

Sec. 108-91. - Scope; major and minor developments.

The following types of development shall require minor and major development plan approval.

A. *Within the Historic District:*

1. Minor development plan required for:
 - (a) Permanent residential and transient residential development: addition or reconstruction of three or four units.
 - (b) Nonresidential floor area: addition or reconstruction of 500 to 2,499 square feet of gross floor area.
 - (c) Commercial land use: addition of outdoor commercial activity consisting of restaurant seating, outdoor commercial storage, active recreation, outdoor sales area or similar activities of 500 to 2,499 square feet.
2. Major development plan required for:
 - (a) Permanent residential and transient residential development: addition or reconstruction of five or more units.
 - (b) Nonresidential floor area: addition or reconstruction of equal to or greater than 2,500 square feet of gross floor area.
 - (c) Commercial land use: addition of outdoor commercial activity consisting of restaurant seating, outdoor commercial storage, active recreation, outdoor sales area or similar activities equal to or greater than 2,500 square feet.
 - (d) Any development located within tidal waters extending 600 feet seaward of the corporate city limits.
 - (e) A port facility expansion proposed in the Truman Waterfront Parcel.

B. *Outside of the Historic District:*

1. Minor development plan required for:
 - (a) Permanent residential and transient residential development: addition or reconstruction of five to ten more units.
 - (b) Nonresidential floor area: addition or reconstruction of 1,000 to 4,999 square feet of gross floor area.
 - (c) Commercial land use: addition of outdoor commercial activity consisting of restaurant seating, outdoor commercial storage, active recreation, outdoor sales area or similar activities of 1,000 to 4,999 square feet.
2. Major development plan required for:
 - (a) Permanent residential and transient residential development: addition or reconstruction of eleven or more units.
 - (b) Nonresidential floor area: addition or reconstruction of equal to or greater than 5,000 square feet of gross floor area.
 - (c) Commercial land use: addition of outdoor commercial activity consisting of restaurant seating, outdoor commercial storage, active recreation, outdoor sales area or similar activities equal to or greater than 5,000 square feet.
 - (d) Any development located within tidal waters extending 600 feet seaward of the corporate city limits.

C. *Modifications of development plan:*

1. *Administrative Modifications.* The following and similar modifications that do not rise to the status of minor or major plan modifications may be approved by the city planner:
 - (a) Reduction of building size;
 - (b) Reduction of impervious area;
 - (c) Expansion of landscaping; or
 - (d) A revision to enhance storm water management, landscaping, handicapped accessibility, and/or utilities.
 2. *Minor Modifications.* The following and similar modifications must be approved by the city planner, city engineer and planning board chairperson and reported to the planning board at a regularly scheduled meeting:
 - (a) Relocation of at least ten feet of pools, parking spaces, drives and driveways, or buildings from the location shown on the approved plan;
 - (b) Addition of parking spaces not to exceed 25 percent (including fractions thereof) of the total number of existing parking spaces or five spaces, whichever is the lesser amount, and no such additional parking shall consume the approved landscaped area;
 - (c) Attached or detached additions to buildings in the historic district that do not increase the floor area in excess of 500 square feet;
 - (d) Installation of utility system improvements including buildings not exceeding 200 square feet; or
 - (e) Any use, except single-family dwelling units and accessory structures thereto, or change in use resulting in less than 1,000 square feet of impervious surface area on the entire site.
 3. *Major Modifications.* Modifications exceeding those to be treated as administrative or minor will be treated in the same manner as the original approval.
 4. Changes to specific conditions required by the original approval shall require approval by the administrative body that originally approved the development and shall be noticed in accordance with division 2 of article VIII of chapter 90.
- D. *Administrative determination:*
1. For development not fitting within the categories set forth herein, the city planner shall determine the appropriate review process after considering similarity, complexity of the development, impacts on the demand for city services, and the potential for adverse impact(s) upon neighboring areas.
 2. In applying the criteria set forth herein, all phases of the total project or development shall be considered. In determining the appropriate level of review, the city planner may aggregate previous development completed within two years of a new application.

(Ord. No. 05-04, § 22, 1-19-2005)