CHAPTER 10.52 ZONING PERMITS

10.52.010 Purpose

The Zoning Permit process allows for review of new and modified structures and uses for compliance with all provisions of Title 10, Zoning Regulation. In addition to the general purposes established by Section 10.10.030 (Title and Purpose), the specific purposes of this chapter are as follows:

- A. To provide for Community Development Department review of all permitted land uses; and
- B. To ensure building permits are issued consistent with this Title 10.

10.52.020 Applicability

Application shall be made on a form provided by the Community Development Department at the time application is made for the Building Permit. If no Building Permit is required, application shall be made whenever there is any change in the use of any structure, or any change of use in any land, or whenever there is a change in existing grade greater than six (6) feet or whenever any sign is erected, altered, strung, or otherwise displayed. Building Permits for non-structural interior work (e.g., plumbing and electrical permits, interior water heater replacement, and non-structural interior remodels) shall not require a Zoning Permit, unless otherwise determined by the Community Development Director.

10.52.030 Application Contents

The applicant shall submit all required data at the time of making application, including a site plan drawn to scale showing location of all existing and proposed buildings, yards, driveways, and parking areas and all other uses on the property as required to assure consistency with the General Plan, Marinship Specific Plan and Zoning Ordinance. Acceptance of an application does not constitute any indication of approval.

10.52.040 Application Process and Decision

The Community Development Department shall evaluate the proposed use and check for compliance with all applicable provisions of this Title and all other applicable ordinances and laws. If the proposal complies with all applicable provisions of this Title and other applicable regulations, the Community Development Department shall issue the permit. If the structure or site and proposed use does not comply in all respects with the provisions of this Title and all other applicable ordinances and laws, or a referring City Department recommends denial, the Community Development Department shall deny the application for a Zoning Permit. Denial shall be in writing, setting forth the reasons and advising the applicant of a summary of the appeal process.

10.52.050 Appeals

All decisions of the Community Development Department, with respect to Zoning Permits, may be appealed to the Planning Commission within ten (10) days of the decision date. Appeals shall be in writing and shall be submitted and processed in accordance with Chapter 10.84

(Appeals) of this Title. No Zoning Permit issued pursuant to this section shall be effective until the 10-day appeal period has expired.

10.52.060 Expiration

The Zoning Permit shall expire and become null and void one year following the date on which the Zoning Permit becomes effective unless one of the following occurs:

- A. The use has commenced; or
- B. A building permit has been issued by the Building Official and construction started and diligently pursued toward completion on the subject property; or
- C. The Building Official has issued a Certificate of Occupancy for the subject site or structure.

10.52.070 Extension

Renewal of the Zoning Permit may be requested from the Community Development Department prior to the expiration of the Permit. The Community Development Department may grant one six (6) month extension or deny an application for renewal of a Zoning Permit consistent with Section 10.50.140 (Extension of Approved Permits). Community Development Department decision may be appealed to the Planning Commission in accordance with Chapter 10.84 (Appeals) of this Title.