



# City of Hemet

PLANNING DIVISION  
445 E. Florida Avenue, Hemet, CA 92543  
(951) 765-2375  
[www.cityofhemet.org](http://www.cityofhemet.org)

Application No.:	_____
Date Received:	_____
Received By:	_____
Planner Assigned:	_____
Concurrent Projects:	_____

## PLANNING APPLICATION

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Administrative Adjustment | <input type="checkbox"/> Administrative Use Permit      | <input type="checkbox"/> Annexation                        |
| <input type="checkbox"/> Appeal                    | <input type="checkbox"/> Conditional Use Permit         | <input type="checkbox"/> Development Agreement / Amendment |
| <input type="checkbox"/> Downtown Project Review   | <input type="checkbox"/> Extension of Time (for: _____) | <input type="checkbox"/> General Plan Amendment            |
| <input type="checkbox"/> Planned Unit Development  | <input type="checkbox"/> Pre-Application Review         | <input type="checkbox"/> Sign Program / Amendment          |
| <input type="checkbox"/> Site Development Review   | <input type="checkbox"/> Specific Plan                  | <input type="checkbox"/> Specific Plan Amendment           |
| <input type="checkbox"/> Tentative Parcel Map      | <input type="checkbox"/> Tentative Tract Map            | <input type="checkbox"/> Variance                          |
| <input type="checkbox"/> Zone Change - Map         | <input type="checkbox"/> Zoning Ordinance Amendment     | <input type="checkbox"/> Other _____                       |

### Project Description

General Description of Proposed Project: \_\_\_\_\_  
\_\_\_\_\_

Has this project received Pre-Application Review Comments?  Yes  No PR No. \_\_\_\_\_  
Other Related Cases: \_\_\_\_\_

### Property Information

Project Address or Location: \_\_\_\_\_  
Assessor Parcel Number(s): \_\_\_\_\_  
Total Site Acreage: \_\_\_\_\_  
Current Land Use: \_\_\_\_\_ Proposed Lane Use: \_\_\_\_\_  
Current Zoning: \_\_\_\_\_ Proposed Zoning: \_\_\_\_\_  
Current General Plan: \_\_\_\_\_ Proposed General Plan: \_\_\_\_\_

### Contact Information

#### Applicant Information –The applicant is the designated contact to receive materials from the City.

Applicant Name: \_\_\_\_\_  
Applicant Address: \_\_\_\_\_  
Contact Name: \_\_\_\_\_  
Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_  
Applicant's Interest in Property:  Own  Rent Other: \_\_\_\_\_



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## SITE DEVELOPMENT REVIEW MAJOR and MAJOR MODIFICATION SUBMITTAL REQUIREMENTS

The following instructions are intended to provide the necessary information and procedures to facilitate the processing of a Site Development Review - Major application or Modification. Your cooperation with these instructions will ensure that your application can be processed in the most expeditious manner possible.

### THE SITE DEVELOPMENT REVIEW – MAJOR APPLICATION FILING PACKAGE CONSISTS OF THE FOLLOWING:

#### A. APPLICATION SUBMITTAL REQUIREMENTS

- 1. Completed application form.
  - a. Property Owner Consent Affidavit or Corporate Resolution, if owner is different from applicant.
- 2. Processing fees:
  - a. Application processing fee pursuant to the latest adopted fee schedule.
  - b. CEQA fees
    - (1) Initial Study or Categorical Exemption fee (paid with submittal).
    - (2) Additional environmental fees (if applicable).
  - c. Fish & Game fees (paid when application is scheduled for public hearing).
  - d. Notice of Determination recordation fee (paid when application is scheduled for public hearing).
  - e. Public hearing notice fees (paid when application is scheduled for public hearing).
  - f. Airport Influence Area Review fee (if applicable).
  - g. Technical Study Review fees (if applicable).
- 3. Completed environmental assessment form.
- 4. Preliminary title report completed by a licensed title company and prepared less than 6 months of the application submittal date.
- 5. Proof of ownership (i.e., grant deed).
- 6. A letter signed and dated by the applicant that addresses each of the following:
  - a. Detailed description of proposed use and activities including how site will be served by utilities.
  - b. Site design and elevations including parking and access, architecture and materials, landscaping, and fencing.
  - c. Compatibility with surrounding uses.
  - d. Consistency with design guidelines.
  - e. Compliance with General Plan and zoning land use designations.
- 7. Ten (10) full-size (24"x36" folded to 9"x12") copies of the following development plan sheets prepared per City standards (as determined applicable by DRC at Pre-Application Review)
  - a. Site plan including parking and circulation.
  - b. Floor plans.
  - c. Building elevations (north, south, east, west).
  - d. Roof plans including sections showing how HVAC equipment will be screened.
  - e. Preliminary landscape plan including fencing and exterior lighting. Show location, materials, and height of plants, fences, and light standards.

