

Chapter 18.13: Site Development Permits

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18.13.010 Purpose

In order to expedite permit processing for certain discretionary permits, it is the intent of this section to establish a procedure whereby site development permits may be processed and approved by the Director, Board of Administrative Review and/or Planning Commission. Site development permits are designed to address discretionary uses or activities that:

- A. Have lesser impacts and warrant less intensive review than uses requiring use permits.
- B. Conform to the City's General Plan and Zoning Ordinance.
- C. By their scope or nature have some potential to create land use conflicts with adjoining properties.

18.13.020 Uses and Development Subject to Site Development Permits

Site development permits are required for: (1) development and uses so identified on the *Use Regulations* tables found in Chapter 18.31 through 18.36 as requiring a site development permit and (2) as required by Schedules 18.32.030 or 18.33.030.

18.13.030 Site Development Permit Processes

Two specific procedures are established for the review and approval of site development permits: (1) Application review and approval by the Director is allowed for smaller scale projects that are exempt from review under the California Environmental Quality Act (CEQA) but that require review for compliance with this Code and the Design Criteria identified in Section 18.40.050 and (2) Application review and approval by the Board of Administrative Review is established for

larger projects which, due to their nature or scale, have the potential to result in adverse environmental impacts and/or land use impacts to adjacent or nearby properties.

18.13.040 Authority and Duties of Director

If a schedule contained in Section 18.32.030, Section 18.33.030, or Section 18.34.030 requires Director approval of a site development permit, the Director shall review and approve applications which are consistent with the General Plan, the general and specific purposes of the zoning district in which the site is located, adopted design criteria, and the provisions of this section. All provisions of this chapter pertaining to the process of review, approval, or denial of a site development permit shall pertain to actions taken by the Director, except that the requirements of Section 18.11.050 shall apply. The permit application may be referred to the Board of Administrative Review for consideration; however, the notice and public hearing requirements of Section 18.13.070 shall apply.

18.13.050 Authority of Board of Administrative Review

The Board of Administrative Review shall review, approve, or disapprove applications for site development permits which are consistent with the General Plan, the general and specific purposes of the zoning district in which the site is located, and the provisions of this section. The permit application may be referred to the Planning Commission by the Board of Administrative Review for consideration.

18.13.060 Application

An application for a site development permit, accompanied by the required fee, shall be filed with the Development Services Department in a form prescribed by the Director and shall be accompanied by plans and conceptual elevations necessary to show details of the proposed use and the proposed buildings, street access, parking, and landscape areas on the premises. The plan shall also show existing and proposed topography; proposed utility connections; stormwater-detention facilities, as applicable; the improved street section for all adjacent streets, including the locations of driveways on abutting properties and across the street(s) from the site as determined appropriate by the Director; and any other information determined by the Director to be necessary to determine compliance with this code, including required environmental findings. When applications for related permits on a single site are filed at the same time, a public hearing shall be scheduled, at which time action on all required approvals shall be taken.

18.13.070 Notice and Public Hearing

- A. **Public Hearings.** The Board of Administrative Review, or the Planning Commission, as the case may be, shall hold a public hearing on an application for a site development permit.
- B. **Notice of Hearing.** Notice of the public hearing shall be given, as prescribed in Chapter 18.11, Common Procedures.

18.13.080 Duties of the Board of Administrative Review and Planning Commission

- A. **Public Hearing.** The Board of Administrative Review or the Planning Commission, as determined by the Director, shall conduct the public hearing and consider the application. A public hearing may be continued to a definite date and time without additional public notice.
- B. **Decision and Notice.** Within 30 days of the conclusion of a public hearing, the hearing body shall approve, conditionally approve, or disapprove the application; notice of the decision shall be mailed to the applicant and any other party requesting such notice within 10 calendar days of the date of the decision.
- C. **Limits on Conditions of Approval.** No conditions of approval of a site development permit shall include use, height, bulk, density, open space, parking, loading, or sign requirements that are less restrictive than those prescribed by applicable district regulations.

18.13.090 Required Findings

The Director, Board of Administrative Review, or Planning Commission, as the case may be, shall approve an application for a site development permit as it was applied for or in modified form if, on the basis of the application, plans, materials, and testimony submitted, the hearing body finds that:

- 1. The proposed use will not be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood of such proposed use.
- 2. The proposed use will not be injurious or detrimental to the general welfare of the city.
- 3. The proposed use is consistent with the goals and policies established by the General Plan and this code.
- 4. The proposed use and project design are consistent with the design guidelines established by resolution of the City Council in accordance with Section 18.40.050, Design Criteria.

18.13.100 Conditions

Whenever a site development permit is granted, the Director, Board of Administrative Review or Planning Commission may impose reasonable conditions including, but not limited to, requirements for special yards, open spaces, buffers, fences, walls, location and orientation of roll-up doors, and screening; specific building design elements; requirements for installation and maintenance of landscape and erosion-control measures; regulation of vehicular ingress and egress and traffic circulation; construction of street improvements and dedication of right-of-way for street widening or street extensions; regulation of signs; regulation of parking; preservation of trees; regulation of lighting; regulation of hours or other characteristics of operation;

establishment of development schedules or time limits for performance or completion; extension and provision of public utilities and easements; requirements for periodic review by the Director; and such other conditions as the hearing body may deem necessary to ensure compatibility with surrounding uses; to preserve public health, safety, and welfare; and to implement the General Plan.

18.13.110 Effective Date; Appeals

A site development permit shall become effective at the end of the 10-day appeal period, unless appealed. Appeals shall be resolved in accordance with the provisions established in Chapter 18.11, Common Procedures.

18.13.120 Lapse of Approval; Revocation; Renewal

The lapse of approval, revocation, and renewal of site development permits shall be governed by the procedures set forth in Chapter 18.11, Common Procedures.

18.13.130 Revised Plans; New Applications

Revised Plans. A request for changes in conditions of approval of a site development permit or a change to site or building plans that would affect a condition of approval shall be treated as a new application, except that such changes determined to be minor, in the opinion of the Director, may be approved by the Director.