

**Chapter 9-92****APPLICATION PROCESS AND  
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**9-92.010 Purpose.**

The purpose of this chapter is to provide regulations for the acceptance of development applications, permits and approvals. (Ord. 98-8 § 2 (part); prior code § 9-41.010)

**9-92.020 Application materials.**

The Planning Department shall prepare and maintain information materials for each permit required by this code. The department shall furnish application forms, questionnaires, and information packages to all persons interested in presenting development applications to the city. The information packets shall address content of applications, fee information, and general processing procedures and requirements. (Ord. 98-8 § 2 (part); prior code § 9-41.020)

**9-92.030 Applications.**

Applications submitted pursuant to this code are listed in Table 9-92.030. The table also shows general information related to the various applications.

Any permit or project approved according to this code may be revoked or suspended in the same manner in which it was approved upon conduct of required review and/or hearing to consider revocation or suspension.

Each review and hearing body has the right to approve, approve with conditions or deny any development permit. Decisions of the Community Development Director are appealable to the Planning Agency. Decisions shall be final ten calendar days after the hearing date unless appealed.

**Table 9-92.030  
APPLICATION INFORMATION**

<b>Application Type</b>	<b>Notice Required</b>	<b>Radius Map Distance</b>	<b>Review Body</b>	<b>How Adopted/Granted</b>
Accessory living quarters/second unit housing	No	N/A	CDD	Letter
Appeal	Yes	300' by state law	PA	Resolution
Certificate of compliance			See subdivision code	
Certificate of use and occupancy	No	N/A	BO CDD	Sign-off on building permit
Changed plan	No	N/A	CDD	Letter
Conditional use permit	Yes	300'	PA	Resolution
Conditional use permit for large family day care facilities	Yes	100'	CDD PA (if hearing requested)	Letter Resolution

<b>Application Type</b>	<b>Notice Required</b>	<b>Radius Map Distance</b>	<b>Review Body</b>	<b>How Adopted/Granted</b>
Development agreement	Yes	300'	CC	Ordinance
Development code amendment	Yes	300' when map change involved	CC	Ordinance
Extension of time (maps)			See subdivision code	
Extension of time (zoning)	Yes	300'	PA	Resolution
General plan amendment:				
Major	Yes	300'	CC	Resolution
Minor	Yes	300'	CC	Resolution
Technical	No	N/A	CDD	Memo
General plan interpretation	No	N/A	PA	Letter or memo
Home occupation permit	No	N/A	CDD	Sign-off on home occupation permit form
Landscape plan	No	N/A	CDD	Letter
Lot line adjustment	No	N/A	CDD/CE	Letter
Master sign program	Yes	300'	PA	Resolution
Parking use permit	Yes	300'	PA	Resolution
Precise plan	Yes	300'	PA	Resolution
Preliminary project review	No	N/A	CDD	Review only no decision
Sign program amendment:				
Major	Yes	300'	PA	Resolution
Minor	No	N/A	CDD	Letter
Site development permit:				
Major	Yes	300'	PA	Resolution
Minor	No	N/A	CDD	Letter
Specific plan	Yes	300'	CC	Resolution or ordinance
Specific plan amendment	Yes	300'	CC	Resolution or ordinance
Special animal permit	Yes	Abutting properties	CDD	Letter
Special use permit	Yes	300'	PA	Resolution
Temporary sign permit	No	N/A	CDD	Application form sign-off
Temporary use permit	No	N/A	CDD	Application form sign-off

Application Type	Notice Required	Radius Map Distance	Review Body	How Adopted/Granted
Tentative parcel map			See subdivision code	
Tentative tract map			See subdivision code	
Variance	Yes	300'	PA	Resolution

**Notes:**

PA = Planning Agency

CE = City Engineer

CC = City Council

CDD = Community Development Director

BO = Building Official

N/A = Not applicable

(Ord. 2003-5 Exh. A § D; Ord. 2001-3 § 2 (part), 2001; Ord. 98-8 § 2 (part): prior code § 9-41.030)

**9-92.040 Application acceptance and processing.**

The following general process shall be followed in the administration of applications received by the Planning Department. Application information handouts furnished by the department include a synopsis of the review and hearing process pertinent to each specific application.

A. Applications subject to this code shall be reviewed and if the application is incomplete, notification shall be given within thirty (30) days.

