

LAND USE APPLICATIONS

LAND USE APPLICATION BASICS

When a property owner or applicant wishes to develop their site, they sometimes have to receive approval by the Board of Adjustment, City Planning Commission, or City Council. Other times, the project may only require administrative review by a planner.

State law requires that public officials, including board and commission members and council members, make legal findings to support or deny a land use application.

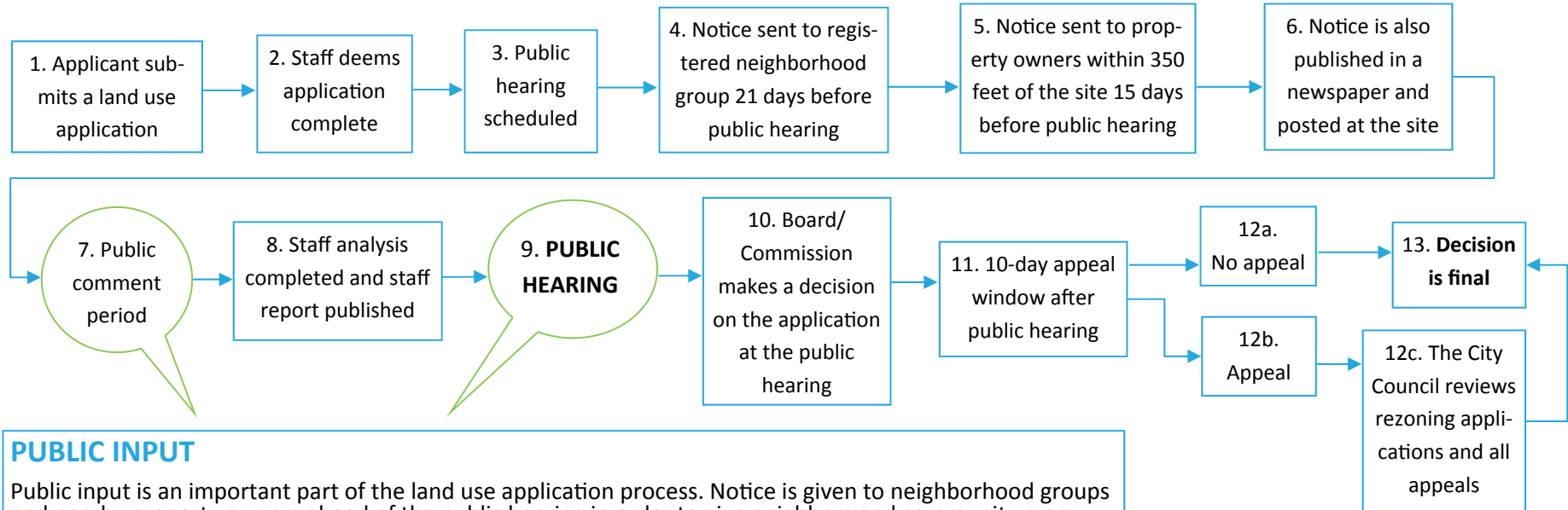
QUASI-JUDICIAL HEARINGS

The City Council, Planning Commission, and Board of Adjustment sometimes act in a quasi-judicial capacity. In this capacity, public officials function as a court of law. In these instances, the public process must comply with the requirements of due process.

Public officials involved in quasi-judicial decisions must avoid receiving “ex-parte” contacts. Ex-parte contacts refer to contacts or information the decision-maker receives from interested parties outside of the formal decision-making process.

While council members can attend or even facilitate neighborhood meetings, they must maintain neutrality and refrain from taking a position prior to official proceedings.

PUBLIC HEARING PROCESS



PUBLIC INPUT

Public input is an important part of the land use application process. Notice is given to neighborhood groups and nearby property owners ahead of the public hearing in order to give neighbors and community members time to give feedback. Notice of the public hearing is also published in a newspaper of general circulation and posted at the site.

You can submit written comments to the CPED planner assigned to review the project. Comments submitted before the staff report is published will be included in the final packet of materials. Comments submitted after the staff report is published will be distributed to public officials on the day of the public hearing.

You are also welcome to speak at the public hearing. There will be an opportunity for public testimony prior to the public officials' decision.