# SECTION 21 PLANNED DEVELOPMENT OVERLAY DISTRICT (PD)

The Planned Development Overlay Zone District is hereby adopted. Detailed regulations to be adopted with a future amendment. (Do you believe that in addition to density/minimum lot size bonuses through the PD process in the RR District, other principal and conditional uses should be considered? What about different height restrictions and setbacks? Any other ideas?)

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#### 2101 Intent

A PD may be initiated to allow densities beyond what are normally allowed in the RR District based on mitigation of development constraints. (Staff to add more specific information related to the development constraints.)

## 2102 Criteria for Consideration of a PD

The application may be approved only if the BoCC finds and concludes that the proposed PD satisfactorily addresses the criteria set forth in Section 2102.01.

2102.01 Approval Criteria

Each PD application shall demonstrate how the proposal will satisfactorily address the following approval criteria:

The Applicant has provided reasonable and adequate evidence that: (Staff to add the specific information which will include the three development constraints.).

# 2103 Approval Conditions

The BoCC may impose conditions of approval where such conditions are necessary or appropriate to ensure a PD meets the criteria set forth in Section 2102.

- 2104 Decision Based on Findings (Staff to add this information.)
- 2105 Length of Approval (Staff to add this information.)

# 2106 Standards and Requirements for PDs (Staff to add this information. This is where additional uses for a PD could be allowed under the Regulations, along with other the allowance for other requirements that deviate from the RR Zone District.)

2107 Submittal Pre-requisites

<u>The applicant shall attend a pre-application meeting with the Zoning Administrator to discuss</u> their proposal, the submittal process, and requirements for a PD. Within fifteen (15) days of the pre-application meeting, the Zoning Administrator shall provide a written summary of the meeting.

- 2108 Submittal Requirements and Process for PD with a Major Subdivision
  - 2108.01 The applicant shall submit the following to the CDP:

2108.01.01 A completed application form (available from the CDP).

- 2108.01.02 Proof of ownership that includes an updated or current title insurance policy or title commitment, or other acceptable form of title verification, no more than six (6) months old from the date of application.
- 2108.01.03 A notarized letter of authorization from the landowner permitting a representative to process the application, when applicable.
- 2108.01.04 Application fee (available from the CDP).
- 2108.01.05 An application for a major subdivision, in accordance with the Lewis and Clark County Subdivision Regulations, along with the application fee.
- 2108.01.06 A PD plan that contains the following:

2108.01.06.1	Detailed information ensuring that there is adequate
	water available to meet the long-term needs of the
	subdivision. (What do you believe needs to be provided to ensure that this criterion has been satisfied? The
	Growth Policy mentions water from the City of Helena
	or water drawn from the Helena Valley Alluvial Aquifer.)
<u>2108.01.06.2</u>	Detailed information ensuring that roads leading to
	the subdivision are in good and safe condition. (What
	do you believe needs to be provided to ensure that this criterion has been satisfied? A Traffic Impact Study? All
	roads providing access meet the full County standard or
	an engineering equivalent? What about using the
	PASER analysis for the access roads versus using the full
	County standard?)
2108.01.06.3	Detailed information ensuring that fire protection will
2108.01.00.3	be provided that will not place long-term burdens on
	rural fire protection systems. (What do you believe
	needs to be provided to ensure that this criterion has
	been satisfied? Hydrant spacing/Water availability?
	Other ideas?)
2108.01.06.4	A scaled vicinity map with a north arrow that, clearly
	shows the property in question, its relationship to
	surrounding areas, including the existing land uses and
	zoning of both the site and the surrounding area
	within a one (1) mile radius.
2108.01.06.5	A site plan indicating how the PD relates to the
	affected land. It shall be drawn to scale: (Staff to add
	scale information)
	a. Names and dimensions of roads adjacent to the
	site, including right-of-way/easement and paved
	and/or gravel surfaces.

- b. Pedestrian and vehicular traffic circulation patterns within and around the site, including sidewalks and trails.
- c. Proposed location and height of building(s) including identification of types, density, and number of dwelling units or uses in each structure.
- d. General distances between buildings.
- e. Off-street parking facilities.
- f. Locations, dimensions, and area of open space.
- g. Proposed drainage patterns and any related drainage developments.
- h. Existing and proposed topography at not less than five (5) foot contour intervals when the slope exceeds five (5%) percent and not less than two (2) foot contour intervals when the slope is less than five (5%) percent.
- i. Existing and proposed water system, sewer system, stormwater drainage improvements, gas, electric, telephone and other utilities.
  - Such other physical features as existing streams, canals, railroads, rights-of-way or easements which affect or are affected by the proposed PD.