B. Applicants shall be given a specified period of time in which to add or provide the missing data and information to the application. This period may vary in length due to the complexity of the application and intensity of corrections needed. The Director or his or her designee shall provide such date in writing, but in any case, the reasonable correction period shall not be less than sixty (60) days unless otherwise agreed to by the Director and the applicant. The Director, upon written request of the applicant, may extend the resubmittal date.

C. Whenever the applicant has failed to provide the required materials or has exceeded the correction/resubmittal due date, the Director shall summarily declare the application incomplete and withdrawn from further consideration. The Director shall provide written notice to the applicant of such forced withdrawal.

D. Department personnel shall review the completed application to evaluate and reach a determination pursuant to adopted California Environmental Quality Act (CEQA) guidelines and requirements.

E. Upon completion of CEQA requirements, the Director shall insure scheduling and notice actions necessary to conduct any required hearings or public review. Adver-

tising and notice requirements shall be as contained in this code or applicable state law.

F. Hearings on project applications may be continued from time to time. Continued hearings shall be set to a date and time certain and the hearing body shall insure such continuance is announced. Staff shall post continued hearing notices as required by adopted city rules of administration.

G. Applicants shall be notified of the decision on the application in writing by the city. (Ord. 98-8 § 2 (part): prior code § 9-41.040)

**9-92.050 Requirements for complete applications.**

Development project applications will generally contain the information in Table 9-92.050 and outlined here. The Community Development Director may require additional information or specifications that will add clarity to the review and understanding of the request.

A. Application form as provided by the department completed and signed by the applicant, owner, or agent containing a complete project description;

B. Statement from the applicant explaining how the project satisfies the required findings for such application;

C. A detailed site plan of the property and surrounding area at sufficient scale to be readable and understandable and consistent with the standards for the site plan contained in the application handout furnished by the department;

D. Existing and proposed building/structure elevations which show materials, colors, and finishes to be part of the project. Architectural plans shall be drawn to the scale identified in the department handout;

E. Signature of the owner upon application form or notarized letter authorizing application by an appointed agent;

F. Legal description of property furnished on grant deed recorded within Orange County;

G. Two copies of a title report which is current to within six months of the date of application;

H. Floor plans drawn to an easily readable architectural scale showing existing and proposed conditions;

I. Detailed project description discussing the nature of the proposal and the specifics of the requested action;

J. Materials and color boards, as required, prepared in an eight and one-half inch by eleven (11) inch format;

K. Blue line or black line copies of the project plans in the number specified by the application handout. All plans to be fan folded to eight and one-half inch by eleven (11) inch size. Sheet size should be limited to twenty-four (24) inch by thirty-six (36) inch;

L. Two copies of the latest county assessor parcel map drawn to scale showing all properties within three hundred (300) feet of the project site, including streets, highways, and alleyways;

M. A certified list of all property owners within three hundred (300) feet of the applicant's property as determined from the latest equalized assessment role of the county of Orange.

Table 9-92.050  
**MINIMUM APPLICATION FILING REQUIREMENTS**

Action	Application	Site Plan	Floor Plan	Elevations	Landscape	Property Owner Data	Env. Data	Letter of Authority	Legal Description	Color/ Material Board	Blackline/ Blueline Plans/Maps (3)
Appeal <sup>(1)</sup>	X	X	X	X	X	X					X
Certificate of compliance	X					X		X	X		X
Certificate of use/occupancy	X								X		
Change plan <sup>(2)</sup>	X	X	X	X	X	X	X	X	X	X	X
Conditional use permit	X	X	X	X	X	X	X	X	X	X	X
Conditional use permit for large family day care	X	X	X	X	X	X	X	X	X	X	X
Development agreement	X					X		X	X		X
Extensions of time <sup>(4)</sup>	X	X	X	X	X	X	X	X	X	X	X
General plan amendment	X					X	X	X	X		X
Home occupation	X	X	X						X		
Lot line adjustment**	X	X				X			X		
Master sign program	X	X		X	X			X	X	X	X
Misc. permits	*	*	*	*	*	*	*	*	*	*	*

Table 9-92.050 (Cont'd)

