

ARTICLE 9.3 – PLANNING COMMISSION REVIEW PROCEDURE

SECTION 9.3.001 - PURPOSE

The purpose of this Planning Commission Review Procedure is to ensure that land use and development proposals which will have significant effects on a broad range of lands and persons are in compliance with this Code and all other applicable Codes and Ordinances.

SECTION 9.3.002 - APPLICATION

The following shall be subject to Planning Commission Review:

- A. Recommendation to the City Council
 - 1. Amendment of the Comprehensive Plan Document - Legislative
 - 2. Amendment of the Land Development Code - Legislative
 - 3. Comprehensive Plan Map and Zoning Map Amendments, including Limited Use Overlay Designations and Specific Plans
 - 4. Right-Of-Way Vacations
 - 5. Right-Of-Way Dedications

- B. Decisions
 - 1. Subdivisions of Land and Major Partitions (except Final Subdivision and Major Partition Plats)
 - 2. Conditional Use and Variance Permits
 - 3. Planned Unit Developments

- C. Appeal of Community Development Department/Planning Division Decisions

SECTION 9.3.003 - PUBLIC HEARING AND NOTICE

The Community Development Department/Planning Division shall set a date for a noticed public hearing for Planning Commission Review as provided in Chapter 9, Article 9.5 of this Code.

SECTION 9.3.004 - REVIEW AND DECISION

The Planning Commission will conduct a public hearing to review the land use application or policy decision before it. At the hearing, the Planning Commission shall take testimony from all interested persons. The Planning Commission may approve, conditionally approve, or disapprove matters before it, as set forth in Chapter 9 of this Code. The Planning Commission may continue the hearing where it reasonably appears that additional testimony needs to be taken or the applicant is granted additional time in which to make recommended changes in his application. At the close of the hearing, the Planning Commission shall make its decision including the supportive findings of fact and conclusions of law. The decision of the Planning Commission shall be prepared in the form of the final Planning Commission Order from the official hearing minutes and record.

SECTION 9.3.005 - APPEAL

A decision of the Planning Commission shall be final unless appealed to the City Council within twelve (12) days of its mailing, by the applicant or a party having standing in accordance with procedures set forth in Chapter 9, Article 9.7 of this Code. If the property subject to the appeal is within the Urban Growth Area, the decision of the City Council may be appealed to the Union County Board of Commissioners in accordance with the Joint Management Agreement and Union County Ordinance.