(Any other items that should be considered/addressed in the application submittal: police protection, fire protection, roads (anything additional), fencing/screening, signage, and/or lighting? Other?)

- 2108.02 When an application is submitted, the submittal shall be reviewed by the Staff assigned to the project and a determination of completeness and sufficiency shall be made within twenty-one (21) days. The applicant shall be notified in writing if the submittal is incomplete and/or insufficient, and any inadequacies shall be specifically identified. An incomplete or insufficient application will not be processed.
- 2108.03 Once the submittal is determined to be complete and sufficient, Staff will notify the applicant in writing of the number of copies of the submittal information required for distribution to referral agencies.
- 2108.04 If the referral agencies elect to comment, they may comment within thirty (30) days from the date the referral packets were mailed or electronically distributed, unless the applicant grants, in writing, an extension of no more than thirty (30) days.

All referral agency comments shall be provided by the Staff to the applicant. The applicant shall be given the opportunity to address the comments of all referral

agencies by identifying, in writing, the extent to which the project has been revised in response to the comments. The applicant is strongly encouraged to provide the Staff with a written response. The applicant is encouraged to meet with the referral agencies and the Staff to address any concerns.

- 2108.05 The Staff will review the referral agency comments and discuss any concerns with the applicant. Upon receipt of written notice from the applicant that they are ready to proceed with a public hearing, Staff shall schedule a public hearing before the Planning Board. Once such public hearing has been determined, Staff shall notify the applicant in writing of the hearing date and time and prepare a staff report for the Planning Board. The Staff will provide the public notice for the hearing as set for in Section ?.
- 2108.06 The Planning Board shall concurrently evaluate the application, the staff report, referral agency comments, applicant responses, and public testimony for both the PD and its associated major subdivision; and then shall recommend to approve, conditionally approve, or deny the applications based on the evidence presented and compliance with the applicable criteria. (Timeframe? Subdivision Regulations?)
- 2108.07 At the hearing on the application for a PD, the Planning Board shall consider, but shall not be limited to, the following items:
  - 2102.08.01 The proposed PD will be consistent with the Growth Policy (Staff to add more specific information related to the development constraints.)
  - 2102.08.02 The physical features of the land.
  - 2102.08.03 The existing land uses surrounding the proposed PD.
  - 2102.08.04 The planned land uses within the area of the proposed PD, how they will relate to adjoining properties and the general neighborhood, and their compatibility with existing uses of said adjoining properties and the general neighborhood.
  - 2102.08.05 The proposed residential density and how it relates to adjoining properties and the general neighborhood.
  - 2102.08.06 The existing and/or proposed public improvements in the area such as schools, roads, parks and other such features.
  - 2102.08.07 The availability of utilities.
  - 2102.08.08 Comments received from interested citizens.

(What other information should be considered?)

- 2108.08 After said public hearing and review, the Planning Board shall make a written recommendation to the BoCC regarding the proposed PD and its associated major subdivision.
- 2108.09 The BoCC shall concurrently evaluate the application, the staff report, referral agency comments, applicant responses, and public testimony/comments for both the PD and its associated major subdivision; and then shall approve, conditionally

<u>approve, or deny the applications based on the evidence presented and compliance</u> with the applicable criteria. (Timeframe? Subdivision Regulations?)

2108.10 (Staff to add appeal language.)

#### 2109 Submittal Requirements and Process for PD with a Minor Subdivision

- 2109.01 The applicant shall submit the following to the CDP:
  - 2109.01.01 A completed application form (available from the CDP).
  - 2109.01.02 Proof of ownership that includes an updated or current title insurance policy or title commitment, or other acceptable form of title verification, no more than six (6) months old from the date of application.
  - 2109.01.03 A notarized letter of authorization from the landowner permitting a representative to process the application, when applicable.
  - 2109.01.04 Application fee (available from the CDP).
  - 2109.01.05 An application for a minor subdivision, in accordance with the Lewis and Clark County Subdivision Regulations, along with the application fee.
  - 2109.01.06 A PD plan that contains the following:

2109.01.06.1	Detailed information ensuring that there is adequate
	water available to meet the long-term needs of the
	subdivision. (What do you believe needs to be provided
	to ensure that this criterion has been satisfied? The
	Growth Policy mentions water from the City of Helena
	or water drawn from the Helena Valley Alluvial Aquifer.)
2109.01.06.2	Detailed information ensuring that roads leading to
	the subdivision are in good and safe condition. (What
	do you believe needs to be provided to ensure that this
	criterion has been satisfied? A Traffic Impact Study? All
	roads providing access meet the full County standard or
	an engineering equivalent? What about using the
	PASER analysis for the access roads versus using the full
	<u>County standard?)</u>
2109.01.06.3	Detailed information ensuring that fire protection will
	be provided that will not place long-term burdens on
	<u>rural fire protection systems. (What do you believe</u>
	needs to be provided to ensure that this criterion has
	been satisfied? Hydrant spacing/Water availability?
	Other ideas?)

2109.01.06.4	A scaled vicinity map with a north arrow that, clearly
	shows the property in question, its relationship to
	surrounding areas, including the existing land uses and
	zoning of both the site and the surrounding area
	within a one (1) mile radius.
2109.01.06.5	A site plan indicating how the PD relates to the
	affected land. It shall be drawn to scale: (Staff to add
	scale information)
	a. Names and dimensions of roads adjacent to the

- site, including right-of-way/easement and paved and/or gravel surfaces.
- b. Pedestrian and vehicular traffic circulation patterns within and around the site, including sidewalks and trails.
- c. Proposed location and height of building(s) including identification of types, density, and number of dwelling units or uses in each structure.
- d. General distances between buildings.
- e. Off-street parking facilities.
- f. Locations, dimensions, and area of open space.
- g. Proposed drainage patterns and any related drainage developments.
- h. Existing and proposed topography at not less than five (5) foot contour intervals when the slope exceeds five (5%) percent and not less than two (2) foot contour intervals when the slope is less than five (5%) percent.
- i. Existing and proposed water system, sewer system, stormwater drainage improvements, gas, electric, telephone and other utilities.
- j. Such other physical features as existing streams, canals, railroads, rights-of-way or easements which affect or are affected by the proposed PD.

(Any other items that should be considered/addressed in the application submittal: police protection, fire protection, roads (anything additional), fencing/screening, signage, and/or lighting? Other?)

2109.02 When an application is submitted, the submittal shall be reviewed by the Staff assigned to the project and a determination of completeness and sufficiency shall be made within twenty-one (21) days. The applicant shall be notified in writing if the submittal is incomplete and/or insufficient, and any inadequacies shall be specifically identified. An incomplete or insufficient application will not be processed.

- 2109.03 Once the submittal is determined to be complete and sufficient, Staff will notify the applicant in writing of the number of copies of the submittal information required for distribution to referral agencies.
- 2109.04 If the referral agencies elect to comment, they may comment within thirty (30) days from the date the referral packets were mailed or electronically distributed, unless the applicant grants, in writing, an extension of no more than thirty (30) days.

All referral agency comments shall be provided by the Staff to the applicant. The applicant shall be given the opportunity to address the comments of all referral agencies by identifying, in writing, the extent to which the project has been revised in response to the comments. The applicant is strongly encouraged to provide the Staff with a written response. The applicant is encouraged to meet with the referral agencies and the Staff to address any concerns.

- 2109.05 The Staff will review the referral agency comments and discuss any concerns with the applicant. Upon receipt of written notice from the applicant that they are ready to proceed with a public hearing, Staff shall schedule a public hearing before the Planning Board. Once such public hearing has been determined, Staff shall notify the applicant in writing of the hearing date and time and prepare a staff report for the Planning Board. The Staff will provide the public notice for the hearing as set for in Section ?.
- 2109.06 The Planning Board shall evaluate the application, the staff report, referral agencies, applicant's responses, and public testimony for the PD and its associated minor subdivision; and then shall approve, conditionally approve, or deny the application based on the evidence presented and compliance with the applicable criteria. (Timeframe?)
- 2109.07 At the hearing on the application for a PD, the Planning Board shall consider, but shall not be limited to, the following items:
  - 2109.07.01 The proposed PD will be consistent with the Growth Policy. (Staff to add more specific information related to the development constraints.)
  - 2109.07.02 The physical features of the land.
  - 2109.07.03 The existing land uses surrounding the proposed PD.
  - 2109.07.04 The planned land uses within the area of the proposed PD, how they will relate to adjoining properties and the general neighborhood, and their compatibility with existing uses of said adjoining properties and general neighborhood.
  - 2109.07.05 The proposed residential density and how it relates to adjoining properties and the general neighborhood.
  - 2109.07.06 The existing and/or proposed public improvements in the area such as schools, roads, parks and other such features.