Action	Application	Site Plan	Floor Plan	Elevations	Landscape	Property Owner Data	Env. Data	Letter of Authority	Legal Description	Color/Material Board	Blackline/Blue-line Plans/Maps (3)
Parking use permit	X	X			X	X	X	X	X		X
Precise plan	X	X	X	X	X	X	X	X	X	X	X
Preliminary project review	X	X*	X*	X*	X*		X*		X*	X*	X*
Site development permit	X	X	X	X	X	X	X	X	X	X	X
Special animal permit*	X	X	X*	X	X	X		X	X		
Special use permit	X	X	X	X	X	X	X	X	X	X*	X
Specific plan	X	X	X	X	X	X	X	X	X	X	X
Subdivision extensions**	X					X	X	X	X		X
Temporary sign permit	X	X		X				X			
Temporary use permit	X	X				X	X	X	X		X
Tentative parcel map**	X					X	X	X	X		X
Tentative tract map**	X					X	X	X	X		X
Variance	X	X				X	X	X	X		X
Zone/code amendment(5)	X					X	X	X	X		X

**Table 9-92.050 (Cont'd)**

Notes:

X = Required

\* As directed by staff

\*\* See city subdivision code for detailed application requirements and process.

(1) Appeals require all the same materials to be filed as were initially filed.

(2) Change plans may require limited materials to be filed; staff will advise filing requirements based upon applicants proposed project.

(3) Quantities vary, please see application information package for exact numbers.

(4) Filings for land use permit extensions very dependent upon type of application; general rule is to file what was required for original approval.

(5) Textual changes shall be submitted with the exact wording being proposed; map changes to be accompanied by maps showing current general plan, current zone, and proposed change.

(Ord. 98-8 § 2 (part); prior code § 9-41.050)

**9-92.060 Application withdrawals.**

Any development project application or other application for permit, entitlement, or relief sought under provisions of this code may be withdrawn at any time prior to a public hearing or final review by filing with the Director a written request for withdrawal. The request shall be signed by all persons who signed the original application, or their designated agents or successors. An application may be withdrawn after commencement of a hearing with consent of the hearing body. Withdrawn applications shall be subject to payment of outstanding city costs and refunds made to applicant, as appropriate, as established by the fee resolution adopted by the city. (Ord. 98-8 § 2 (part); prior code § 9-41.060)

**9-92.070 Preliminary project review.**

This application allows proponents to submit minimal data and plans to the Planning Department for early evaluation as to compliance with standards and requirements for all discretionary permits. This process is meant to help applicants establish concise and complete applications when submitting a formal project and to concentrate professional expertise on those portions of the application which most need it. Applicants receive written comments from appropriate review departments as to how to improve the application to ensure more favorable review upon formal submittal. The preliminary project review does not replace any required formal application nor does it grant any authority or entitlement for a project. (Ord. 98-8 § 2 (part); prior code § 9-41.070)

**9-92.080 Types of applications and findings.**

The following development permits, or approvals, require the findings specified:

Amendments may be proposed to change general plan land use designations, zone designations, amend the zoning text and zoning map, to alter boundaries, or to revise provisions of the development code to add, remove or modify regulations pursuant to provisions of the Government Code, seek alteration of a specific plan or modify a previously approved project plan.

A. Amendments. Amendments may be initiated in the same manner as the original application and shall be approved in like manner. Findings for general plan amendments, zone changes, code amendments, and specific plans shall address the following as a minimum:

1. That the amendment or plan is consistent with the intent of the goals and policies of the general plan as a whole, and is not inconsistent with any element thereof;
2. That the amendment or plan is necessary to prescribe reasonable controls and standards for affected land

uses to insure compatibility and integrity of those uses with other established uses;

3. That the amendment or plan is necessary to provide reasonable property development rights while protecting environmentally sensitive land uses and species;

4. That the plan or amendment is necessary to correct discrepancies in standards or policies within the plan area or land use category;

5. That the plan or amendment is necessary to protect the general health, safety, or general welfare of the community as a whole.

B. Precise Plan. Precise plans are required by Chapters 9-29 and 9-30 for developments within the mixed use and neighborhood mixed use zones whenever more than one variety of land use is proposed for a single property or a limited collection of abutting properties. Findings for approval or modification of a precise plan shall be:

1. That the plan and the uses proposed are consistent with the general plan;

2. That the proposed plan is consistent with adopted development standards for the area in which proposed;

3. That the plan promotes community image and enhances compatibility of uses in the plan area;

4. That the plan will reduce undesirable environmental consequences while improving economic needs of the area and community;

5. That the plan is sufficiently detailed to ensure design values and controls needed to achieve a balance and integration of uses.

