

## **SECTION 8. SITE PLAN REVIEW**

### **8.01 PURPOSE**

The provisions contained in this section are established to ensure the safe and efficient movement of traffic, promote the development of a beautiful and well-ordered community, further the goals and objectives of the Comprehensive Plan, and best serve the interest of public health, safety, and general welfare.

### **8.02 WHEN SITE PLAN REVIEW REQUIRED - GENERAL**

#### **8.02.01 When Required**

No public, professional, commercial, industrial, or other nonresidential structure or use of land, no multi-family dwelling use, and no use as designated for site plan review in Sections 6.02 (Use Regulations), 6.09 (Steep Slope Development), 6.10 (Development within Floodplains, Streams, and Buffer Areas), 6.11 (Preservation of Habitat of Threatened and Endangered Species), 6.13 (Gateway Districts), or 10 (Viewshed Protection Overlay District) shall be permitted; nor shall any zoning permit required to be issued under this ordinance for such uses be issued until the provisions contained in this section have been complied with, if deemed necessary by the Zoning Administrator.

#### **8.02.02 When Not Required**

A final site plan shall not be required in the following instances set out below. However, construction of the type described below may nevertheless require submission of certain plans as parts of a building permit application as described in Section 3.03 above.

- (1) The construction or location of any single-family detached dwelling or two-family dwelling on an existing or platted lot not occupied by any other dwelling, unless located within the Gateway or Viewshed Protection Overlay Districts.
- (2) Any accessory structure to a single-family or two-family dwelling.
- (3) Any agricultural activity except as otherwise provided in this Ordinance.
- (4) A change in or expansion of a use on an existing site, unless:
  - (a) The sale or storage of gasoline or hazardous materials is involved as part of the use; or

- (b) Such change or expansion occasions the need for additional parking or off-street loading under the requirements of this Ordinance; or
  - (c) Such change or expansion requires modifications to the building exterior or on-site parking layout and the property is located within a Gateway District; or
  - (e) In the case of an expansion, the expansion exceeds twenty percent (20%) of the gross floor area of the existing building or of the area occupied by the use; or
  - (f) Additional ingress/egress, change in ingress/egress or additional public improvements are required by the Zoning Administrator because of the nature of the change in the use; or
  - (g) Additional ingress/egress or alteration of existing ingress/egress is proposed.
- (5) Deposit and contouring of fill on land, provided that all other regulations of the City are met.
  - (6) Disturbance of not more than 5,000 square feet of the land surface, unless located on steep slopes as defined by Section 6.09.

### **8.03 MINOR SITE PLANS**

#### **8.03.01 Site Plans Subject to Minor Site Plan Review**

The following site plans shall be subject to minor site plan review:

- (1) Single-family dwellings located within the Gateway or Viewshed Protection Overlay Districts, or otherwise requiring site plan review.
- (2) Minor subdivisions as defined in the Subdivision Regulations, where subject to site plan review.
- (3) Multi-family developments with five (5) or fewer dwelling units.
- (4) Private driveways located within public rights-of-way, with the approval of the City Engineer in accordance with Section 5.02(10) of the Subdivision Regulations.
- (5) New construction of public, professional, commercial, industrial, or other nonresidential use occupying less than 15,000 square feet of floor area.
- (6) Steep slope developments, as defined in Section 6.09, resulting in disturbance of not more than 10,000 square feet of the land surface.
- (7) Small Wind Energy Systems, subject to Conditional Use approval by the Zoning Board of Appeals.

**8.03.02 Minor Site Plan Review Procedure**

Site plans for all developments covered under Section 8.03.01 shall be reviewed by the Zoning Administrator or his/her authorized designee, unless in the determination of the Zoning Administrator, such approval should be rendered by the Planning Commission, in which case the Planning Commission shall have final approval authority. In his/her review of a minor site plan, the Zoning Administrator shall follow the General Site Design Standards (Section 8.05) and the Standards for Specific Uses (Section 8.06); to the extent they are applicable.

**8.03.021 Required Submissions**

- (1) Upon application to the Zoning Administrator for a building and zoning permit, the applicant shall submit a complete set of preliminary site plans. Such plans shall be submitted in triplicate, drawn to a scale of not less than one (1) inch equal to fifty (50) feet, and shall show the information required by the Site Plan Review Checklist.
  