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- f. Preliminary grading plan including existing and proposed utilities.
  - g. Sign program details.
  - h. Any additional items requested by staff.
- 8. One (1) 11"x17" **color** copy of each of the following, placed in sets, and folded to 8½"x11".
    - a. Building elevations with materials and colors keyed to a materials board consistent with the City's approved color palette.
    - b. Materials board (photo).
    - c. Preliminary landscape plan.
  - 9. Photo documentation
    - a. Photos of the site including any existing buildings, landscaping, and site features labeled and keyed to a sitemap.
    - b. Photos of the surrounding properties (north, south, east, west) labeled and keyed to a site map.
  - 10. Materials board with samples of the materials depicted on the building elevation sheets.
  - 11. Any technical studies or reports requested by Development Review Committee (e.g., Water Quality Management Plan, traffic study, airport land use compatibility study, view analysis, cultural resources review.)
  - 12. One (1) electronic copy on CD of all submission materials including development plan sheets in PDF format, environmental documentation, photo documentation, technical studies, landscape plans and color renderings.

**WHEN THE APPLICATION IS DEEMED COMPLETE BY STAFF, THE FOLLOWING ITEMS ARE REQUIRING PRIOR TO SCHEDULING FOR A PLANNING COMMISSION PUBLIC HEARING:**

- 13. Ten (10) full-size (24"x36" folded to 9"x12") and one (1) 11"x17" (folded to 8½" x 11") copies of the **revised** development plan sheets as determined applicable in Item 7, drawn to scale, and placed in sets.
  - a. Any additional items requested by staff to process the application.
  - b. If the staff determines appropriate, 11"x17" sheets may be substituted for the full-size plans.
- 14. One (1) 11"x17" **revised color** copy of each of the following, placed in sets, and folded to 8½"x11".
  - a. Building elevations with materials and colors keyed to a materials board.
  - b. Materials board (photo).
  - c. Preliminary landscape plan.
- 15. One (1) set of 8½" x 11" reduction of all **revised** development plan sheets (including color renderings).
- 16. One (1) electronic copy on CD of all submission materials including development plan sheets in PDF format, environmental documentation, technical studies, landscape plans and color renderings.
- 17. Public hearing noticing fees (newspaper publication, mailing).
- 18. Notification package prepared and certified by a licensed Title Company with data updated less than six months from the submission date and includes:
  - a. One (1) 8½" x 11" radius map that shows the boundaries of the subject property, the 500 foot radius line, and the boundaries of all assessor parcels within the 500-foot radius boundary. The radius boundary line may be amended by the Director.
  - b. A list of assessor parcel numbers within the 500-foot radius boundary and the mailing addresses of all property owners and property occupants when the owner mailing address is different than the property address.

- c. Two (2) sets of property owner and property occupant (when the owner mailing address is different than the property address) mailing labels for all parcels located within the 500-foot radius boundary and one (1) electronic version in Microsoft Word.
  - i. Labels shall be 1" x 2.5", self-adhesive, on 8 ½ " x 11" sheets.
  - ii. Each mailing label shall include the assessor parcel number.
  - iii. The data shall be from the latest County Assessor's information.
- d. A notarized public notice mailing affidavit signed by the applicant or preparer.

