

10.03.05 Mailed Notice

A. When **notice** by **mail** is permitted or required by this **LDC**, the **notice** shall be **mailed** with the US Postal Service Certified Mail. Unless otherwise specified in this **LDC**, notice shall be mailed by the **Building** and Planning Department.

B. **Notice** shall be deemed complete upon **mailing** regardless of receipt.

(Ord. # 1324, 11-13-14)

10.03.06 Notice by Community Meeting

When Notice by meeting with the surrounding community (a "**Community Meeting**") is permitted or required by the LDC, the **Community Meeting** shall be held as follows:

A. **Proof of Community Meeting.** Applications requiring notice by **Community Meeting** shall provide evidence of its hosting of a **Community Meeting** regarding the proposed application in the form of notice, sign-up sheet and meeting summary, which meeting and documentation shall conform to the requirements of this section. Evidence of a meeting held more than five (5) months prior to the applicant's submission of an application shall be deemed insufficient to meet this requirement.

B. **Reasonable Time and Place.** If scheduled other than during a regularly scheduled Association meeting, the meeting shall commence between the hours of 9:00 am and 7:30 pm. The meeting shall be held within the City limits in a facility that will accommodate the attendance and participation of all noticed parties.

C. **Notice.** Notice of the meeting shall be provided by the applicant as required by section 10.03.02 to all owners of surrounding property lying in whole or in part within 300 feet of the boundary of the subject property. The Developer may include notice of the **Community Meeting** in the same Neighborhood Notice of the public hearing before the Planning Board required by section 10.10.01B. The Notice shall also provide information on the creation of availability of the meeting summary as required by paragraph E of this section.

D. **Agenda.** Topics covered in the **Community Meeting** shall include, but are not limited to: the specific site plan to be considered by the City that shall be available for review by attendees, proposed uses of the property, consistency with the general conditional use criteria in section 5.06.01, consistency with the use specific conditional use criteria in section 5.06.00, scale, density, intensity, building heights, setbacks, potential traffic impacts, stormwater management, lighting, hours of operation, and noise.

E. **Summary.** The applicant shall prepare or cause to be prepared a written summary of the meeting, which summary shall memorialize the names and interests of persons participating in the meeting; the length of the meeting; the specific concerns raised by attendees; and any assurances made by the applicant or his or her agents in that meeting regarding the proposed application or development. The written summary shall be created and made available to the City Planning Department, attendees, and interested parties included in paragraph C of this section no less than seven (7) days prior to public hearing before the Planning Board on the application. If timely provided to the City

Planning Department, the applicant may meet the requirements of this section by posting on the City's website.

- F. Physical Attendance by the Applicant Mandatory.** The applicant or applicant's agent of record must be physically present at the meeting to facilitate the presentation of the proposed application and discussion of its impacts. This shall not be construed to prohibit the telephonic or electronic attendance by a person or entity retained by the applicant.

(Ord. #1542, 2-11-21)

10.04.00 CLASSIFICATION OF APPLICATIONS

10.04.01 Generally

There are six (6) different categories of applications: Type I, Type II, Type III, Type IV, Type V or Type VI. An application will be reviewed based upon the category to which it is assigned by the Building and Planning Department in accordance with sections 10.04.02-10.04.07.

10.04.02 Applications Subject to Type I Review – Notice of Intent Proceedings

The following applications shall be processed pursuant to the Type I procedures:

- A. A *Site Plan* approval;
- B. A *Land Clearing Permit* or a *Tree Removal Permit*;
- C. Administrative approval of a preliminary *Subdivision Plat* to confirm compliance of the subject lands, lots, *Streets* and other features with the substantive requirements of this LDC;
- D. A planned unit development *Final Development Plan*;
- E. A traditional neighborhood overlay district *Final Development Plan*;
- F. A Front Beach Overlay District Large Site Development Final Development Plan;
- G. Approval of a *Lot Split*;
- H. Approval of a Request for Expansion, Enlargement or Modification of a *Non-Conforming Development* or *Use*; and
- I. Approval of any local development order not classified elsewhere in this LDC.
(Ord. # 1253, 12-13-12; Ord. #1254, 11/14/13; Ord. # 1304, 3/27/14; Ord. # 1443, 2/8/18)

10.04.03 Applications Subject to Type II Review – Quasi-Judicial Proceedings

The following application, which pertains to quasi-judicial decisions, which are required to be made by the City Council, shall be processed pursuant to the Type II procedures: