required screening or buffering shall be of a durable, maintenance free material such as vinyl or masonry. Chain link is not permitted for any required screening or buffering. Gates for enclosures may be allowed the option of chain link if constructed with a vinyl coating and vision slats.
- 4) The creative use of landscaping, signage, berming and lighting is encouraged within the frame work of the overall landscape theme proposed for the site. Entrances shall be designed to facilitate the flow of traffic into the development in order to avoid creating congestion on public streets.
- 5) Major street design. All proposed development and associated public improvements to the transportation system shall comply with the City's Subdivision Regulations and Comprehensive Plan's Major Street Plan relative to roadway classifications and design standards.
- 6) Architecture. The proposed building must demonstrate conformity with design guidelines applicable to the site as part of the Comprehensive Plan, requirements set forth in this Chapter, or any other design guidelines adopted by the City, including the Commercial Design Handbook dated July 6, 2009 and on file with the City Clerk. (*Ord 3665; passed 5-3-10*)

B. Site drainage and storm water management: Storm water management and drainage design shall comply with federal, state and City regulations and conform to all City specifications relating thereto.

C. Grading/erosion control: Grading and erosion control shall comply with federal, state and City regulations and conform to all City specifications relating thereto.

D. Traffic management: All development shall comply with the City's and/or Department of Transportation's access management standards. The City shall have the authority to permit the type, number, and location of all entrances, exits, and circulation patterns on any development site. The City, at its discretion, may request documentation as necessary to determine the impact any future improvements may have on the transportation system located within the City. There are two general levels of documentation that may be required, which include;

- 1) Technical Assessment Letter: An assessment letter, prepared by a certified engineer, of any future traffic impacts shall be submitted to the City unless waived by the Director. The letter shall include, but is not limited to, the total trips generated during both the A.M. and P.M peak periods and documentation that adequate stacking, queuing, and intersection spacing is provided.
- 2) Traffic Study: The City may request, at its discretion, a traffic study when traffic generation shows any level of service of "D" or worse pursuant to the accepted national traffic standards. The City may request a traffic study upon review of any development or building application to the City and upon its determination that a safety or service level traffic concern reasonably may exist relating to the construction or development to be permitted, and shall so state in writing to the applicant. All traffic studies shall be prepared by a certified engineer experienced in said studies. The City shall determine the executor of the study with the cost for the study to be paid by the developer. A traffic study should contain the following information or such other information as may be required by the City Engineer:
 - a. Capacity analysis of critical intersections affected by the development-generated traffic. The capacity analysis should be performed for existing traffic demand, traffic demand after completion of the development, and ultimate projected traffic demand. Base ultimate projected traffic volumes shall be provided by city staff. Capacity analysis shall be performed according to the criteria contained in the current edition of the Highway Capacity Manual/FHWA/IDOT.
 - b. Recommendations for maintaining the existing level of service for each of the critical intersections; recommendations for projected traffic demand after the development is completed; and recommendations for ultimate projected traffic demand. These recommendations may include geometric improvements such as additional turn lanes or changes in traffic control and/or street widening. Level of service shall be defined as in the current edition of the Highway Capacity Manual/IDOT.
 - c. Review of internal traffic circulation and curb cut locations.
 - d. Percentage of contributory traffic created by the proposed development upon the total entering traffic at critical intersections.

The developer of any property should expect, as a cost of development, to provide any traffic improvements necessary to maintain the existing level of service.

E. Site access and circulation

- 1) Emergency vehicle access: All developments shall be designed to facilitate entry of emergency vehicles onto the site.
- 2) Number and location of access points: All developments shall utilize the minimum number of access points to public streets necessary to serve the traffic generated by the proposed use. Traffic study may be required to determine the number and location of access points for a development. Cross access with adjacent property and shared entrances and/or driveways in city approved locations and configurations shall be required unless such requirement is waived by the City Engineer.
- 3) Internal Circulation: Layout of internal driveways and aisles shall be designed to reduce the potential for traffic conflict and provide for maximum visibility, sight distance and safety. All through drives shall be defined utilizing landscaped median islands, and stop signs shall be placed at all appropriate intersections of such drives with other through drives or public streets as determined by the City Engineer. For any driveway in excess of thirty (30) feet in width, channelization using medians may be

required to control ingress and egress to the site. Bicycle and pedestrian traffic access shall be adequately provided.