**B. MAJOR MODIFICATION SUBMITTAL REQUIREMENTS**

- 1. Completed application form.
  - a. Property Owner Consent Affidavit or Corporate Resolution, if owner is different from applicant.
- 2. Application processing fees.
- 3. A letter signed and dated by the applicant that addresses each of the following:
  - a. Detailed description of proposed modification.
  - b. Explanation of how the proposed modification conforms to the original approval.
- 4. Any items determined by the Director as necessary to process the modification request such as development plan sheets or elevations.
- 5. One (1) electronic copy on CD/DVD of all submission materials.
- 6. Refer to Item No. 18 for public hearing notification package submittal requirements.

**C. APPLICANT NOTIFICATIONS**

- 1. Prior to submittal of a Site Development Review - Major application, proposed projects may require formal preliminary review by the Development Review Committee. Applications for Pre-Application Review are available at the Planning Division counter or on the Planning Division webpage.
- 2. Receipt of the application at the Planning Division counter **does not** indicate acceptance of a complete application. Government Code Section 65943 provides 30 days in which the City can review the application and determine completeness. The applicant will be sent a letter during this time period with either a statement of completeness or a list of additional items that are necessary to complete the application.
- 3. It is recommended that the applicant and/or representative be present at all hearings.
- 4. All correspondence and reports will be sent electronically (e-mailed) only to the project applicant as designated on the application form.
- 5. Please direct all questions to the Case Planner or contact the Planning Division at 951-765-2375.

**C. ATTACHMENTS**

- 1. Hemet Municipal Code Section 90-46.
- 2. Public notice mailing affidavit.

**Owner Information (Consent Affidavit required if Applicant is not the Property Owner)**

Owner Name: \_\_\_\_\_

Owner Address: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

**Architect Information**

Architect Name: \_\_\_\_\_

Architect Address: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

**Engineer Information**

Engineer Name: \_\_\_\_\_

Engineer Address: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

**Notifications**

1. Appointments are recommended for submittals. Call the Case Planner or 951-765-2375 for scheduling.
2. Applications will be initiated within 24 hours of submittal. Applications submitted after noon on Thursday will be initiated the next City Hall business day.
3. Acceptance of the application at the counter **does not** represent a complete application. Government Code Section 65943 provides 30 days in which the City can review the application and determine completeness. The applicant will be sent a letter during this time period with either a statement of completeness or a list of additional items that are necessary to complete the application.
4. If projects include a legislative item required to be heard by the City Council, all other concurrent applications for the project will also be heard by the City Council.

**Authorizations**

Print Applicant Name \_\_\_\_\_

Applicant Signature \_\_\_\_\_ Date \_\_\_\_\_

**Attachments**

1. Property Owner Consent Affidavit (Not required for Pre-Application Review applications).



# City of Hemet

**Property Owner  
Consent  
Affidavit**

445 E. FLORIDA AVENUE, HEMET, CA 92543 (951) 765-2375

**\*\*THIS FORM MUST BE NOTARIZED\*\***

**PROJECT NO(s).** \_\_\_\_\_

STATE OF CALIFORNIA )  
COUNTY OF RIVERSIDE ) SS DATE:  
CITY OF HEMET )

I/We, \_\_\_\_\_, \_\_\_\_\_, the **OWNER(s)** of the Real Property involved in this application, do hereby consent to the filing of this application. I/We do hereby appoint the following person(s) as my agent(s) to act on my behalf on the foregoing application:

**AGENT:** \_\_\_\_\_ Phone No: (\_\_\_\_) \_\_\_\_\_  
(Printed Name of Agent)

**Address of Agent:** \_\_\_\_\_  
(Number) (Street) (City) (State) (Zip)

**OWNER:** \_\_\_\_\_ **OWNER:** \_\_\_\_\_  
(Signature) (Signature)

**Address:** \_\_\_\_\_ **Address:** \_\_\_\_\_  
(Number) (Street) (Number) (Street)  
(City) (State) (Zip) (City) (State) (Zip)