C. Conditional Use Permits. Conditional use permits are used to evaluate uses that may have a moderate to high potential for adverse impact to adjacent or abutting uses or the surrounding community due to operating characteristics. Approval of conditional use permits can allow a use, subject to expressed conditions, to ensure compatibility between the requested use and existing uses.

Prior to issuing a conditional use permit, the hearing body shall make the following findings:

1. That the proposed use is consistent with the general plan;

2. That the nature, condition and development of adjacent uses, buildings and structures have been considered and the proposed conditional use will not adversely effect or be materially detrimental to the adjacent uses, buildings, or structures;

3. That the proposed site is adequate in size and shape to accommodate the use and integrate it with the existing and planned uses in the vicinity;

4. That all required development standards prescribed by this code can be achieved;

5. That the conditions and limitations placed upon the use are necessary to insure compatibility with adjacent or abutting uses and the preservation of the public peace, safety, and welfare.

The Community Development Director shall have the authority to review and approve all change plans, or minor changes to any conditional use permit previously approved provided such change does not exceed ten percent of the gross square footage of the original project.

D. Conditional Use Permit for Large Family Day Care Facilities. Applications for large family day care facilities shall be subject to submittal requirements similar to those required for a conditional use permit. However, applications for large family day care conditional use permits shall be reviewed through a modified conditional use permit process. This process provides for the following:

1. A notice of the application shall be sent to property owners within a one hundred (100) foot radius of the site.

2. A public hearing shall not be required unless one is requested by the applicant or by a person who receives the notice and raises concerns in the areas of noise, traffic, parking and spacing and concentration.

3. If a public hearing is requested, one shall be held by the Planning Agency and notice of the hearing shall be sent to property owners within a one hundred (100) foot radius of the site.

4. The application shall be approved or conditionally approved if it is found that the following statutory standards are met:

a. The large family daycare home shall conform to all property development standards of the zoning district in which it is located.

b. No other licensed large family daycare home shall be located within one thousand five hundred (1,500) feet of the exterior property boundaries of the proposed large family daycare home.

c. The applicant shall have obtained, or have applied to obtain, any and all necessary state licenses and permits to operate a large family daycare home. No permit as provided herein shall be effective until such time as the applicant presents satisfactory evidence to the Director of Community Development that the applicant has complied with, and obtained, all such necessary state licenses and permits.

d. No signage shall be permitted in conjunction with the large family daycare facility.

e. A circulation plan acceptable to the City Engineer shall be provided, indicating the proposed patron drop-off location and turn-around area.

f. Noise impacts associated with operation of the large family daycare facility shall not exceed the city's noise ordinance standards.

E. Joint Parking Use Permit. The parking use permit is a detailed design and plan for construction of multiple tenant parking facilities. Requirements for content of the plan are given in Chapter 9-44 of this title. Prior to issuing a joint parking use permit, the hearing body shall make the following findings:

1. That the proposed joint parking use permit is consistent with the intent and purpose of the development code;

2. That the joint parking use permit provides a reasonable and enforceable means for all uses to share parking facilities;

3. That the requirement for parking established by the joint parking use permit shall assure that parking demands for the participating uses are continually met;

4. All the findings in support of a conditional use permit.

F. Variances. A variance may be granted from any development standard or criteria affecting establishment of a use in a zoning district but may not be granted to approve a use which would otherwise be prohibited by a zoning district. Variances shall run with the land and shall remain in full force and validity subject to adherence to limitations and conditions prescribed by the granting authority.

Findings to be made in order to grant a variance shall address the following as a minimum.

1. That the strict application of the development code deprives the property owner of privileges enjoyed by other properties in the vicinity and in an identical land use designation because of special circumstances applicable to the subject property or intended use of the property that do not generally apply to other properties in the same zoning district such as size, shape, topography, location or surroundings;

2. That the grant of the variance does not constitute the grant of special privilege not available to other properties under similar circumstance in the same zoning district;

3. That the variance is granted upon hardship and not convenience;

4. That the grant of variance will not be detrimental to the public health, safety, and welfare of the community, nor be injurious to properties, uses, or improvements in the vicinity;

5. That the variance does not grant a use not permitted by the zoning district.

G. Site Development Permits. Site development permits are required for most development projects,

including special conditions such as hillside developments. These permits are used in the absence of any other specified permit or approval and may be required in addition to other approvals.

