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## Chapter 20.50 – Permit Application Filing and Processing

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### Section:

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### 20.50.010 – Purpose

This Chapter provides procedures and requirements for the preparation, filing, and processing of permit applications required by this Zoning Code.

### 20.50.020 – Authority for Land Use and Zoning Decisions

Table 5-1 (Review Authority), below, identifies the review authority responsible for reviewing and making decisions on each type of application required by this Zoning Code.

### 20.50.030 – Multiple Permit Applications

- A. Concurrent filing.** Any applicant for a project requiring more than one permit application (e.g., Conditional Use Permit, Site Development Review, Tentative Map, etc.), shall file all related applications concurrently, with all appropriate application fees required by Section 20.50.050 (Application Fees).
- B. Concurrent processing.** Multiple applications for the same project shall be processed concurrently, and shall be reviewed, and approved, modified, or denied by the highest review authority designated by this Zoning Code for any of the applications.

**TABLE 5-1  
REVIEW AUTHORITY**

Type of Action	Applicable Code Chapter/Section	Role of Review Authority (1)				
		Director	Zoning Administrator	Hearing Officer	Commission	Council (2)
<b>Administrative and Legislative</b>						
Interpretations	20.12.020	Determination (3)			Appeal	Appeal
Planned Communities	20.56				Recommend	Decision
Specific Plans	20.58				Recommend	Decision
Zoning Code Amendments	20.66				Recommend	Decision
Zoning Map Amendments	20.66				Recommend	Decision
<b>Permits and Approvals</b>						
Comprehensive Sign Program			Decision (3)		Appeal	
Conditional Use Permits	20.52.020				Decision	Appeal
Conditional Use Permits – Residential Zones HO	20.52.030			Decision (4)		Appeal (4)
Heritage Sign					Decision	Appeal
Innovative Sign Program					Decision	Appeal
Limited Term Permits	20.52.040		Decision (3)		Appeal	Appeal
Minor Use Permits	20.52.020		Decision (3)		Appeal	Appeal
Modification Permits	20.52.050		Decision (3)		Appeal	Appeal
Planned Development Permits	20.52.060				Decision	Appeal
Reasonable Accommodations	20.52.070			Decision (4)		Appeal (4)
Sign Permits	20.42	Determination (3)			Appeal	Appeal
Site Development Reviews (See Table 5-2 [Review Authority for Site Development Reviews].)	20.52.080		Decision (3)		Decision	Appeal
Variances	20.52.090				Decision	Appeal
Zoning Clearances	20.52.100	Determination (3)			Appeal	Appeal

## Notes:

- (1) "Recommend" means that the Commission makes a recommendation to the Council; "Determination" and "Decision" means that the review authority makes the final determination or decision on the matter; "Appeal" means that the review authority may consider and decide upon appeals to the decision of a previous decision making body, in compliance with Chapter 20.64 (Appeals).
- (2) The Council is the final review authority for all applications in the City.
- (3) The Director or Zoning Administrator may defer action and refer the request to the Commission for consideration and final action.
- (4) The standard of review for appeal of any Hearing Officer decision shall be substantial evidence and not de novo.

**20.50.040 – Application Preparation and Filing****A. Pre-application conference.**

1. Any applicant is strongly encouraged to request a pre-application conference with the Department before completing and filing a permit application.
2. The purpose of this pre-application conference is to:
  - a. Inform the applicant of City requirements as they apply to the proposed project;
  - b. Review the City's review process, possible project alternatives or revisions; and
  - c. Identify information and materials the City will require with the application, and any necessary technical studies and information relating to the environmental review of the project.
3. Neither the pre-application review nor the provision of information and/or pertinent policies shall be construed as either a recommendation for approval or denial of the permit application by any City staff. Failure by City staff to identify any required studies or any applicable requirements shall not constitute a waiver of those studies or requirements.

**B. Application contents.** Each permit application required by this Zoning Code shall be filed with the Department on the appropriate City application form, together with all required fees and/or deposits and all other information and materials specified by the Director for the specific type of application.

**C. Eligibility for filing.** An application may only be filed by the owner of the subject property or authorized agent of the owner with the written consent of the property owner. The application shall be signed by the owner of record or by an authorized agent, if written authorization from the owner of record is filed concurrently with the application.

**D. Rejection of application.** If the Director determines that an application cannot lawfully be approved by the City, the Director shall not accept the application for processing.

**20.50.050 – Application Fees**

**A. Fee schedule.** The Council shall establish a schedule of fees for the processing of the applications required by this Zoning Code, hereafter referred to as the City's Fee Schedule adopted by resolution.

