

## CHAPTER 19.32 APPLICATIONS AND FEES

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### **19.32.010 PURPOSE**

These provisions prescribe the procedures and requirements for filing of applications for permits, amendments, and approvals.

### **19.32.020 FILING**

Application for permits, permit modifications, amendments, and other matters pertaining to this Development Code shall be filed with the Department on a City application form, together with all fees, plans, maps, and any other information required by the Department. The application shall be made by the owner(s) or lessee(s) of property, or their agent(s), or person(s) who have contracted to purchase property contingent upon their ability to acquire the necessary permits under this Development Code, or the agent(s) of such persons.

### **19.32.030 FEES**

The Council shall, by resolution, establish a schedule of fees for permits, amendments, and other matters pertaining to this Development Code. The schedule of fees may be changed or modified only by resolution of the Council. Until all applicable fees have been paid in full, review shall not commence on any application. The City is not required to continue processing any application unless its fees are paid in full. Failure to pay the applicable fees is grounds for denial of the application.

### **19.32.040 INITIAL FILING**

All applications filed with the Department in compliance with this Development Code shall be initially processed as follows.

- 1. Completeness review.** The Director shall review all applications for completeness and accuracy before they are determined to be complete in compliance with Section 19.32.020 (Filing) above.

**2. Notification of applicant.**

- A. No later than 30 days of the filing date of the application, the City shall determine in writing whether the application is complete and has been accepted for processing, or that the application is incomplete and that additional information, specified in the letter, shall be provided to make the application complete. The City shall immediately transmit the determination to the applicant.
- B. Failure of the Director to respond within 30 days of submittal of an application with a determination as to completeness shall be deemed a determination that the application is complete.
- C. The applicant has the right to appeal pursuant to Chapter 19.52.

**3. Content of Application.**

- A. The Director may find that unusual characteristics of a project site or the nature of a project make it infeasible or unnecessary for the applicant to submit all of the information for an application required by this Development Code.
- B. In these cases, the Director may reduce the content requirements if it is also found that the absence of the information will not reduce the ability of the Director to evaluate the compliance of the proposed project with the standards of this Development Code.

**4. Appeal of determination of completeness.**

- A. Appeal of Director's determination.
  - (1) If the Director determines that an application is incomplete, the applicant shall have the right to appeal that determination to the Commission by submitting a letter and fee to the Commission within 15 days of the notice of incompleteness.
  - (2) The applicant's letter shall clearly state the reasons why the applicant believes the application is complete.
  - (3) Appeals included within this Subsection may also include appeals where it is alleged by the appellant that the Director erred in refusing to accept or process an application for failure to pay outstanding fees and charges in compliance with the City's Schedule of Service Charges. In hearing and deciding an appeal of the Director's determination, the Commission shall consider the correctness of the amount of the outstanding fee or charge, and whether the fee or charge is owed by the appellant, if the issues are raised by the appellant.

- B. The Commission shall make a decision on the appeal of the Director's determination.
  - C. The applicant shall have the right to appeal the Commission's decision to the Council by submitting a letter and fee to the City Clerk within 15 days of the Commission's decision.
  - D. The Council shall make a decision on the appeal of the Commission's decision.
5. **Environmental information.** The Director may require the applicant to submit additional information needed for the environmental review of the project.
6. **Application deemed withdrawn.** If the applicant does not provide the additional information required in compliance with Section 19.32.040(1), above, within 90 days after the date of the letter requesting the additional information, the Director may consider the application withdrawn if the Director determines that reasonable progress toward completion of the application has not occurred, unless an appeal of the Director's determination has been filed. Application processing shall not resume thereafter until a new application is filed, including fees, plans, exhibits, and other materials that are required for any project on the same site.
7. **Referral of application.** At the discretion of the Director, or where otherwise required by this Development Code, State, or Federal law, any application filed in compliance with this Development Code may be referred to any public agency that may be affected by or have an interest in the proposed land use activity.