

ARTICLE 2. APPLICATIONS AND PROCEDURES

DIVISION IV. REZONING, PRELIMINARY DEVELOPMENT PLAN, FINAL DEVELOPMENT PLAN, CONCEPTUAL PLAN, SIGN APPLICATION, AND STREET NAME CHANGE

Sec. 2.330. Changes to preliminary development plans.

- A. Requirement. When a change is proposed to an approved preliminary development plan, the following shall govern the type of application required:
1. Substantial changes. A new preliminary development plan application shall be submitted. Approval of the new preliminary development plan shall follow the procedures for approval of preliminary development plan applications as set forth in this article. In determining whether to approve an application for a substantial change to a preliminary development plan, the Commission or Governing Body shall apply the criteria set forth in this article. In the event that the application for the preliminary development plan is denied, the previously approved preliminary development plan will remain in effect.
 2. Minor changes. Minor changes to the approved preliminary development plan, as defined in this section, may be approved by the Director as part of a final development plan application.
 3. No changes. If there are no changes to an approved preliminary development plan, a final development plan shall be submitted for approval by the Director.
 4. Modifications. A new preliminary development plan application shall be submitted for a modification request when said request is not associated with a pending zoning application, in accordance with Section 2,320 of this Article.
- B. Definition of substantial changes. For purposes of this section, "substantial changes" to the approved preliminary development plan shall mean any of the following:
1. A change that would have a negative impact on traffic circulation, pedestrian traffic, or impose substantially greater loads on other public facilities.
 2. Changes of architectural style that will make the project less compatible with neighboring uses.
 3. Changes in ownership patterns or stages of construction that will lead to a different development concept.
 4. Decreases of areas devoted to open space of more than ten percent of such open space, or the substantial relocation of such areas.
 5. Modification or removal of conditions to the preliminary development plan approval.
 6. Changes to the water or sanitary sewer plans that impact these utilities outside the project boundaries.
- C. Definition of minor changes. For purposes of this section, "minor changes" to the approved preliminary development plan shall include, but not be limited to the following:

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1. Increases in density, lot coverage, floor area ratio, or height up to the amount allowed in the underlying zoning district for all properties except those zoned PMIX.
 2. Decreases in any setback up to the amount allowed in the underlying zoning district for all properties except those zoned PMIX.
 3. For properties zoned PMIX, the following amendments are considered minor changes:
 - a. Increases in the total floor area of all non-residential buildings covered by the plan up to and including 25 percent.
 - b. Increases of lot coverage up to and including ten percent.
 - c. Increases in the height of any building up to and including 25 percent.
 - d. Decreases of any peripheral setback up to and including ten percent.
 - e. Decreases of areas devoted to open space up to and including ten percent.
 - f. Reconfiguration of buildings provided that no required setbacks are violated.
 4. Any other revisions not identified in subsection B. above and determined by the Director or their designee to be a minor change.

(Ord. No. 10040, § 4(Exh.), 12-17-2024)