

Zoning Ordinance

§ 323 UNIFIED DEVELOPMENT REVIEW.

(A) *Unified development review established.* There shall be unified development review for the issuance of variances and special use permits for properties undergoing review by development plan review and/or land development or subdivision review.

(B) *Public hearing.* All land development and subdivision applications, and development plan review applications that include requests for variances and/or special-use permits submitted pursuant to this section, shall require a public hearing that meets the requirements of § 320.

(C) In granting requests for dimensional and use variances, the planning board shall be bound to the requirements of § 903 relative to entering evidence into the record in satisfaction of the applicable standards, except that for subdivisions submitted under this section, if an applicant seeks relief from the dimensional requirements as part of its proposed subdivision, the standard in § 903 (A)(2) shall not apply to prohibit the granting of the relief.

(D) In reviewing requests for special use permits the Planning Board shall be bound to the conditions and procedures under which a special use permit may be issued and the criteria for the issuance of such permits, as found within the zoning ordinance, § 902, and shall be required to provide for the recording of findings of fact and written decisions.

(E) *Appeals.* An appeal from any decision made pursuant to this section may be taken pursuant to § 317.