

Proposed Language for Section 5-210.D.4.g in Article 5

In the event that the Planning Director and the applicant are not able to resolve deficiencies as delineated in Section 5-210.D.4.a., above, including regarding acceptable resolution of Planning Department concerns and the referral responses received, then the applicant may request, in writing, ~~that the application be scheduled for the next available public hearing. The applicant shall have the right to request, in writing,~~ that the application be scheduled for the next available public hearing for which proper notice of public hearings can be achieved as delineated in Section 5-210.E, Notice of Public Hearings, at any point in the process following receipt of referral responses. The applicant shall provide the County with a written response detailing how referral comments have been addressed, and if not addressed why not. Notwithstanding the foregoing, an applicant shall not be permitted to request that an application be scheduled for a public hearing if the deficiencies relate to information or documents that are required by the ECLUR and which an applicant has failed to or refused to provide within the time frames set forth in the ECLUR. ~~the initial stakeholder meeting as delineated in Section 5-210.D.4.a., above.~~ *(am 12/16/08)*

If an applicant requests, in writing, that the application be scheduled for the next available hearing prior to resolution of the referral responses received to the satisfaction of the Planning Director, it is understood by the applicant that the Staff Report shall describe, in detail, all outstanding deficiencies and whether the application complies with all appropriate standards of these Land Use Regulations. The Staff Report shall also recommend any changes in the development and/or conditions ~~of~~ approval necessary to bring the development into compliance with the appropriate review standards, or it may contain a recommendation of denial of the application based on the existing deficiencies. ~~disapproval.~~ Conditions ~~of~~ approval, if necessary, are intended to eliminate any areas of noncompliance or mitigate any adverse effects of the proposed development. *(am 12/16/08)*