**NOTE:** A NOTARIZED OWNER'S AFFIDAVIT IS REQUIRED AS PART OF ALL APPLICATIONS. IF OWNERSHIP IS HELD OTHER THAN BY AN INDIVIDUAL, PROOF, IN THE FORM OF A SPECIAL POWER OF ATTORNEY, AUTHORIZED CORPORATE RESOLUTION, PARTNERSHIP AGREEMENT OR OTHER ACCEPTABLE DOCUMENT(S) SHALL BE SUBMITTED TO THE CITY ALONG WITH THE NOTARIZED SIGNATURES OF THOSE OFFICERS AUTHORIZED TO SIGN ON BEHALF OF CORPORATION OR PARTNERSHIP. PLEASE NOTE THAT YOUR APPLICATION MAY NOT BE DETERMINED TO BE COMPLETE UNLESS AND UNTIL OWNERSHIP CAN BE VERIFIED.

## FOR OFFICIAL USE ONLY

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

Subscribed and sworn to (or affirmed) before me this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

BY \_\_\_\_\_, BY \_\_\_\_\_  
(Printed Name of Owner As Signed Above) (Printed Name of Owner As Signed Above)

Proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

\_\_\_\_\_  
NOTARY PUBLIC SEAL



# City of Hemet

## Environmental Assessment Form

445 E. FLORIDA AVENUE, HEMET, CA 92543 (951) 765-2375

DATE FILED: \_\_\_\_\_, 200\_\_  
\_\_\_\_\_

PROJECT NO: \_\_\_\_\_

### General Information

1. List the applicant's name and address.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. List the site address and/or assessor parcel number(s).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Describe the project.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### Land Development Information

4. Current zoning: \_\_\_\_\_

Proposed zoning: \_\_\_\_\_  
\_\_\_\_\_

5. Current General Plan designation: \_\_\_\_\_ Proposed General Plan designation: \_\_\_\_\_

6. Describe any building(s) currently on the site and for what the site is being used.

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7. Describe the area surrounding the property and any unique topographic features on the site (i.e. agricultural lands, drainage areas, slopes, plants, wildlife, etc.). Attach a copy of the RCIP Habitat Assessment Report for each APN # included in project site.

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8. Describe the type and number of equipment to be used on the site, both during construction and as part of the operation of the proposed use.

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9. Please fill in the appropriate blanks which apply to your project.

Residential

Commercial

Industrial

No. of units: \_\_\_\_\_

Building size (sf): \_\_\_\_\_

Building size (sf): \_\_\_\_\_

Sales range: \_\_\_\_\_

No. of employees: \_\_\_\_\_

No. of employees: \_\_\_\_\_

Rental range: \_\_\_\_\_

Hours of operation: \_\_\_\_\_

Hours of operation: \_\_\_\_\_

Days open: \_\_\_\_\_

Days open: \_\_\_\_\_

Please indicate, by checking "yes" or "no" if the following items apply to your project. For each item checked with a "yes" please explain why and how it applies, use additional sheets as necessary. Additional information may be requested at the time of submittal of your application. Please feel free to the Planning Department should you have any questions.

10. Will the project alter the existing feature of any lake shore, creek, river, or stream, or alter the ground to eliminate major topographic features. Yes \_\_\_\_ No \_\_\_\_ If yes, please explain.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

11. Will the project change existing scenic views or vistas from existing residential areas or public lands or roads. Yes \_\_\_\_ No \_\_\_\_ If yes, please explain.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

12. Will the project change the pattern, scale, or character of the area around the project. Yes \_\_\_\_ No \_\_\_\_ If yes, please explain.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

13. Will the project generate significant numbers of school age children. Yes \_\_\_\_ No \_\_\_\_ If yes, please explain.

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14. Will the project generate large amounts of solid waste or litter beyond what would be normally expected. Yes \_\_\_\_ No \_\_\_\_ If yes, please explain.

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15. Will the project generate large amounts of dust, ash, smoke, fumes, or odors in the area. Yes \_\_\_\_ No \_\_\_\_ If yes, please explain.

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16. Is the project expected to retain drainage waters on-site, or alter the existing drainage patterns. Yes \_\_\_\_ No \_\_\_\_ If yes, please explain.

