

SECTION 2 TIME FOR DECISION ON SUBDIVISION, SITE PLAN AND  
CONDITIONAL USES

A. Determination of a Complete Application

1. Within 45 days of the submission of an application for development pursuant to sections B, C and D (below) the reviewing board or its authorized committee or designee shall certify in writing if the application is complete for the purposes of commencing the applicable time period for review specified in sections B, C and D. In the event that the reviewing board, committee or designee does not act to issue a certification within the 45 day time period, the application shall automatically be deemed complete for review. Nothing herein shall be construed as diminishing the applicant's obligation to prove in the application process that the is entitled to approval of the application
2. An application shall not be certified as complete if it lacks information indicated on the checklist adopted by the City by ordinance and provided to the applicant along with the development application forms.
3. The applicant may include with their application a request to waive one or more of the required checklist items which shall be granted or denied with 45 days.
4. The reviewing board may subsequently require correction of any information found to be in error and submission of additional information not specified in this Ordinance or any revisions in the accompanying documents as are reasonable necessary to make an informed decision as to whether the requirements necessary for approval of the application have been met. The application shall not be deemed incomplete for lack of any such additional information or any revisions in the accompanying documents so required by the reviewing board.

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CONDITIONAL USES (Cont'd)

B. Site Plans

Upon the submission of a complete application for a site plan which involves ten (10) acres of land or less or ten (10) dwelling units or less, the reviewing board shall grant or deny preliminary approval within forty-five (45) days of the date of such submission, or within such further time as may be consented to by the applicant. Upon submission of a complete application for a site plan which involves more than 10 acres or more than 10 dwelling units, the reviewing board shall grant or deny preliminary approval within ninety-five (95) days of the date of such submission or within such further time as may be consented to by the applicant. Otherwise the reviewing board shall be deemed to have granted preliminary approval of the site plan. If the application also involves an application for a variance, the reviewing board shall grant or deny preliminary approval within one hundred twenty (120) days of the date of such submission of a complete application or within such further time as may be consented to by the applicant.

C. Conditional Uses

Upon submission of a complete application for a conditional use, the reviewing board shall grant or deny approval of the application within ninety-five (95) days of the date of such submission or within further time as may be consented to by the applicant. If the application also involves an application for a variance, the reviewing board shall grant or deny preliminary approval within one hundred twenty (120) days of the date of such submission of a complete application or within such further time as may be consented to by the applicant.

SECTION 2 TIME FOR DECISION ON SUBDIVISION, SITE PLAN AND  
CONDITIONAL USES (Cont'd)

D. Subdivisions

1. Upon submission of a complete application for a subdivision of 10 or fewer lots, other than a minor subdivision, the reviewing board shall grant or deny preliminary approval within forty-five (45) days of the date of such submission or within such further time as may be consented to by the applicant. Upon submission of a complete application for a subdivision of more than 10 lots, the reviewing board shall grant or deny preliminary approval within ninety-five (95) days of the date of such submission or within such further time as may be consented to by the applicant. If the application also involves an application for a variance, the reviewing board shall grant or deny preliminary approval within one hundred twenty (120) days of the date of such submission of a complete application or within such further time as may be consented to by the applicant.
  2. Minor subdivision approvals shall be granted or denied within forth-five (45) days of the date of submission of a complete application to the reviewing board or within such further time as may be consented to by the applicant. If the application also involves an application for a variance, the reviewing board shall grant or deny preliminary approval within ninety-five (95) days of the date of such submission of a complete application or within such further time as may be consented to by the applicant.
- E. If the reviewing board requires any substantial amendments in the layout of improvements proposed by the developer, which have been the subject of a hearing, an amended application for development shall be submitted and shall proceed as in the case of the original application for development.
- F. Nothing herein shall be construed to limit the right of a developer to submit a sketch plat to the reviewing board for an informal review and neither the reviewing board nor the developer shall be bound by any discussion or statements during such review, provided that the right of the developer to submit a complete application for subdivision or site plan approval shall not at any time be limited to submission of a sketch plat. The time for the reviewing board's decision shall not begin to run until the submission of a complete application.