The review and hearing body varies for site development permits.

1. The Community Development Director shall have the authority to review and approve all site development permits meeting the following criteria:

- a. Developments of nonresidential uses and or buildings not exceeding twenty thousand (20,000) square feet whether in one or more structures on a single parcel;
- b. Four or fewer residential structures or dwellings in a single project;
- c. Temporary uses not involving use of public facilities or rights-of-way;
- d. Master sign programs for properties containing less than five nonresidential units;
- e. Change plans, or minor changes to any plan or permit previously approved provided such change does not exceed ten percent of the gross square footage of the original project;
- f. Site development permits for retaining walls that are greater than thirty (30) inches in height.

2. The Planning Agency shall have jurisdiction and review authority over all site development permits exceeding the criteria specified above. Additionally, the Community Development Director may forward any project over which he or she has authority or which he or she shall deem of sufficient interest on a broader land use policy scale to the Agency for their consideration. The Community Development Director shall review and make recommendations regarding all site development permits forwarded to the Agency and shall insure all environmental and notice requirements are met.

Prior to issuing a site development permit, the Community Development Director or Planning Agency shall make the following findings:

- a. That the site design complies with standards of the development code;
- b. That the site is suitable for the proposed development;
- c. That the project is consistent with the general plan and applicable design guidelines;
- d. That the site design and structural components are appropriate for the site and function of the proposed uses.

H. Master Sign Programs. Sections 9-42.160 and 9-42.170 of this title describe the content and requirement for master sign programs. Sign plans are always evaluated in relationship with the site development permit and are an integral portion of comprehensive architectural

plans for major projects. In approving a master sign program or changes to an existing program the Planning Agency shall make the following findings in addition to those for a site development permit.

1. That the design and application of the sign criteria required by the development code are satisfied by the proposed sign program;

2. That the sign program provides a compatible and harmonious design between advertising, landscaping and building design.

I. Home Occupations. Home occupation certificates control and identify locations of various small and innocuous uses or businesses operated as accessory uses within residential units but which do not change the character of such units. Chapter 9-60 of this title details the limitations of such uses.

The Planning Department will maintain an application format for home occupation certificates and the Community Development Director shall grant such requests subject to the limitations of Chapter 9-60 of this title based on the following findings:

1. That the home occupation will not violate restrictions provided by the development code or any health or safety regulations applicable to the requested occupation;
2. That the home occupation will not contribute to air, water, or noise pollution in any amount greater than that of the typical residential use in which the occupation is operated.

J. Certificate of Use/Occupancy. A certificate of use/occupancy shall be required for all land use and the occupancy of any structure or property. A certificate of use/occupancy shall be issued only upon the finding that the building or use complies with all regulations of this code or any condition imposed upon a permit or approval related to such use or structure.

K. Development Agreements. Chapter 9-84 of this title discusses requirements for development agreements. No development agreement shall be approved unless the Planning Agency shall find as follows:

1. That the agreement is consistent with the objectives, policies, general land uses, and programs contained in the general plan and any applicable specific plan;
2. That the agreement is compatible with the uses authorized in the district in which the property is located;
3. The agreement provides for the orderly development of the property.

L. Extensions of Time. Extensions of time are of two varieties. The first are those that are governed by the subdivision code and relate to time in which to record final maps or moratoria imposition. The second type are extensions related to land use applications. This section relates only to land use action extensions.

Each land use application approved pursuant to this code shall be initiated within two years from the date of approval or it shall expire. After expiration, an application may only be re-approved through submittal of a new application, payment of new fees, review, and hearing as may be required by this code.

1. **Failure to Implement in Timely Manner.** Should an applicant encounter difficulties in implementing the approvals granted by the hearing body, the applicant may file a request for extension of time. All requests for extension under this category shall be filed not less than thirty (30) days prior to the expiration date in order to be considered valid. Such requests shall clearly identify and evidence the reason for failure to attain the implementation date and set forth a date certain by which the applicant can implement the permit. Upon review and discussion as an agenda item at a regular meeting, the hearing body who first granted the permit or approval shall approve or deny the extension request.