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17. Will the project generate unexpected or unanticipated noise when complete, which would be considered

to be above and beyond the existing (ambient) noise in the area. Yes \_\_\_\_ No \_\_\_\_ If yes, please explain.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

18. Will the project use and/or dispose of potentially hazardous materials, such as toxic substances, flammables, or explosives. Yes \_\_\_\_ No \_\_\_\_ If yes, please explain.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

19. Will the project cause an increase, beyond what would normally be expected, in demand for municipal services such as police, fire, water, sewage, etc. Yes \_\_\_\_ No \_\_\_\_ If yes, please explain.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

20. Will the project cause an increase, beyond what would normally be expected in fossil fuel consumption. Yes \_\_\_\_ No \_\_\_\_ If yes, please explain.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Certification**

**I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial environmental assessment, to the best of my knowledge and belief.**

Date: \_\_\_\_\_

Signature: \_\_\_\_\_



# City of Hemet

## Property Owner Mailing List Affidavit

445 E. FLORIDA AVENUE, HEMET, CA 92543 (951) 765-2375

(THIS FORM MUST BE NOTARIZED)

PROJECT NO(s). \_\_\_\_\_

STATE OF CALIFORNIA )  
COUNTY OF RIVERSIDE )  
CITY OF HEMET )

SS

DATE: \_\_\_\_\_

I, \_\_\_\_\_, certify that on \_\_\_\_\_, the attached property owners list was prepared by \_\_\_\_\_ pursuant to application requirements furnished by the City of Hemet Planning Department. Said list is a complete and true compilation of owner(s) of the subject property and all other property owners within 500 feet of the property involved in the application and is based upon the latest equalized assessment rolls. I further certify that the information may be grounds for rejection or denial of the application.

Owner/Authorized Agent \_\_\_\_\_  
(Signature)

Owner/Authorized Agent \_\_\_\_\_ Phone No.: (\_\_\_\_) \_\_\_\_\_  
(Printed Name)

Address: \_\_\_\_\_  
(Number) (Street) (City) (State) (Zip)

### FOR NOTARY PUBLIC USE ONLY

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

SUBSCRIBED AND SWORN TO BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20 \_\_\_\_\_

BY \_\_\_\_\_  
(Printed Name of Owner As Signed Above)

BY \_\_\_\_\_  
(Printed Name of Owner As Signed Above)

\_\_\_\_\_  
NOTARY PUBLIC SEAL

HEMET MUNICIPAL CODE, CHAPTER 90 (ZONING ORDINANCE)

**SEC. 90-48. – SITE DEVELOPMENT REVIEW APPLICATIONS**

- (a) *Purpose.* The purpose of a site development review application is to ensure compliance with the development standards of this chapter, building, fire, and housing codes, applicable design guidelines and standards, specific plan requirements, and general plan policies prior to the issuance of building permits. It is further the intent of the city by this section to provide for the orderly administration of the various regulations of the city, and to minimize future problems therewith, by requiring the review and approval of development proposals by means of a site development review approval process.
- (b) *Applicability.* A site development review application shall be required for all new and revised development projects as provided in this section.
- (1) **Major site development review.** A major site development review application is required for projects consisting of:
- i. The site design and architecture of single family residential projects containing five or more parcels;
  - ii. Multi-family residential projects of four or more units;
  - iii. Commercial centers with over 15,000 square feet of building area;
  - iv. Institutional, public facility, or community facilities including recreation facilities and outdoor venues;
  - v. Other uses for which major site development review is required by an adopted specific plan or the Hemet municipal code.
- (2) **Minor site development review.** A minor site development review application is required for projects consisting of:
- i. Single family residential projects containing two to four parcels;
  - ii. Industrial projects regardless of size with the exception of accessory buildings;
  - iii. Commercial centers with 15,000 square feet or less of building area;
  - iv. Commercial center upgrades or façade enhancements involving 40 percent or more of the center or facade;
  - v. Churches and religious institutions in the S-1 zone or otherwise not requiring a conditional use permit;
  - vi. Other uses for which minor site development review is required by an adopted specific plan or the Hemet municipal code.
- (3) Minor site development review applications may be remanded for planning commission review and approval if determined by the director to have the potential to cause special community impacts or other unique or unusual effects.
- (4) In the event that a conditional use permit is required in addition to the site development review, only the conditional use permit application need be submitted, provided that the application materials and findings also address the requirements of this section.
- (5) If site development review is not required pursuant to this section, projects may proceed to plan check or permit, as applicable. The director may also determine that based upon the scope and circumstances of a particular project a site development review application is not required.
- (c) *New applications.* An application for site development review shall be filed with the director or the director's designee by the property owner or an authorized agent on a form(s) prescribed by the

