

**CHAPTER 02-05 LAND USE ADMINISTRATOR'S DUTIES**

**SECTION 02-05-001 LAND USE ADMINISTRATOR**

**02-05-001 LAND USE ADMINISTRATOR**

The Land Use Administrator shall be designated to hear and act on Land Use application and may decide certain matters as designated by the commission, and consistent with guidelines established by this Chapter and State law and the rules adopted by the Planning Commission. Pursuant to that authority, the Land Use Administrator may decide all cases which are routine in nature, uncontested, do not impact on the character of the neighborhood, are primarily brought about by recent changes in the Land Use Ordinance creating a large number of noncomplying structures or uses and which the commission has granted on almost a routine basis. The specific types of decisions the Land Use Administrator is authorized to make shall include:

- A. Determination of a nonconforming use and noncomplying structures which can be verified by substantial evidence. Substantial evidence, for the purpose of this Section, shall mean official documents, including any written correspondence, receipts, permits, or documents issued by a public body or agency thereof, etc. that may establish the truth of the matter asserted by the applicant;
- B. Consider additions or alterations to existing buildings and structures which are noncomplying as to height, area, or yard regulations provided the addition follows the existing wall lines and no additional dwelling units are added to the building or structure;
- C. Change in status of a nonconforming use and non complying structures to a less intense use than that immediately preceding the proposed use;
- D. Final review and approval on plans where the commission has required that a final plan be submitted for special approval, showing that all the requirements imposed by the Commission in granting the original approval have been complied with.
- E. Single Lot Subdivisions:  
  
Lots divided to make two legal lots conforming within the ordinances and signed by Land Use Administrator.
- F. Shall provide an application process and include a designation of routine land use matters that, upon application and proper notice, will receive informal streamlined review and action, if the application is uncontested.