

CHAPTER 30.40 – APPLICATION FILING AND PROCEDURES

Sections:

30.40.010 – Authorization for Initiation

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30.40.010 – Authorization for Initiation

A. Land Use Permits.

1. Applications for variances, administrative exceptions, conditional use permits, wireless telecommunications facilities permits, design review, home occupation permits, Density Bonus Housing Plan, development projects in the SR Special Recreation zone, parking reduction permits, and parking use permits may be initiated by the verified application of the recorded owner or owners of the subject property or authorized agent thereof.
2. No variance, conditional use permit, wireless telecommunications facilities permit, parking reduction permit or parking use permit which has been denied in whole or in part shall be filed again within six (6) months date of such denial except upon proof of changed conditions or by permission of the Director of Community Development.

B. Change of Zone, Amendment to the Zoning Ordinance, Text, Amendment to the General Plan, Special Street Setback Ordinance.

Applications or petitions for a change of zone, amendment to the zoning ordinance text, amendment to the general plan or a special street setback ordinance may be initiated by either:

1. The verified application of the recorded owner or owners of the subject property or authorized agent thereof, pursuant to the provisions of article XV, section 2 of the Glendale Charter; or
2. The council through its own motion.

30.40.020 – Application Filing

- A. Requests for variances, administrative exceptions, conditional use permits, wireless telecommunications facilities permits, design review, development projects in the SR Special Recreation Zone, parking reduction permits, and parking use permits shall be made on forms prescribed by the Director of Community Development. Requests for setback ordinances or amendments to the General Plan, Zoning Map or the text of the Zoning Ordinance shall be filed with the Community Development Department. Applications and accompanying materials for variances, administrative exceptions, conditional use permits, wireless telecommunications facilities permits, design review, development projects in the SR Special Recreation Zone, parking reduction permits, and parking use permits shall also be filed with the Director of Community Development. Requests shall contain all information necessary to evaluate the proposal including but not limited to maps, drawings to scale of land and existing and/or planned buildings, dimensions, descriptions and data. No request shall be accepted unless such sufficient information is provided.

- B. Requests shall also contain:
1. For variances and administrative exceptions, a statement containing any facts, arguments or ground in support of the variance or exception which the applicant wishes to make.
 2. For conditional use permits and wireless telecommunications facilities permits, all information necessary to demonstrate that all the required findings of fact exist with respect to the proposed conditional use permit or wireless telecommunications facilities permit.
 3. For parking reduction permits and parking use permits, a statement containing any facts, arguments or grounds in support of the parking reduction permit or parking use permit which the applicant wishes to make.
 4. For general plan amendments, all information necessary to demonstrate that the proposed general plan amendment is in the public interest of the City.
 5. For a change of zone or amendment to the zoning ordinance text, all information necessary to demonstrate that the proposed change of zone or amendment is in general conformance with the general plan. Where a proposed zone change is not in conformance with the general plan, a concurrent application for a general plan amendment shall also be made.
- C. All applications shall be deemed filed after thirty (30) days unless the Director of Community Development rejects such application, in writing, within thirty (30) days after submission, specifying why the application is incomplete.
- D. For Zoning Use Certificates, if a new Zoning Use Certificate has not been obtained within one hundred eighty (180) days after the initial application fee is paid, a new application shall be filed and another application fee shall be paid before a Zoning Use Certificate may be issued.
- E. For conditional use permits, variances, change of zone, or amendment to the Zoning Ordinance text or to the General Plan, development plans in the SR Special Recreation Zone, parking reduction permits, or parking use permits, or when a public hearing is required for a wireless telecommunications facilities permit, applicants shall also submit certified public notice mailing labels for all owners of real property as shown on the latest equalized assessment roll within a five hundred (500) foot radius of the exterior boundaries of the real property that is the subject of the hearing except that if such property is owned by the same person or entity, the owners of contiguous real property to that owned by the applicant shall also be included, property ownership map keyed to the mailing labels. If additional mailed notice is required, it shall be the responsibility of the applicant to provide certified public notice mailing labels for all owners of real property as shown on the latest equalized assessment roll within an area determined by the Director of Community Development to be directly affected by the request and to provide a property ownership map keyed to the mailing labels.
- F. Special setback ordinance requests shall also contain certified public notice mailing labels for all owners of real property as shown on the latest equalized assessment roll within the boundaries of the area proposed for special setbacks and a property ownership map keyed to the mailing labels.
- G. Applications for design review shall be made on forms prescribed by the Director of Community Development and contain all information required therefore. The Director of Community Development shall determine whether the applications and materials are complete prior to review by the review authority. An application may be filed for preliminary or conceptual review. However,

approval can only be obtained by filing a complete application for final review consideration. For the purposes of this section the term “review authority” shall mean the Design Review Board, the Glendale Redevelopment Agency (in the event the Redevelopment Agency is suspended or eliminated, the review authority shall be the City Council), the City Council, the Director of Community Development, or the Historic Preservation Commission, as applicable.