2109.07.07 The availability of utilities.

2109.07.08 Comments received from interested citizens.

(What other information should be considered?)

- 2109.08 After said public hearing and review, the Planning Board shall make a written recommendations to the BoCC regarding the proposed PD.
- 2109.09 The BoCC shall concurrently evaluate the application, the staff report, referral agency comments, applicant responses, and public testimony/comments for both the PD and its associated minor subdivision; and then shall approve, conditionally approve, or deny the applications based on the evidence presented and compliance with the applicable criteria. (Timeframe? Subdivision Regulations?)

2109.10 (Staff to add appeal language.)

- 2110 Submittal Requirements and Process for PD with No Subdivision
  - 2110.01 The applicant shall submit the following to the CDP:

2110.01.01 A completed application form (available from the CDP).

- 2110.01.02 Proof of ownership that includes an updated or current title insurance policy or title commitment, or other acceptable form of title verification, no more than six (6) months old from the date of application.
- 2110.01.03 A notarized letter of authorization from the landowner permitting a representative to process the application, when applicable.
- 2110.01.04 Application fee (available from the CDP).
- 2110.01.05 A PD plan that contains the following:

2110.01.05.1Detailed information ensuring that there is adequate<br/>water available to meet the long-term needs of the<br/>subdivision. (What do you believe needs to be provided<br/>to ensure that this criterion has been satisfied? The<br/>Growth Policy mentions water from the City of Helena<br/>or water drawn from the Helena Valley Alluvial Aquifer.)2110.01.05.2Detailed information ensuring that roads leading to<br/>the subdivision are in good and safe condition. (What<br/>do you believe needs to be provided to ensure that this<br/>criterion has been satisfied? A Traffic Impact Study? All

roads providing access meet the full County standard or an engineering equivalent? What about using the PASER analysis for the access roads versus using the full County standard?)

<u>2110.01.05.3</u>	Detailed information ensuring that fire protection will		
	be provided that will not place long-term burdens on		
	rural fire protection systems.	<u>(What do you believe</u>	
	needs to be provided to ensure that this criterion has		
	been satisfied? Hydrant spacing/Water availability?		
	<u>Other ideas?</u> )		

- 2110.01.05.4 A scaled vicinity map with a north arrow that, clearly shows the property in question, its relationship to surrounding areas, including the existing land uses and zoning of both the site and the surrounding area within a one (1) mile radius.
- 2110.01.05.5 A site plan indicating how the PD relates to the affected land. It shall be drawn to scale: (Staff to add scale information)
  - a. Names and dimensions of roads adjacent to the site, including right-of-way/easement and paved and/or gravel surfaces.
  - b. Pedestrian and vehicular traffic circulation patterns within and around the site, including sidewalks and trails.
  - c. Proposed location and height of building(s) including identification of types, density, and number of dwelling units or uses in each structure.
  - d. General distances between buildings.
  - e. Off-street parking facilities.
  - f. Locations, dimensions, and area of open space.
  - g. Proposed drainage patterns and any related drainage developments.
  - h. Existing and proposed topography at not less than five (5) foot contour intervals when the slope exceeds five (5%) percent and not less than two (2) foot contour intervals when the slope is less than five (5%) percent.
  - i. Existing and proposed water system, sewer system, stormwater drainage improvements, gas, electric, telephone and other utilities.
  - j. Such other physical features as existing streams, canals, railroads, rights-of-way or easements which affect or are affected by the proposed PD.

(Any other items that should be considered/addressed in the application submittal: police protection, fire protection, roads (anything additional), fencing/screening, signage, and/or lighting? Other?)

- 2110.02 When an application is submitted, the submittal shall be reviewed by the Staff assigned to the project and a determination of completeness and sufficiency shall be made within twenty-one (21) days. The applicant shall be notified in writing if the submittal is incomplete and/or insufficient, and any inadequacies shall be specifically identified. An incomplete or insufficient application will not be processed.
- 2110.03 Once the submittal is determined to be complete and sufficient, Staff will notify the applicant in writing of the number of copies of the submittal information required for distribution to referral agencies.
- 2110.04 If the referral agencies elect to comment, they may comment within thirty (30) days from the date the referral packets were mailed or electronically distributed, unless the applicant grants, in writing, an extension of no more than thirty (30) days.

All referral agency comments shall be provided by the Staff to the applicant. The applicant shall be given the opportunity to address the comments of all referral agencies by identifying, in writing, the extent to which the project has been revised in response to the comments. The applicant is strongly encouraged to provide the Staff with a written response. The applicant is encouraged to meet with the referral agencies and the Staff to address any concerns.