- (2) If the Zoning Administrator or his/her authorized designee finds the submission to be incomplete (i.e., contains insufficient information to render a decision on the plans), the Zoning Administrator's office shall notify the applicant of the information required for a complete submission or shall reject the application.

**8.03.022 Zoning Administrator Review and Approval/Denial**

The Zoning Administrator or his/her authorized designee, shall review and approve, approve with conditions, or deny the site plan within 30 days of a complete submission.

**8.03.023 Appeals**

All appeals from the decision of the Zoning Administrator shall be taken by the applicant to the Planning Commission and shall be filed, processed and reviewed by the Planning Commission, de novo, as a new site plan submission, but without additional fees being paid.

**8.04 MAJOR SITE PLANS**

**8.04.01 Site Plans Subject to Major Site Plan Review**

Site plans for all developments covered under Section 8.02, which are not subject to minor site plan review in accordance with Section 8.03.01, shall be subject to major site plan review.

#### **8.04.02 Major Site Plan Review Procedure**

Site plans subject to major site plan review shall be reviewed by the Planning Commission. In their review of a major site plan, the Planning Commission shall follow the General Site Design Standards (Section 8.05) and the Standards for Specific Uses (Section 8.06), to the extent they are applicable.

##### **8.04.021 Required Submissions**

- (1) Upon application to the Zoning Administrator for a building and zoning permit, the applicant shall submit a complete set of preliminary site plans. Such plans shall be submitted in triplicate, drawn to a scale of not less than one (1) inch equal to fifty (50) feet, and shall show the information required by the Site Plan Review Checklist.
- (2) If the Zoning Administrator or his/her authorized designee finds the submission to be incomplete (i.e., contains insufficient information to render a decision on the plans), the Zoning Administrator's office shall notify the applicant of the information required for a complete submission or shall reject the application.

##### **8.04.022 Referral to Planning Commission**

The Zoning Administrator shall, within thirty (30) days of receipt of a complete submission, submit said plans, together with his/her written report thereon, to the Planning Commission, as required by general rule of the Commission.

##### **8.04.23 Action by Planning Commission**

- (1) The Planning Commission shall, within forty-five (45) days of receipt of said site plans and report from the Zoning Administrator, review and approve, approve with conditions (conditional approval), continue, or deny applications for major site plan approval at a public meeting. All interested persons shall have an opportunity to appear and speak concerning the application.
- (2) The Planning Commission may require the site plan and subdivision plat to be reviewed at the same meeting. If this is impractical, the Planning Commission will review the site plan and then the subdivision plat in that order.

## **8.05 GENERAL SITE DESIGN STANDARDS**

- (1) In the review of a site plan, the Zoning Administrator and Planning Commission shall review the site plan for compliance with the provisions of this Ordinance and principals of good planning and design, so as to further the intent and purpose of this Ordinance. Where a proposed development site consists of more than one lot of record, the applicable zoning requirements and standards shall be fully satisfied for each individual lot of record, unless and until the individual lots comprising the development site shall be consolidated into one undivided lot of record in the Allegany County Land Records. In the event the lots are consolidated, the instrument effecting the consolidation shall include the following statement: “In accordance with Sections 6.03.01(4) and 8.05(1) of the City of Cumberland Zoning Ordinance, the property described herein shall be treated as one lot of record.”
- (2) The applicant must demonstrate that the site plan meets the following criteria and that the development as proposed will not be detrimental to the public health, safety or general welfare:
  - (a) The development shall be compatible with (and not cause adverse impact on) the neighboring properties and public facilities.
  - (b) The development shall provide adequately for parking and for safe access to and from public streets and highways, and shall minimize adverse effects on vehicular and pedestrian circulation. If deemed necessary by the Zoning Administrator or Planning Commission, the applicant may be required to prepare a traffic impact analysis to quantify the amount of traffic generated by the proposed development and projected impacts on traffic circulation in the area.
  - (c) The development shall provide for open space and parkland, when required, and protect sensitive natural areas from development which minimizes natural hazards.
  - (d) The development shall be adequately served by public facilities and services, such as sewer, water, streetlights, sidewalks, stormwater management and/or storm drains; and police, fire and refuse collection.
- (3) Site plans for which stormwater management and/or sediment and erosion control measures are required shall be reviewed by the City Engineer and Natural Resources Conservation Service for compliance with City and State requirements. The City’s Stormwater Management Ordinance requires that the two (2) and ten (10) year post development peak discharge rates shall be controlled and released at the respective two (2) and ten (10) year predevelopment rates. The difference between the predevelopment and postdevelopment runoffs for the two (2) and ten (10) year storms shall be retained in an approved stormwater management facility.

