

DIVISION 8: ADMINISTRATION, PROCEDURE, & ENFORCEMENT

- b. Site Plan approval shall expire within one (1) year from the date of approval unless within such period, construction commences in accordance with the terms of the approval and the related Building Permit.
- c. In the event of the expiration of a Site Plan approval, the holder of the approval may by request to the Plan Commission in writing receive one (1) extension of the Site Plan approval for an additional one (1) year period.
- d. In considering such an extension request, the Plan Commission may consider any changes in this Article, the Zoning Map, the Comprehensive Plan, or circumstances or conditions affecting the approval of the Site Plan application that have occurred since the initial approval.

12. Modification of Site Plan.

- a. When the holder of an approved Site Plan determines that a modification of the Site Plan or stipulations would provide for a more appropriate or more practicable development of the site, such holder may apply to the Plan Commission for an amendment of the Site Plan or stipulations by filing an application for such amendment.
- b. If the requested change is not a substantial change to the Site Plan or stipulations, as determined by the Plan Commission, the request may be approved if it is determined that such modification of the Site Plan or stipulations would provide a more appropriate development of the site, or when, because of exceptional circumstances, close adherence to the approved Site Plan or strict construction of the provisions of this Section 26-6.804.G would produce unnecessary impracticability in the Development of the site.
- c. If the requested change is in the opinion of the Plan Commission a substantial change of the

Site Plan or stipulations, the request shall be subject to all notice, hearing, review criteria, and procedures as if the request were an application for approval of a new Site Plan.

13. Condition to Issuance of Building Permit.

No Building Permit shall be issued for any proposal that would require approval of a Site Plan application unless a Site Plan application has been approved and remains in effect and such approval has been certified by the Zoning Administrator.

If the Building Inspector determines that any proposed construction or occupancy will not, in his opinion, substantially comply with the approved Site Plan or requirements of such approval, the Building Permit for such construction or occupancy shall be withheld by the Building Inspector, and the matter shall be referred to the Plan Commission for review.

14. Performance Bonding.

Upon approval of a Site Plan application, the Applicant must file with the Town Manager a performance bond or other suitable security ("bond") in accordance with Section 26-6.125 to cover the full cost of required public improvements in an amount set by the Town Manager.

H. Subdivision Plats.

Except as provided in Section 26-6.122, subdivision plats shall meet the standards and requirements of this Article and the Town Subdivision Regulations as the same are in effect from time to time, and shall be prepared, submitted, reviewed and acted upon in accordance with such Town Subdivision Regulations.