- 2110.05 The Staff will review the referral agency comments and discuss any concerns with the applicant. Upon receipt of written notice from the applicant that they are ready to proceed with a public hearing, Staff shall schedule a public hearing before the Planning Board. Once such public hearing has been determined, Staff shall notify the applicant in writing of the hearing date and time and prepare a staff report for the Planning Board. The Staff will provide the public notice for the hearing as set for in Section ?.
- 2110.06 The Planning Board shall evaluate the application, the staff report, referral agencies, applicant's responses, and public testimony for the PD; and then shall approve, conditionally approve, or deny the application based on the evidence presented and compliance with the applicable criteria. (Timeframe?)
- 2110.07 At the hearing on the application for a zoning map amendment, the Planning Board shall consider, but shall not be limited to, the following items:
  - 2110.07.01 The proposed PD will be consistent with the Growth Policy. (Staff to add more specific information related to the development constraints.)
  - 2110.07.02 The physical features of the land.
  - 2110.07.03 The existing land uses surrounding the proposed PD.
  - 2110.07.04 The planned land uses within the area of the proposed PD, how they will relate to adjoining properties and the general neighborhood, and

their compatibility with existing uses of said adjoining properties and general neighborhood.

- 2110.07.05 The proposed residential density and how it relates to adjoining properties and the general neighborhood.
- 2110.07.06 The existing and/or proposed public improvements in the area such as schools, roads, parks and other such features.
- 2110.07.07 The availability of utilities.
- 2110.07.08 Comments received from interested citizens.

(What other information should be considered?)

- 2110.08 After said public hearing and review, the Planning Board shall make written recommendations to the BoCC regarding the PD.
- 2110.09 The BoCC shall evaluate the application, the staff report, referral agency comments, applicant responses, and public testimony/comments for the PD; and then shall approve, conditionally approve, or deny the application based on the evidence presented and compliance with the applicable criteria. (Timeframe?)

**2110.10** (Staff to add appeal language.)

2111 Withdrawal of PD

<u>A request to withdraw an application shall be submitted, in writing, to the Staff.</u> Once withdrawn, the submittal of a new application and processing fee shall be required in order to re-initiate the application; and such re-initiation shall be considered and processed as a new application.

2112 Post Approval (Staff to add this information.)

#### 2113 Public Notice Requirements

The following requirements shall apply to a PD. In calculating the time period for public notification, see Section 106 of these Regulations.

# 2113.01 Written Notice (Planning Board Hearing)

At least fifteen (15) days prior to the Planning Board hearing, Staff shall mail a written notice of the hearing by first-class mail to the address of each abutting landowner as such address is shown in the records of the County. The notice shall read substantially the same, as the published notice as required by this section.

- 2113.01.01 The notice shall indicate:
  - (a) <u>The date, time and location of the hearing;</u>
  - (b) An explanation of the PD;
  - (c) <u>The general location of the land that is the subject of the request;</u>
  - (d) The file name and number; and
  - (e) That questions should be directed to the CDP.
- 2113.01.02 The person completing the mailing of the written notice shall execute a certificate of mailing. Such certificate shall read as follows:

		CERTIFICATE OF MAILING
	day of	, hereby certify that a true and written notice was placed in the U.S. mail, first-class, postage , 20, and addressed as follows:
(signature of person	completing the mai	iling)

# 2113.02 Published Notice (Planning Board Hearing) At least fifteen (15) days prior to the Planning Board hearing, Staff shall:

- 2113.02.01 Publish a notice in at least one (1) publication of a daily or a weekly legal newspaper of general circulation, printed or published in whole or in part in the County; and
- 2113.02.02 <u>Obtain a publisher's affidavit of said published notice prior to the hearing.</u>

# 2113.02.03 The notice shall indicate:

- (a) The date, time and location of the hearing;
- (b) An explanation of the PD;
- (c) <u>The general location of the land that is the subject of the request;</u>
- (d) The file name and number; and
- (e) That questions should be directed to the CDP.

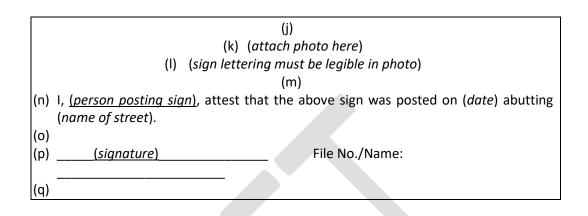
# 2113.03 Posted Notice

At least fifteen (15) days prior to the Planning Board hearing, Staff shall post a notice on the land for which the PD is requested.