- (4) Developments on slopes greater than twenty-five (25) percent shall conform to the steep slope guidelines contained in Section 6.09.
- (5) Development within the designated floodplain zone shall conform to the requirements of Section 6.10 and Ordinance #3104.
- (6) Development within locations identified as potentially containing threatened or endangered habitat and/or species shall conform to the requirements of Section 6.11.
- (7) Site plans for properties within the Gateway Corridor District shall conform to the design guidelines contained in Section 6.13.
- (8) Site plans for properties within the Viewshed Protection Overlay District shall conform to the design guidelines contained in Section 6.15.

## **8.06 STANDARDS FOR SPECIFIC USES**

### **(1) Automobile Sales and Service Establishments (including used car lots)**

- (a) Shall have a minimum lot size of 10,000 square feet.
- (b) Vehicles shall be stored or parked only on a surface area constructed of material that will assure a surface resistant to erosion and adequately treated to prevent dust emission, surrounded by raised curbing. The curbing shall be located so that no vehicle can be parked or stored within ten (10) feet of any street right-of-way line, within ten (10) feet of any lot line zoned or used for residential purposes, or within three (3) feet of any other lot line.
- (c) Vehicular access to and from the site shall be limited to a maximum of two drives along the frontage of any street. Such access drives shall be a minimum of ten (10) feet and a maximum of fifteen (15) feet at the curb line for one-way use only, and a minimum of twenty (20) feet and a maximum of twenty-five (25) feet at the curb line for two-way use.
- (d) Performance standards of Section 6.08 shall be met.
- (e) Buffer strip requirements of Section 13 shall be met.

### **(2) Auto Repair Stations and Garages**

- (a) All repair and paint work shall be performed within an enclosed building.
- (b) Performance standards of Section 6.08 shall be met.

- (c) Buffer strip requirements of Section 13 shall be met.
- (d) Outdoor storage of autos and other vehicles shall be temporary and shall only be back of the front building line and shall not be within the side and rear yards in the district.

(3) Auto Service Stations

- (a) Driveways shall not be less than twenty-five (25) feet from the intersection of street right-of-way lines and shall be no wider than thirty-five (35) feet at any point.
- (b) A raised curb at least eight (8) inches in height and six (6) inches wide at the top, shall be constructed and maintained in a good safe condition along all street property lines, except at crossovers.
- (c) The entire area traversed by motor vehicles shall be hard surface.
- (d) All activities except those to be performed at the fuel pumps shall be performed within a completely enclosed building.
- (e) All stations shall be so arranged, and all gasoline pumps shall be so placed, as to permit all servicing on the premises and outside the public way. No gasoline pump shall be placed closer to a property line or street line than fifteen (15) feet.
- (f) Lots on which gasoline service stations, public or repair garages are located as the primary use shall not be used for the sale of new or used vehicles and said lots shall at all times be kept free of paper and rubbish. No abandoned vehicle or vehicle secured for salvage purposes nor any type of salvage or maintenance materials shall be stored outside any principal or accessory building for a period of more than sixty (60) days.
- (g) Signs shall conform to the requirements of Section 14.

(4) Bed and Breakfast

- (a) The use shall be located in an owner occupied single family detached dwelling.
- (b) The use shall consist of maximum of ten (10) guest rooms.
- (c) Guest rooms shall not have separate cooking facilities.
- (d) Access to guest rooms must be through normal main entry to single-family dwelling, requiring no structural change.

- (e) Off-street parking shall be provided at one (1) space per guest room as per the requirements in Section 12 (Off-Street Parking and Loading). The parking area shall be adequately screened from adjacent residential uses and/or zones in accordance with the requirements of Section 13 (Buffer Strips).
- (f) Signage shall be limited to one freestanding occupant sign or low ground sign not exceeding four (4) square feet in area and one occupant sign on the building face not exceeding one (1) square feet in area.
- (g) The activity shall not cause disturbance, traffic congestion, or otherwise become a nuisance to the immediate area.

