

SECTION 5

DISQUALIFICATION/DENIAL OF PLATS

SECTION:

21-5-1: Denial of Plat

21-5-1: DENIAL OF PLAT: The Planning Commission may recommend denial and the Council may deny the subdivision if it makes any one or more of the following findings:

- A. That the proposed subdivision is in direct conflict with adopted applicable general and specific comprehensive plans of the City, County, or Region;
- B. That the physical characteristics of this site, including but not limited to topography, percolation rate, soil conditions, susceptibility to erosion and siltation, susceptibility to flooding, water storage, drainage and retention, are such that the site is not suitable for the type of development, design, or use contemplated;
- C. That the site is not physically suitable for the proposed density of development;
- D. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage;
- E. That the design of the subdivision or the type of improvements are likely to cause serious public health problems;
- F. That the design of the subdivision or the type of improvements will conflict with easements of record or with easements established by judgment of a court;
- G. That the proposed subdivision, its site, or its design adversely affects the flood-carrying capacity of the floodway, increases flood stages and velocities, or increases flood hazards within the floodway fringe or within other areas of the City.
- H. Environmental Protection Policies: The proposed subdivision is inconsistent with the policies and standards of the Wild and Scenic River District or the State defined Shoreland Districts and Wetland Districts.