- 4) Stacking for Drive-Through: For any drive-in or drive-through facility, adequate stacking spaces shall be provided to insure that vehicles waiting to be served do not interfere with ingress or egress to or from the site or required parking spaces. All drive-through establishments shall also comply with the requirements of all applicable drive in and drive through supplemental regulations.
- F. Lighting standards: All lighting shall conform to the City's lighting standards as set forth in this Code. All lighting shall be properly designed to serve multiple purposes including illumination, vehicular and pedestrian safety, and security without excessive light, or improper light nuisance or light trespass. Additionally, site lighting shall be subject to the following requirements:
- 1) On-site exterior lighting: The height and style of lighting fixtures shall be compatible with the character of the surrounding area and type of use for which the fixture is designed. Lights shall not be placed or directed such that they will cause glare or excessive light spillage on neighboring sites or adjacent public streets. All lights shall be full-cutoff fixtures unless otherwise authorized by the Director.
 - 2) Streetlights: It shall be the developer's responsibility to install lighting standards in accordance with city standards. If lighting standards already exist and are below current standards, it shall be the developer's responsibility to upgrade said lights to current standards.
- G. Landscape requirements: Landscape installation and maintenance shall conform to the minimum landscape specifications of the City as set forth in this Code.
- H. Parking requirements: Parking requirements shall conform to the minimum parking specifications of the City as set forth in Article 11 of this Code.
- I. Agency Comments: Approvals shall be required, as appropriate, by the applicable water, sewer electric, fire district, school district and transportation authority confirming adequate capacities, accessibility and design specifications.
- J. Additional Conditions and Requirements: In reviewing a site plan application, the City may impose such conditions or requirements as may be necessary to ensure compliance with the Review criteria.

Section 3.080. Issuance of permits

A grading permit, building permit, or Certificate of Occupancy shall not be issued for any use or development subject to the site plan requirement of this Chapter until a final site plan has been approved as required by this Chapter.

Section 3.090. Improvement guarantee

Upon submitting a site plan for review and approval by the City, the applicant guarantees that all improvements set forth on the site plan shall be completed within a reasonable time as required by the City. Failure to complete any improvements set forth in an approved site plan within any required time period shall be a violation of this Chapter. Unless otherwise provided on the site plan, all site plan improvements shall be installed and all other site plan requirements met prior to issuance of any Temporary or Final Certificate of Occupancy, unless compliance is otherwise required earlier. In lieu of the actual construction of all physical improvements prior to authorizing an occupancy permit, the City may accept cash, cashier's check, letter of credit or other like security approved by the City, in the amount that will guarantee the installation of the required improvements within a period of time to be specified and approved by the City. Such surety shall be properly executed prior to any occupancy and shall be released in segments upon written approval of the City. Written authorization to enter the property or fulfill the



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obligation of said surety shall be given to the City by the owner as a condition of any Certificate of Occupancy permit and of any Improvement guarantee. In determining the amount of said surety, a bonafide estimate or contract provided by the applicant for improvements shall be submitted to the city for approval.

Section 3.100. Site plan amendments

A site plan may be amended by the applicant in the same manner as is required for initial approval. Any revised site plan drawings must be submitted to and approved by the Director prior to issuance of a building or grading permit.

Section 3.110. Compliance with site plans required

A site plan approved for a property establishes binding requirements for the use and development of the property on all persons on and after the date of its approval, irrespective of any change of ownership or tenancy, or change in the use or structures on the property since its approval. No owner of a property, or person in control of a property, shall cause or permit the property to be in noncompliance with a site plan and shall be responsible at all times to ensure that the property is maintained in full compliance with any such approved site plan, including but not limited to maintenance and retention of the landscaping and other improvements shown on the plan.