

## CHAPTER 20 – PLANNING AND DEVELOPMENT

### Sec. 20-72. Design review; effect of submittal approval.

(a) Approved design review submittals shall be binding upon the applicant and their successor or assigns and to the extent they are in conflict with previously approved plans shall supersede such previously approved plans. Copies of the approved design review submittal shall be included in any application for building permit approval. No building permit shall be issued for any building or structure not in accord with the approved design review submittal. The construction, location, use or operation of all land or structures within the site shall conform to all conditions and limitations set forth in the design review submittal. Evidence of design review approval in the form of a copy of the approved design review submittal must be available on the construction site.

(b) Temporary construction facilities shall be permitted upon the property for purposes of developing the project. In the case of a question, the community development department shall determine if such facilities qualify as temporary and related to construction. The decision of the department is final and not subject to appeal under this chapter. Such facilities shall be removed within 10 working days after completion of initial construction or prior to issuance of the certificate of occupancy, whichever first occurs.

(c) No structure, use or element of an approved design review submittal shall be eliminated, altered, or provided in another manner unless an amendment is approved in accordance with the standards for new reviews.

(d) The city shall inspect each project prior to issuance of the certificate of occupancy or a final utility clearance. No final certificate of occupancy or final utility clearance shall be issued if the project does not meet the requirements of the approved design review submittal. The community development department may issue conditional or temporary certificates of occupancy in accordance with chapter 5 of this code and any uniform codes adopted pursuant thereto.

(e) Approved design review submittals shall be valid for a period of one year from final approval of all matters contained in the development application. If a building permit is not obtained and construction commenced on the project within the one-year period, the approval shall terminate. Issuance of a building permit and the commencement of construction shall continue the approval of the design review submittal until the project is completed or until the building permit approval is terminated. Termination of a building permit shall result in automatic termination of design review submittal approval.

(f) Upon written request by the applicant prior to the expiration of the approval period, the City may extend the approval period for a design review submittal by a period not to exceed one year from the original date of expiration.

(Ord. No. 97-99, 9/16/97, enacted)