**B. Timing of payment.** Applications shall not be deemed complete, and processing shall not commence on any application until all required fees or deposits have been paid. Failure to timely pay supplemental requests for payment of required fees and/or deposits shall be a basis for suspension of processing or issuance of any permit.

**C. Refunds and withdrawals.** Application fees cover City costs for public hearings, mailings, staff time and the other activities involved in processing applications. No refund for an application that is denied shall be allowed. In the case of a withdrawal by

the applicant, the Director shall have the discretion to authorize a partial refund based upon the pro-rated costs to date and the status of the application at the time of withdrawal.

### **20.50.060 – Initial Application Review**

- A. Review for completeness.** The Director shall review each application for completeness and accuracy before it is accepted as being complete. The determination of completeness shall be based on the City's applicable list of required application contents and any additional written instructions provided to the applicant in any pre-application conference, and/or during the initial application review period.
- 1. Notification of applicant or authorized agent.** Within 30 calendar days of application filing, the applicant or authorized agent shall be informed in writing, either that the application is complete and has been accepted for processing, or that the application is incomplete and that additional specified information shall be provided before the application is deemed complete.
  - 2. Appeal of determination.** Where the Director has determined that an application is incomplete, and the applicant believes that the application is complete and/or that any additional information requested by the Director is not required, the applicant may appeal the determination to the appropriate review authority in compliance with Chapter 20.64 (Appeals).
  - 3. Additional information.**
    - a. When the Director determines that an application is incomplete, the time used by the applicant to submit the required additional information shall not be considered part of the time within which the determination of completeness shall occur.
    - b. The time available to an applicant for submittal of additional information is limited by Subparagraph A. 4, below.
    - c. The additional specified information shall be submitted in writing.
    - d. The Director's review of any information resubmitted by the applicant shall be accomplished in compliance with Subparagraph A. 1, above, along with another 30-day period of review for completeness.
  - 4. Expiration of application.**
    - a. If an applicant fails to provide any additional information requested by the Director within 60 days following the date the application was deemed incomplete, the application shall be deemed withdrawn without any further action by the City.
    - b. After the expiration of an application, future City consideration shall require the submittal of a new, complete application and associated filing fees.

**5. Submittal of additional information.**

- a. During the course of the review process, the review authority may require the applicant to submit additional information or revised plans.
- b. The Director shall notify the applicant in writing of any revisions or additional information required and the applicant shall submit the requested information to the Department within 30 days after the date of the notice or within the period of time designated by the review authority.
- c. Failure to submit the required information within the 30-day period or within the period of time designated by the review authority may be cause for denial.

**6. Additional environmental information.** After an application has been accepted as complete, the Director may require the applicant to submit additional information needed for the environmental review of the project in compliance with the California Environmental Quality Act (CEQA), the City's CEQA guidelines, and Section 20.50.080 (Environmental Review), below.

- B. Referral of application.** At the discretion of the Director, or where otherwise required by this Zoning Code or State or Federal law, an application may be referred to any public agency that may be affected by or have an interest in the proposed project for their review and comment.

**20.50.070 – Project Evaluation and Staff Reports**

- A. Director evaluation.** The Director shall review all applications to determine whether they comply and are consistent with the provisions of this Zoning Code, the General Plan, and other applicable provisions identified in Section 20.10.040 (Applicability of Zoning Code).
- B. Staff report.** The Department shall provide a written recommendation for discretionary applications to the applicable review authority recommending that the application be approved, conditionally approved, or denied.
- C. Staff report to include findings.** Whenever this Zoning Code requires a set of findings to be made before granting approval of an application by the applicable review authority, it shall be the responsibility of the Department to present all relevant facts to support the findings.
- D. Report distribution.** Each staff report shall be furnished to the applicant at the same time as it is provided to the review authority before the review authority's action on the application.

**20.50.080 – Environmental Review**

- A. CEQA review.** After acceptance of a complete application, the project shall be reviewed in compliance with the California Environmental Quality Act (CEQA) to determine whether:
1. The project is not a project as defined by CEQA;

2. The project is exempt from the requirements of CEQA;
3. A Negative Declaration may be issued;
4. A Mitigated Negative Declaration may be issued; or
5. An Environmental Impact Report (EIR) shall be required.

**B. Compliance with CEQA.** These determinations and, where required, the preparation of appropriate environmental documents, shall be in compliance with CEQA and applicable Council policies.