(5) Clubs, Lodges, or Social Buildings

- (a) A statement setting forth full particulars on the operation of use and a copy of the Articles of Incorporation, if a corporation, shall be filed with the Zoning Administrator.
- (b) The proposed use must be operated principally for the recreation and enjoyment of the members of said organization and their guests.
- (c) The proposed use shall not adversely affect the safe and comfortable enjoyment of properties in the neighborhood and the design of any structures erected in connection with such use shall be in keeping with the general character of the area.
- (d) Buffer strips, as required by Section 13, shall be provided.

(6) Commercial Swimming Pools

- (a) There shall be a three (3) acre minimum lot area.
- (b) The pool shall be entirely enclosed with a good quality chain-link or preferably a wooden or other equivalent fence not less than six (6) feet in height.
- (c) There shall be no cross connection with the public water supply system if the water for the pool is supplied from a private well.
- (d) If the water for the pool is supplied from a public water supply system the inlet shall be above the overflow level of said pool.
- (e) The City Department of Public Works shall certify that the drainage of the pool is adequate and will not interfere with the public water supply system, with existing sanitary facilities, or with the public streets.

(7) Communications Towers

- (a) The tower shall have a setback of one foot from all adjacent property lines for every foot of height of the tower.
- (b) The tower shall be certified by a qualified and licensed professional engineer to conform to the latest structural standards and wind loading requirements of the Uniform Building Code and the Electronics Industry Association.
- (c) The tower shall be protected to discourage climbing of the tower by unauthorized persons.
- (d) Towers greater than fifty (50) feet in height shall be located at least two hundred (200) feet from existing dwellings.

(8) Drive-In Service Places

- (a) Signs and outdoor lighting shall be in accordance with specific provisions of this ordinance.
- (b) Access points shall be limited to two (2) on each road abutting the lot and shall be located no less than twenty-five (25) feet from the intersection of street right-of-way lines.
- (c) On-lot traffic circulation channels and parking areas shall be clearly marked and shall be designed so that traffic shall not back up onto public streets (i.e., sufficient “banking” space shall be provided between the vehicular entry to the site and the drive-through window and between the drive-through window and the vehicular exit from the site).
- (d) The Zoning Administrator may require the applicant to prepare a traffic impact analysis to quantify the amount of traffic generated by the drive-in facility and projected impacts on traffic circulation in the area.
- (e) Provisions for proper and convenient disposal of refuse shall be demonstrated.

(9) Hospitals or Nursing Homes

- (a) For hospitals or nursing homes requiring conditional use approval (i.e., within the R-E and R-U zones), a statement setting forth full particulars on the operation to be conducted within the structure shall be filed with the Board of Appeals by the applicant and said Board shall determine whether said structure or use will serve a useful purpose to the general welfare of the City and will not be detrimental to surrounding property.
- (b) Lot area sufficient to meet the needs of the hospital or nursing home shall be provided. However, such lot area shall not be less than that required for the applicable zone. No structure shall be erected nearer than fifty (50) feet of any street line nor nearer than thirty (30) feet of any property line and all other requirements as set forth in this ordinance for the zone in which it is to be located shall be observed.
- (c) The front, rear, and side yards shall be increased one (1) foot for each foot by which the structure exceeds the height limit herein established for the zone in which it is located.
- (d) Buffer strips, as required by Section 13, shall be provided.

(10) Motels, Hotels, or Motor Inns

- (a) There shall be a minimum lot area of two (2) acres.
- (b) The total ground floor area of principal and accessory buildings shall not exceed twenty-five (25) percent of the lot area.
- (c) No structure, except a permitted sign and parking area, shall be nearer any lot line than fifty (50) feet.
- (d) A minimum twenty (20) foot buffer strip along side, front, and rear property lines shall be provided except for entrance and exit drives. The buffer strip shall be comprised of evergreen and/or deciduous trees, shrubs, and appropriate ground cover.
- (e) The entrance and exit drives crossing the street right-of-way shall be limited to a total of two (2) along the frontage of any street.
- (f) All lighting shall be shielded so as not to shine on abutting properties and highways.
- (g) One (1) permanent dwelling unit may be permitted for occupancy by the motel owner or manager provided that the dwelling unit is designed as an integral part of the total motel development. A separate dwelling unit shall not be permitted as a permanent dwelling unit.