2. **Extension Beyond Established Expiration Date.** Some permits or approvals will receive expiration dates within the conditions of approval. Applicants may file requests to extend the life of the permit or approval to permit continued operation. Such applications shall be made not less than thirty (30) days prior to the expiration date contained within the original permit or the application shall be considered invalid. Extensions of this type shall pay the fee established by the adopted fee schedule and shall provide updated environmental information reflecting any changes in conditions affecting the location since original approval was granted. Changes to the original request shall be considered new applications. Any extension granted pursuant to this section shall be to a date certain.

M. **Special Use Permit.** Special use permits are required for the review and approval of special land uses which do not adequately lend themselves to site development permits, or conditional permit standards or findings. Special use permits are intended to allow the city to evaluate and condition unusual and/or specialized land uses so that operation, maintenance, and compatibility of the use may be enhanced. Special use permits are required for all uses identified within Chapter 9-54 of this title.

Prior to the approval of a special use permit, the Planning Agency shall make the following findings:

1. That the use as conditioned meets all criteria for such use as prescribed by Chapter 9-54 of this title, and any state or federal law pertaining to the use;

2. That the conditions and limitations placed upon the use are necessary to insure compatibility with adjacent or abutting uses and the preservation of the public peace,

safety, and welfare. (Ord. 2009-3 § 1 (Exh. A (part)); Ord. 2001-3 § 2 (part), 2001; Ord. 98-8 § 2 (part): prior code § 9-41.080)

#### **9-92.090 Conditional approvals.**

In approving any development application, the hearing body or approval body may apply such conditions as it may find necessary to control and regulate the use in order to insure compatibility with adjacent uses and the preservation of the public peace safety and welfare or in order to mitigate adverse impacts in the community. Conditions may address, but are not limited to the following:

- A. Hours of operation;
- B. Increased buffering and or landscape areas;
- C. Parking and loading improvements;
- D. Dedications and improvements to public rights-of-ways;
- E. Distances between similar or identical uses;
- F. Development of amenities called for in any specific plan or precise plan of which the use may be a part;
- G. Specified time period in which to implement the use;
- H. A specific renewal or expiration date for the development application;
- I. Other conditions as the hearing body or approval body shall deem necessary to insure consistency of the use to the general plan and protection of the health, safety, and welfare of the community. (Ord. 98-8 § 2 (part): prior code § 9-41.090)

#### **9-92.100 Effect of conditions.**

Conditions of approval placed upon any permit shall serve as additional development standards for such uses or properties. Violation or failure to comply with any condition shall constitute a violation of the permit and shall be grounds for denial of any construction related permits and suspension or revocation of the permit. (Ord. 98-8 § 2 (part): prior code § 9-41.100)

#### **9-92.110 Revocation or suspension process.**

Any permit found to be operated contrary to the conditions of approval may be revoked or suspended.

- A. **Grounds for Suspension/Revocation.**
  - 1. Violation of permit conditions;
  - 2. Violation of any applicable law or regulation federal, state, county or city;
  - 3. Repeated violations of municipal code land use, and/or administrative requirements;
  - 4. Failure to possess or maintain any license, certification, or registry necessary for the operation of any business or structure for which the permit may be granted;

5. Expiration of established time limits placed upon the permit;

6. Operation under a suspended permit shall be grounds for revocation of the permit.

B. Hearing Required. A noticed public hearing shall be conducted by the hearing body which granted the permit. The purpose of the hearing shall be to consider the suspension or revocation of the permit based upon reasons stated in the formal notice. Nothing shall prohibit the hearing body from prescribing amended conditions which may allow the permit to continue in use.

C. Notice. Notice shall be required as for any other public hearing.

D. Suspensions. Suspensions shall be of limited duration. The prescribed time limit shall be determined by the hearing body. Permit suspension shall prohibit operation or conduct of the business until the reasons for suspension have been corrected or satisfied.

E. Revoked Permits. Any use revoked by action under this code may be reestablished by approval of a new application by the city. (Ord. 98-8 § 2 (part); prior code § 9-41.110)

**9-92.120 Notice of action.**

The applicant shall receive written notice of the final decision on an application for a permit or approval or any extension applied for. (Ord. 98-8 § 2 (part); prior code § 9-41.120)

**9-92.130 Reapplication or application to amend conditions.**

Any denial of a land use application under this code shall necessitate the submittal of a new application subject to all requirements of this code. Unless one year shall have elapsed from a denial, an applicant may not reapply for the same permit or approval. Unless a development project is substantially amended in size or density, an application to amend conditions shall not be considered. (Ord. 98-8 § 2 (part); prior code § 9-41.130)