

1108.04 - ACTION BY THE PLANNING COMMISSION.

- (a) When a Final Development Plan complying with all applicable requirements of the Planning and Zoning Code contains all information required under Section 1108.03 and is accepted by the Planning and Zoning Administrator or their designee, the application for Final Development Plan approval with staff comments and administration recommendations shall be forwarded within 30 days of acceptance by the Planning and Zoning Administrator or their designee to the Planning Commission for action. Upon forwarding the application to the Planning Commission, the Final Development Plan and supplemental materials pertaining thereto shall be considered a matter of public record.
- (b) An application for Final Development Plan approval which is not in compliance with the Planning and Zoning Code shall not be forwarded by the Planning and Zoning Administrator or their designee for consideration by the Planning Commission until final determination has been made on all required variances under the procedures established in Chapter 1103 or 1131.
- (c) The Planning Commission shall hold a public hearing on an application for Final Development Plan approval within 30 days of the receipt of the application, staff comments and administration recommendations from the Planning and Zoning Administrator or their designee.
- (d) Before approving or denying the application before it, the Planning Commission shall hold at least one public hearing on such application at which time the applicant shall present and explain the design concept of the proposed development; staff comments and administrative comments shall be made; and the Planning Commission shall receive any comments or concerns pertaining to the proposed development from the general public. Notice of such public hearing shall **be published on the City website and posted at City Hall** and include place, time, date and nature of such applied for. ~~in a newspaper of general circulation in the City~~ Notice shall be published and posted during the calendar week prior to the public hearing.

Written notice of said hearing shall also be mailed by ordinary mail to the street addresses of contiguous property owners of the property for which said hearing is being held. The failure of delivery of such notice shall not invalidate any such application. The names and addresses of all property owners entitled to notice of the public hearing shall be furnished by the applicant.

Where the subject of such public hearing involves 50 or more of the property owners of the City, then written notice to owners of the hearing, as provided in the preceding paragraph, shall not be required.

- (e) Drawings and related written material which fully describe the design concept and platting of the proposed development shall be filed by the applicant with the Planning and Zoning Administrator or their designee prior to publication of the first notice of public hearing and shall be available for review and study by the general public until the time of such public hearing.

(Ord. 0147-2011. Passed 8-1-11; Ord. No. [0017-2017](#), Exh. A, 4-3-17)