(11) Off-Street Parking (Lot or Structure)

- (a) The facility is to be used only for the parking of passenger automobiles, pickup trucks, motorcycles, station wagons, etc., but not commercial motor vehicles.
- (b) The facility is not to be used for sales, long-term storage, repair work, or servicing of any kind.
- (c) Entrance to and exit from the facility are to be located so as to insure the protection of the character of the area.
- (d) There shall be no movement of vehicles on lots located in residential districts between 10:00 p.m. and 7:00 a.m. that are intended to serve nearby commercial uses in commercial districts.
- (e) All parking is to be kept back of the setback line by barrier unless specifically authorized by the Board.
- (f) The parking facility shall be adequately screened from the street and adjoining properties as may be deemed necessary by the Board. All lighting shall be arranged to eliminate glare on adjoining properties.
- (g) Off-street parking facilities shall not be subject to maximum percent of lot coverage requirements as set forth in the Development Regulations Table in Section 6.03.

(12) Places of Worship

- (a) The site shall be adequate for proper building, drainage, water supply, and sewage disposal.
- (b) Sufficient amounts of usable space shall exist for open space areas, parking, loading, etc.
- (c) The site shall be separated from excessive noises, odors, smoke, dirt, dust, and traffic congestion.
- (d) Pedestrian and vehicular circulation shall be designed for safety and efficiency to achieve separation of vehicular and pedestrian traffic.

(13) Planned Industrial, Office, or Research Parks

- (a) Shall contain two (2) or more buildings.

- (b) Shall be totally planned to function as a single development unit.
- (c) Shall comply with the performance standards of Section 6.08 and the City of Cumberland's Subdivision Regulations.
- (d) Shall contain only those individual uses permitted in the district.

(14) Planned Shopping Centers

- (a) Any development in a shopping center shall provide initially for the construction of either a minimum of eight thousand (8,000) square feet of ground floor area or a minimum of five (5) of the permitted uses in the district.
- (b) All buildings shall be arranged in a group or in groups and the distance at the closest point between any two buildings or groups of attached buildings shall be not less than fifteen (15) feet.
- (c) Off-street parking space shall be provided in accordance with the standards set forth in Section 12.
- (d) Parking, loading, and service areas shall be located entirely within the confines of the lot; shall be physically separated from public streets by buffer strips against unchanneled motor vehicular ingress and egress; and shall have not more than two (2) access ways to any one public street.
- (e) All access ways to a public street shall be located so as not to create undue congestion or safety hazards at nearby intersection(s).
- (f) Along any residential district boundary line, a buffer yard shall be provided which shall be not less than fifty (50) feet in width, measured from such lot line or street line where such line constitutes the district boundary line. The exterior fifty (50) feet of said buffer yard shall be planted with grass, seed, sod, or ground cover and shall be well maintained. No storage of materials shall be permitted in the said buffer yard.
- (g) No storage of materials, equipment, or goods shall be permitted outside a building unless they are located within a permanently enclosed patio.
- (h) All parking, loading, access, and service areas shall be adequately illuminated at night. Such lighting, including sign lighting, shall be arranged so as to protect the highway and adjoining property from direct glare or hazardous interference of any kind. All utility lines servicing this area shall be placed underground.
- (i) Pedestrian safety islands shall be required at the end of alternate parking bays. Each island shall be at least three hundred (300) square feet in area. Such islands shall be

landscaped and designed to provide a safe area for pedestrians to wait prior to crossing vehicular traffic lanes. Lighting standards may be incorporated in the design.

- (j) If the development of the center is to be carried out in progressive stages, each stage shall be so planned that the requirements of this section and the intent of this Ordinance shall be fully complied with at the completion of any stage.
- (k) After the final development plan has been approved and when, in the course of the carrying out the plan, adjustments such as rearrangements of buildings, parking areas, entrances, heights, or yards are requested by the proponents, and such requests conform to the standards established by the approved final development plan for the area to be covered by buildings, parking spaces, entrances, height, setback, and lot area requirements, such adjustments may be approved by the Planning Commission upon application which shall be accompanied by a plan of the entire development with the proposed changes indicated.

(15) Retail/Accessory Light Manufacturing

This use is primarily a permitted retail use with some related light manufacturing functions, and is subject to the following standards:

- (a) The manufacturing process does not occupy more than forty (40) percent of the gross floor areas of the space devoted to both the retail and the accessory light manufacturing functions.
- (b) At least sixty (60) percent of the products manufactured on the premises shall be sold in the principal retail operation.
- (c) Manufacturing must be clearly incidental to the primary use.

