



ADMINISTRATIVE POLICIES

Office of the City Manager

Policy Number CM-18
Version 1
Effective Date April 1, 2022
Responsible Department Community & Economic Development

TITLE: LAND USE DEVELOPMENT APPLICATION PROCESSING TIMELINES

- New
 Supersedes AP Number XX-XX, Version X, effective {date}

APPROVAL



City Manager Signature



Date Approved

1. **PURPOSE.** The purpose of this policy is to set forth the legislative and discretionary land use development application processing timelines for developments proposed within the City of Tulare.
2. **SCOPE.** Any and all legislative and discretionary land use development applications proposed within the City limits or Sphere of Influence (Annexation requests).
3. **DEFINITIONS**
 - 3.1. **Ministerial Projects** - Ministerial approvals determine that a request complies with a set of codified standards such as the Tulare Municipal Code and do not require a discretionary permit from a City decision making body such as the Planning Commission or City Council.
 - 3.2. **Discretionary Projects** - Discretionary approvals require a decision-maker to exercise judgment and deliberation, such as granting a Conditional Use Permit.
4. **POLICY.**
 - 4.1. The City of Tulare will comply with timeline provisions as set forth in the Permit Streamlining Act (Government Code § 65943; 14 California Code of Regulations §§ 15060(a), 15101) when applicable.
 - 4.2. Projects that are subject to a ministerial decision go through an average of two to four administrative-level review cycles before a decision is made, depending on project complexity. Each review cycle averages 30 days to complete. For projects subject to Site Plan Review in accordance with Tulare Municipal Code Chapter 10.120, within 30 working days after submission, the Site Plan Review Committee shall either i) approve, ii) conditionally approve, or iii) disapprove the

proposed site plan. The Site Plan Review Committee shall have the power to apply those conditions to a planned development permit that the Committee finds are in keeping with current city ordinances and reasonably necessary to protect the public health, safety, and general welfare.

- 4.3 Projects that go through a discretionary decision generally take a longer period of time before a decision is made. Discretionary permit applications typically go through three to five review cycles before a public notice is sent that a decision will be made by staff or by a decision making body (Planning Commission or City Council) at a public hearing. Discretionary decision review cycles average between 30-45 days each cycle. From a complete submittal until a decision is made can take an average of four to six months, based on project complexity, customer response times, and the type of environmental document that the project is subject to.
- 4.4 Environmental review is a key part of the review process for projects requiring discretionary action. All discretionary actions are subject to environmental review under the State of California Environmental Quality Act (CEQA). This process begins when a complete application for a permit or other approval is received by City staff. The environmental review process occurs at the same time and in parallel with all other project review. Projects cannot be scheduled for a decision or public hearing until either the project is determined to be exempt from CEQA or the appropriate environmental document has been distributed for public review and then finalized. City staff review of the project for conformance with development regulations and policies can often be finished prior to the completion of the environmental document. Public hearings to make decisions on projects are often held 45-60 days after the environmental document has been finalized.
- 4.4 Project applications are processed in the order they are received and deemed a complete application, unless alternative direction is given by the City Manager or his/her designee. An application is deemed complete once all required documents are submitted along with completed applications. For entitlement applications beyond Site Plan Review, an application is deemed complete once all required applications and documents are complete and submitted, along with payment of all application and entitlement fees. For environmental documents prepared by staff, all requested technical studies must be submitted for staff to begin work on the environmental document. For staff review of a consultant-prepared environmental document, the document will be reviewed when a complete environmental document is submitted, in the order it was received among other submittals. Environmental document review cycles average between 15-45 days depending on project complexity and current staffing and workload, while staff preparation of an environmental document averages between 90-120 days, also depending on project complexity and current staffing and workload.

5 Staff will work to meet or beat the processing timelines outlined herein, however requests for information on project applications and entitlements submitted under the California Public Records Act are typically handled by the same staff that are working to review the applications and entitlements, which therefore, may further delay or extend staff review times.

6. REVISION HISTORY

Version #

Date

Approved By