director, and shall include information and/or maps which are deemed by the director to be necessary to enable the approving authority to make the required findings. The director or the director's designee shall make available, in writing, a listing of the information and/or maps, which are required to be submitted. Concurrent applications may be filed and processed.

**Sec. 90-48.1. - Review of applications and approving authority.**

- (a) **Major site development review applications.** The planning commission shall be responsible for the review and approval of major site development review applications.
- (b) **Minor site development review applications.** The director shall be responsible for the review and approval of minor site development review applications.
- (c) **Effective date.** The permit shall become effective 10 days following the date of approval by the applicable approving authority, unless otherwise appealed pursuant to section 90-48.6.

**Sec. 90-48.2. - Application fees and refunds.**

- (a) An application fee for site development review shall accompany the application submittal requirements, which are filed with the director. The fee(s) shall cover the costs of processing the applications in accordance with a schedule adopted from time to time by city council resolution.
- (b) Applications which are deemed incomplete and with no activity to complete the application for a period of 12 months from the filing date, are considered automatically withdrawn and may be subject to a refund in accordance with this section. Applications which have been withdrawn will require a new application and fee to be submitted in order to process the application.
- (c) Application fee refunds shall be authorized by the director for applications that are withdrawn upon written request and proof of payment by the applicant, in accordance with a refund schedule based upon staff time spent of the project. Requests for application fee refunds shall be valid for a period of up to six months from the date of withdrawal.
- (d) Portions of application fees paid to another jurisdiction or agency for services to be rendered in connection with the application shall not be refunded by the city. Nothing contained in this section shall prohibit another jurisdiction or agency from refunding fees directly to the applicant. If fees have been paid out to another jurisdiction or agency, the administrative fee related to coordinating the review of applications by other jurisdictions or agencies is non-refundable.

**Sec. 90-48.3. - Investigation.**

The director shall investigate and prepare a written report on all applications. Copies of the report shall be provided to the approving authority and the applicant at least three calendar days prior to a hearing on the application.

**Sec. 90-48.4. - Hearing and notice procedure required.**

- (a) **Major site development review applications.**
  - (1) **Hearing Date.** The director in the case of the planning commission, and the city clerk in the case of the city council shall set the time and place of the required public hearings. The hearing body, i.e., the commission, or council may change the time or place of their hearing, or may continue their hearing from time to time.
  - (2) **Public hearing notice.** Notice of public hearings shall contain the time and place of the hearing and the location and proposed use of the subject property.
  - (3) **Publication.** Notice of public hearing shall be published once in a newspaper of general circulation in the city not less than ten days prior to the date of the hearing.
  - (4) **Mailing.** Notice of public hearing shall be mailed not less than 10 days prior to the date of the hearing of owners of property within a radius of 500 feet of the exterior boundaries of the

subject property. If the director deems the proposal to have a greater effect than the required notification radius, the director may increase the notification radius appropriately.

- (5) *Testimony.* A summary of all pertinent testimony offered at the public hearing, the names and addresses of the persons testifying, copies of all notices affidavits of posting and publication, and records of action taken shall be a part of the permanent files of the project.

(b) ***Minor site development review application.***

- (1) The director shall set the time and place of the required administrative hearing. The director or the director's designee may change the time or place of the hearing, or may continue their hearing from time to time.
- (2) Notice of the administrative hearing by the director shall be provided in writing to the adjacent and across the street property owners and tenants as well as any onsite tenants. The notice shall indicate the time and place of the hearing, a contact person, phone number of the contact person, where a copy of the staff investigation report may be viewed and/or obtained, and the appeal procedure.

