

1308 INTERPRETATION

1308.01 APPLICABILITY

The Planning Director has the authority to interpret the Comprehensive Plan and this Ordinance and their applicability to specific properties, except where such authority is specifically granted by this Ordinance to the Hearings Officer, or to the Planning Commission or Board of County Commissioners on appeal.

1308.02 PROCEDURE

An interpretation requires review through a Type II application pursuant to Section 1307 and Subsection 1308.02. Where the provisions of Subsection 1308.02 conflict with Section 1307, Subsection 1308.02 shall control.

- A. Anyone may initiate an application for an interpretation, except that an application for an interpretation of the applicability of the Comprehensive Plan or this Ordinance to a specific property may only be initiated by those parties identified in Subsection 1307.07(A).
- B. An application for an interpretation shall include:
 - 1. The submittal requirements identified in Subsection 1307.07(C), except those that are inapplicable because the application is not for an interpretation of the applicability of the Comprehensive Plan or this Ordinance to a specific property;
 - 2. Identification of the provision(s) for which an interpretation is requested; and
 - 3. A detailed description of any proposed use, specific circumstances, or other factors necessary to allow an interpretation to be made.
- C. Where Section 1307 requires mailing of notices, applications, or decisions, such mailing shall include all active community planning organizations, hamlets, and villages that are recognized by the County, if property to which an interpretation could be applicable lies wholly or partially inside the boundaries of such organization, hamlet, or village.
- D. Only if an interpretation relates to the applicability of the Comprehensive Plan or this Ordinance to a specific property, shall mailing of notices, applications, and decisions required by Section 1307 include property owners of record pursuant to Subsection 1307.09(A)(1)(b) or 1307.10(A)(3)(b).

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- E. Filing an application for an interpretation shall be precluded if the specific question raised in the application has already been decided through another land use permit application. A question shall not be deemed to have been decided, if the fact circumstances in the previous land use permit application differ from those presented in the interpretation application.

[Added by Ord. ZDO-248, 10/13/14]