

**ARTICLE IV: Development Review Procedures**

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**DEVELOPMENT REVIEW PROCEDURES**

Permit Type	Building, Zoning and Code Enforcement	Development Review Committee	Board of Adjustment	Historic Preservation Board	Planning Board	City Commission
Administrative Appeals			X			
Adult Use Permitting	X					
Building Permit	X					
Certificate of Appropriateness				X		*
Comprehensive Plan Amendments		X			X	X
Consolidation and Boundary Adjustment Plat	X					
Development Agreements		X			X	X
Developments of Regional Impact		X			X	X
Final Plat		X			X	X
"G" Zone Waivers		X			X	X
Historic Designation		X		X		X
Major Conditional Uses		X			X	X
Minor Conditional Uses	X	X			X	*
Off-site Parking Agreement		X			X	
Provisional Use Permit	X					*
Rezoning		X			X	X
Site Plan (proffered with rezoning)		X			X	X
Site Plan ("G" Zone)		X			X	X
Site Plan		X			X	*
Street Vacations		X			X	X
Temporary Commercial Activity Permits	X				*	
Variances			X			
Zoning Approval	X					
Zoning Text Amendments		X			X	X

This chart illustrates the level of review necessary for the various types of development approval. X indicates that review is required; \* indicates an optional appeal procedure

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**Division 1. Required Permits and Approvals; Fees**

**Section IV-101. Development Approvals**

A. Level One	Development as of Right	<b>Division 3</b>
	Adult Use Permits	<b>Division 4</b>
	Temporary Commercial Activity Permits	<b>Division 9</b>
	Provisional Use Permits	<b>Division 18</b>
	Zoning Approval	<b>Division 2</b>
	Consolidation & Boundary Adjustment Plats	<b>Division 2</b>
B. Level Two	Site Plans	<b>Division 5</b>
	Variances	<b>Division 6</b>
	Administrative Appeals	<b>Division 7</b>
	Conditional Uses (Minor)	<b>Division 9</b>
	Certificate of Appropriateness	<b>Division 8</b>
C. Level Three	Historic Designation	<b>Division 8</b>
	Conditional Uses (Major)	<b>Division 9</b>
	Subdivisions/Plats	<b>Division 10</b>
	Rezoning	<b>Division 11</b>
	Zoning Text Amendments	<b>Division 12</b>
	Street and Right-of-Way Vacations	<b>Division 13</b>
	Comprehensive Plan Amendments	<b>Division 14</b>
	Development Agreements	<b>Division 15</b>
	Developments of Regional Impact	<b>Division 16</b>
G District Waivers	<b>Division 17</b>	

**Section IV-102. Schedule of Fees and Charges [Sec. 1-6]**

A. The City shall establish a schedule of fees and charges for matters pertaining to development review. It is the intent of these regulations that the City shall not be required to bear any part of the costs of development review, and that the fees and established charges represent the actual costs involved in the processing of petitions for development approval. The City has determined that the most practical and consistently accurate method of defraying the costs of development review functions is through a schedule of fees based upon the actual time spent by city employees and directly associated expenses including, but not limited to, advertising and legal fees.

B. For the review and processing of the applications described in these regulations, an initial fee shall be deposited by the applicant at the City Auditor and Clerk's Office to be drawn upon by the City as payment for the staff time of city employees, advertising expenses, and legal fees pertaining to the review and processing of the application. The initial fee shall be payable at the time of filing of the application. The application shall not be reviewed or processed by the City or presented to the Planning Board or City Commission until such time as the initial fee has been paid in full. When the account balance for a particular application is reduced to twenty-five (25) percent of the initial fee, a supplemental fee shall be required to be paid before any further review and processing of the application continues unless the City Auditor and Clerk's Office determines that the remaining amount is adequate to secure payment for the remaining costs. Otherwise, the City Auditor and Clerk's Office shall notify the applicant, in writing, that the review and processing of the application will cease unless an additional amount equal to fifty (50) percent of the initial fee is deposited by the applicant with the City Auditor and Clerk's Office within five (5) days from the date of mailing said notice. This process shall be repeated each time the account balance of the supplemental fee is reduced to twenty-five (25) percent of the initial fee.

C. In the event an application for development approval is anticipated to be complex and will require significant staff time, the applicant may elect to pay an initial fee that exceeds the minimum initial fee established by this Section. The City Auditor and Clerk's Office shall provide, upon request of the applicant, an estimate of the total fees for the application. Payment of an initial fee based upon this estimate does not relieve the applicant of the responsibility for paying supplemental fees should the City Auditor and Clerk's Office deem them necessary.

D. Upon completion of the review and processing of the application, any sums remaining in the account shall be refunded to the applicant. Similarly, if the application is withdrawn by the applicant, the applicant shall be eligible for a refund of the fee paid minus the costs of staff time and directly associated expenses as determined by the City Auditor and Clerk's Office. No interest shall be paid to the applicant on the fee or the amount refunded.

E. The initial fee schedule shall be adopted by resolution of the City Commission and a copy thereof shall be maintained in the City Auditor and Clerk's Office.