**Sec. 90-48.5. – Findings required.**

Upon approval of a site development review application, the approving authority shall make the following findings:

- (a) The project complies with the all provisions of this chapter, and all other relevant city regulations, policies and guidelines including applicable design guidelines, specific plan requirements, and general plan policies;
- (b) The project complies with the California Environmental Quality Act and all applicable requirements and procedures of the act have been followed;
- (c) The design, scale, height, and layout of the project is appropriate for the site, will not unreasonably interfere with the use and enjoyment of neighboring existing or future developments, will not create traffic or pedestrian hazards and will not otherwise have a negative impact on the aesthetics, health, safety or welfare of neighboring uses;
- (d) The architectural design of the project is compatible with the character of the surrounding neighborhood and will enhance the visual character of the neighborhood through good aesthetic use of materials, texture and color;
- (e) The project applies applicable energy, water, and open space conservation practices to project design as outlined in the general plan and any relevant specific plan to help manage and conserve natural resources for the benefit of current and future residents.

**Sec. 90-48.6. - Appeals.**

- (a) *Appeal of the director's decision.* An appeal by an interested party may be made to the planning commission of the director's decision. The appeal shall be filed within ten calendar days of the director's decision by filing a letter of appeal with the director and paying the required appeal fee established by city council resolution. The commission may affirm, modify or reverse the director's decision, making findings required by this chapter and/or state law.
- (b) *Appeal of the planning commission's decision.* An appeal by an interested party may be made to the city council of a planning commission decision. The appeal shall be filed within ten calendar days of the commission decision by filing a letter of appeal with the director and the required appeal fee established by city council resolution. The council may affirm, modify or reverse the planning commission decision, making findings required by this chapter and/or state law. The decision of the city council shall be final.

**Sec. 90-48.7. - New application following a denial.**

An application for site development review on the same property or substantially the same property following the same request, shall not be accepted within one calendar year of the date of denial unless the approving authority waives the resubmittal date at the time of project denial.

**Sec. 90-48.8. - Expiration and time extensions.**

Site development review approval shall expire 24 months after final approval unless construction has commenced and is being carried on diligently to completion, or an application for a time extension is filed prior to the expiration. If an application for extension is filed prior to the expiration, the approving authority may extend the time limit up to a maximum period of three additional years.

**Sec. 90-48.9. - Modifications and/or revisions.**

Modifications or revisions to an approved site development review application shall require submittal of a request to the director. The director shall have the authority to permit minor modifications to an approved minor site development review application. For the purposes of this section, a minor modification means where there is less than twenty percent change to the site plan, floor area, architecture, or façade of the original approval. The planning commission shall review all other modifications or revisions in accordance with the required review procedures in this chapter. Modifications must be found in substantial conformance to the original approval. All copies of the revised site development review permit including the site plan and conditions of approval shall be dated and signed by the director and made a part of the record.

**Sec. 90-48.10. - Suspension and/or revocation.**

- (a) *Suspension for violation.* Upon violation of any applicable provision of this article, or, if the application was granted subject to conditions, upon failure to comply with conditions, the application shall automatically be suspended. The approving authority shall, within 40 calendar days of the suspension of the conditional use permit, hold a hearing in accordance with the requirements of section 90-48.3 to consider revocation.
- (b) *Findings for Revocation.* A site development review permit may be revoked if the planning commission finds:
  - (1) That the site development review permit was obtained by fraud; or
  - (2) That the use for which the site development review permit was granted is not being exercised; or
  - (3) That the use for which the site development review permit was granted has ceased or been suspended for more than six months; or
  - (4) That a status of non-compliance exists with regards to any of the conditions of the site development review permit.
- (c) *Revocation.* If after the hearing the approving authority is not satisfied that the regulation, general provision or condition for which compliance is required is being met the following actions shall be taken:
  - (1) The permit may be revoked and become null and void; or
  - (2) The approving authority may take such action as deemed necessary and appropriate to ensure compliance with the regulation, general provision or condition; or
  - (3) New requirements and/or conditions may be added.
- (d) Action of the approving authority shall be final within ten calendar days unless appealed in accordance with the procedures of section 90-48.6.