



DEVELOPMENT APPLICATIONS AND PROCEDURES

Section 1201—Purpose:

The Development Applications and Procedures of Roy City are formulated and intended to achieve the purposes of this Ordinance, as identified by Section 104 herein, through the application of the provisions of this Ordinance.

Section 1202—Applicability:

A Development or Building Permit Application shall be required for all uses, expansion of uses, and construction or modifications for all properties located within the municipal boundaries of Roy City, unless exempt, as provided by the Building Codes, as adopted. All Development Applications are to be presented to the City on the applicable application form(s) available from the City.

Section 1203—Application Forms:

The Council shall provide application forms and may identify submittal requirements and processing procedures for the acceptance and filing of applications.

Section 1204—Development Application Procedures:

The steps in the review and consideration of the various development applications, permits, and licenses authorized by this Ordinance may be identified by the Council and provided with the applicable application form.

Section 1205—Permits Required:

The standards and requirements of this Ordinance, as applicable, shall apply to all uses or development activity located or proposed within the City. No use or development activity may be commenced or undertaken unless all necessary approvals, permits, and licenses have been issued in accordance with the provisions of this Ordinance, as applicable.

Section 1206—Development Application Initiation:

An application for a required development approval, permit, or license shall be initiated by submitting the appropriate application(s) to the Zoning Administrator.

Section 1207—Determination of Application Completeness:

After the receipt of an application, the Zoning Administrator shall determine whether the application is complete, as shown in Figure 12-1. If the Zoning Administrator determines that the application is incomplete, the Zoning Administrator shall notify the applicant in writing, identifying the deficiencies of the application, and advising the applicant that no action will be taken by the City until the deficiencies have been corrected.

If the applicant fails to correct the specified deficiencies within thirty (30) days from the date of notification of application deficiency by the Zoning Administrator, the application shall be deemed withdrawn and the applicable application fees and will be returned to the applicant.

Section 1208—Payment of Taxes and Charges Required:

All development approvals may be conditioned so that no building permit is issued on the subject property until all delinquent taxes and charges have been paid to date of approval.

Section 1209—Withdrawal of Application:

An applicant may withdraw an application at any time prior to a final decision on the application. Application fees shall not be refundable if prior to withdrawal:

- 1) A review of the application by the Development Review Committee has been commenced; or
- 2) Notice of a meeting or public hearing to consider the application with the Commission or Council has been mailed, posted or published.

Section 1210—Scope of Development Approvals:

- 1) The rights conferred by a development permit upon the filing of a complete application and approval by the City shall be limited to those rights granted in the applicable provisions of this Ordinance and subject to any conditions attached to the development permit.
- 2) A development permit shall be considered void after one hundred and eighty (180) days unless construction has taken place or the activity has commenced.

Section 1211—Amendment to Development Permits:

All proposed amendments to an approved development approval, permit or license issued under the provisions of this Ordinance shall be reviewed in accordance with the procedures established for the approval of the original approval, permit, or license.

Section 1212—Reapplication Following Denial:

If an application for a development approval, permit or license is denied for failure to meet the requirements of this Ordinance, an application for all or a part of the same property shall not be considered for a period of at least one (1) year from the date of denial unless the subsequent application is for a development that is different from the previously denied proposal, the prior denial was based upon a mistake of fact, or on a motion duly passed by the Council to act immediately and identifying a valid public purpose.

Section 1213—Inspections:

In order to review information relevant to an application, permit, or license, City Staff or Official(s) may, upon the permission of the owner, enter upon any public or private premises and make an inspection thereof.

Section 1214—Fee for Processing Applications:

The Council may establish, by resolution, a fee schedule for the processing and review of all applications, permits, and licenses required by this Ordinance, designed to recover the actual or anticipated costs of review and processing of the application. The fee schedule may be amended from time to time by resolution of the Council. The fee schedule may include an administrative processing fee and application fees, as applicable, for the various applications, permits, and licenses required by this Ordinance. Fees shall not be required for applications initiated by the Commission, BOA, Council, or Zoning Administrator.

Section 1215—Effect of Application:

If an application is filed and determined complete by the Zoning Administrator prior to the adoption of this ordinance, the previous ordinance will be in effect.

FIGURE 12-1 - Determination of Application Completeness Procedures