(16) Schools and Similar Educational Institutions

- (a) Within the B-CBD Central Business Zone, only private, charter, and magnet schools as defined and permitted by the Maryland State Department of Education shall be authorized by approval of the Board of Zoning Appeals.
- (b) The site shall be adequate for proper building, drainage, water supply, and sewage disposal.
- (c) Sufficient amounts of usable space shall exist for recreation areas, parking, loading, etc. All schools proposed in the B-CBD zone shall provide dedicated loading and unloading areas that will not impede traffic flows on public streets or alleys at entrances that are controlled or secured to ensure student safety when entering and

exiting the school. Outdoor recreational areas or playgrounds shall not be required for any schools located within the B-CBD zone.

- (d) The site shall be separated from excessive noises, odors, smoke, dirt, dust, and traffic congestion.
- (e) The site shall be located and planned in such a manner that it can be used for both school and general community functions.
- (f) Schools and educational institutions shall provide yard areas sufficient to conform to the general character of the area in which they are proposed to be located and shall provide attractive grading, landscaping, and pleasing views. Within the B-CBD zone, property owners may satisfy the requirements of this paragraph by preserving/restoring and maintaining the historic façade, integrity, and appearance of the building to the maximum extent feasible.
- (g) Buffer strips, as required by Section 13, shall be provided, except for schools located within the B-CBD zone.
- (h) Off-street parking requirements of Section 12 may be increased if, in the judgment of the Board, such consideration as the unavailability of public transportation, the distance from centers of population, or a relatively high percentage of pupils driving their own vehicles make such increased requirements desirable.
- (i) The site shall not directly front on an arterial street.
- (J) No school within the B-CBD zone shall have a student enrollment in excess of 250 students.
- (k) No school within the B-CBD zone shall be located within one thousand, two hundred (1,200) feet walking distance of an existing adult entertainment or retail establishment, or within six hundred (600) feet walking distance of any existing transitional residential facility serving residents who are being treated for substance abuse.

(17) Small Wind Energy Systems

Small Wind Energy Systems, as defined in Section 2.03 of this Ordinance, shall be permitted as a conditional accessory use to any permitted principal use (excluding non-conforming uses) in any zoning district, with the exception of the Conservation and Viewshed Protection Overlay Zones, subject to a determination by the Zoning Board of Appeals of compliance with all of the requirements specified in Section 6.04.07 of this Ordinance.

(18) Veterinary Offices/Hospitals

(a) All boarding of animals shall be temporary, in preparation for or recovery from treatment.

(b) All animal pens shall be in an enclosed building.

**8.07 WITHDRAWAL/DENIAL/CONTINUANCE**

(1) The applicant may withdraw, in writing, his application for a site plan approval at any time prior to the decision by the Zoning Administrator, or if the application is before the Planning Commission, at any time prior to their decision.

(2) If the application is denied by the Zoning Administrator or Planning Commission, no new application involving the same property and substantially the same development plan shall be accepted by the Department of Community Development within six (6) months of the date of denial.

(3) The Planning Commission, on its own motion or at the request of the Zoning Administrator or applicant, may continue the hearing on the site plan to the next regular meeting of the Planning Commission.

**8.08 SITE PLAN APPROVAL EXPIRATION**

Any approval of a site plan either by the Zoning Administrator or the Planning Commission shall become void one (1) year from the date of approval if no occupancy or building permit has been issued for development of the project. An extension of six (6) months may be granted by the Zoning Administrator upon request of the owner or developer. Further extensions may only be granted by the Planning Commission.

## **8.09 SITE PLAN REQUIREMENT MODIFICATIONS/WAIVERS/PHASING**

- (1) At the time of site plan review, the Planning Commission or Zoning Administrator may consider granting a modification to the specific use standards in Section 8.06, the parking and loading requirements in Section 12, or the buffer strip requirements in Section 13 for a specific reason, provided that there is a finding by the Planning Commission or Zoning Administrator that the modification will not be contrary to the purpose and intent of the Ordinance.
- (2) In granting a modification, the Planning Commission or Zoning Administrator may require compensating design or architectural features so as to meet overall objectives of a particular requirement.
- (3) For all site plan applications using a phased or staged development technique, the Planning Commission or Zoning Administrator may require that site plan indicate all requirements as they apply in each step of the phasing or staged process.