(f) NOTICE OF PUBLIC HEARING BEFORE THE PLANNING BOARD (g)

- (h) <u>This land shall be considered for a Planned Development a (insert specific proposal) in the RR zone district. The public hearing is (date), in the Commissioners' Hearing Room, 316 N. Park Ave., Helena, MT at (time). For more information call County Planning, 406-447-8374</u>
- (i) File No./Name:\_\_\_\_

2113.03.01 An affidavit of sign posting shall be submitted by the person who posted the sign for the file in the Planning Division prior to the hearings. The sign(s) shall be photographed by the person who posted them and attached to the affidavit as follows:



#### 2113.04 Written Notice (BoCC Hearing)

At least fifteen (15) days prior to the BoCC hearing, Staff shall mail a written notice of the hearing by first-class mail to the address of each abutting landowner as such address is shown in the records of the County. The notice shall read substantially the same, as the published notice as required by this section.

2113.04.01 The notice shall indicate:

- (a) The date, time and location of the hearing;
- (b) An explanation of the PD;
- (c) The general location of the land that is the subject of the request;
- (d) The file name and number; and
- (e) That questions should be directed to the CDP.

2113.04.02 The person completing the mailing of the written notice shall execute a certificate of mailing. Such certificate shall read as follows:

# **CERTIFICATE OF MAILING**

I, \_\_\_\_\_\_, hereby certify that a true and correct copy of the attached written notice was placed in the U.S. mail, first-class, postage prepaid this \_\_\_\_\_ day of \_\_\_\_\_\_, 20\_\_\_\_, and addressed as follows: (attach list of addresses if necessary)

(signature of person completing the mailing)

# 2113.05 Published Notice (BoCC Hearing)

#### At least fifteen (15) days prior to the BoCC hearing, Staff shall:

- 2113.05.01 <u>Publish a notice in at least one (1) publication of a daily or a weekly legal</u> <u>newspaper of general circulation, printed or published in whole or in</u> <u>part in the County; and</u>
- 2113.05.02 Obtain a publisher's affidavit of said published notice prior to the hearing.
- 2113.05.03 The notice shall indicate:
  - (a) The date, time and location of the hearing;
  - (b) An explanation of the PD;
  - (c) <u>The general location of the land that is the subject of the request;</u>
  - (d) The file name and number; and
  - (e) That questions should be directed to the CDP.

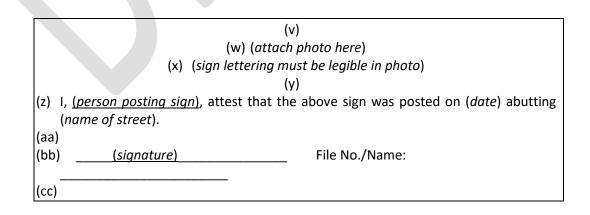
#### 2113.06 Posted Notice

At least fifteen (15) days prior to the BoCC hearing, Staff shall post a notice on the land for which the PD is requested.

# (r) NOTICE OF PUBLIC HEARING BEFORE THE PLANNING BOARD (s)

- (t) This land shall be considered for a Planned Development a (*insert specific proposal*) in the RR zone district. The public hearing is (*date*), in the Commissioners' Hearing Room, 316 N. Park Ave., Helena, MT at (*time*). For more information call County Planning, 406-447-8374
   (a) File Na (Nerse)
- (u) File No./Name:\_\_\_\_\_

2113.06.01 An affidavit of sign posting shall be submitted by the person who posted the sign for the file in the Planning Division prior to the hearings. The sign(s) shall be photographed by the person who posted them and attached to the affidavit as follows:



#### 2113.07 Additional public notice may be required by the Zoning Administrator.

#### 2114 Inactive Files

(Staff to add this information.)

# 2115 Post Denial Application

If denied by the BoCC, a resubmittal of the same or substantially same PD application shall not be accepted within one hundred eighty (180) days from the date of denial by the BoCC, or in the event of litigation, from the date of the entry of the final judgment. However, if evidence is presented to the Zoning Administrator showing that there has been a substantial change in physical conditions or circumstances, the Zoning Administrator may reconsider the PD sooner than the above noted one hundred eighty (180) days. A new application and processing fee shall be required.

# 2116 PD Amendments

(Staff to add this information.)

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