Information to be supplied for preliminary or conceptual review need not show finished details but shall include: site plan studies; the proposed site plan; reduced-size proposed site plan; general location of proposed improvements; location of adjoining development including, for projects in the R1, R1R and ROS zones, the location of windows; precise location, type, and size of existing trees on the site and within twenty (20) feet of the site on adjacent property; photographs of the site and surrounding properties; all building elevation views, which may be colored; reduced-size building elevation views, which may be colored; identification of the architectural style of proposed building or structure; a general description of the materials and colors to be used; a general description or statement concerning proposed landscaping; a general description or statement of consistency with applicable city design guidelines; a general description of compliance with National Pollution Discharge Elimination System (NPDES) requirements; and, other information as necessary to demonstrate the extent to which the proposed development is in keeping with the intent, purpose, and standards of design review.

Information to be supplied for final review shall include in addition to requirements specified for preliminary or conceptual review: a dimensioned site plan; reduced-size site plan; building floor plans; reduced-size building floor plans; rendered perspective; Sight-line studies for hillside development, complete colored building elevation views; reduced-size colored building elevation views; samples of primary building materials to be used; certified public notice mailing labels for all owners of real property as shown on the latest equalized assessment roll within a five hundred (500) foot radius of the exterior boundaries of the real property that is the subject of the meeting, except that if such property is owned by the same person or entity, the owners of contiguous real property to that owned by the applicant shall also be included; a property ownership map keyed to the mailing labels; a landscape plan indicating the type, size (both size at planting and anticipated size at maturity for new plantings), number, and location of proposed and existing plants; as well as the materials and texture of all walks, walls and other features; and, other information as necessary to demonstrate the extent to which the proposed development is in keeping with the intent, purpose, and standards of design review.

Applications for design review pursuant to Chapter 30.47 involving new dwelling unit construction in the ROS or R1R zones and applications for a conditional use permit involving new dwelling unit construction in the ROS or R1R zones shall be required to provide a temporary frame. The Director of Community Development shall have the discretion to require applications for design review involving all other projects in the ROS and R1R zones and construction of enclosed space above the first floor level in the R1 zone to provide a temporary frame. These applications shall be deemed incomplete until such a temporary frame is constructed if such frame is required. The temporary frame shall, at a minimum consist of wood posts or other sturdy and rigid material at all corners of the structure(s) and at either end of all proposed ridgelines, with a taut rope of minimum 1/23 inch diameter marked with triangular flagging connecting the posts. All framing shall be constructed to the satisfaction of the Director of Community Development. Temporary frames must remain in place until the end of the appeal period for a design review, conditional use permit, or variance decision, or, when an appeal has been filed, until the appeal body has made a design review, conditional use permit, or variance decision, plus any appeal period for that decision. Temporary frames must be removed within 22 days of an approval, approval with conditions, or denial decision of a design review case unless an appeal is filed, or within 60 days of a return for redesign decision, unless a new

application based on a return for redesign decision is filed within 60 days. Temporary frames must be removed within 22 days of a decision on a conditional use permit or variance case, unless an appeal is filed, or within 60 days of a final decision on a conditional use permit or variance case, unless a design review application related to the conditional use permit or variance case is filed within 60 days. The Director of Community Development may, upon showing of good cause, approve an alternative method other than the construction of a temporary frame which aids envisioning the project proposal.

H. Requests for wireless telecommunications facilities permits shall be made on forms prescribed by the Director of Community Development and submitted to the Community Development Department. The Director of Community Development shall amend application requirements from time to time as necessary to comply with applicable laws and regulations, or to otherwise ensure the provision of information necessary and useful to the evaluation of wireless telecommunications facility permit applications. In addition to the application submittal requirements for permits set forth in Subsection A, above, the information listed below is supplemental and required at the time a wireless telecommunications facility permit application is submitted to the Community Development Department.

1. All Proposed Locations:

- a. An accurate map, compatible with the City's latest version of GIS mapping software, indicating the proposed site and detailing existing wireless telecommunications facility locations owned and operated by the applicant within the city on the date of application submittal.
- b. An engineering certification demonstrating planned compliance with all existing federal radio frequency emissions standards, and providing technical data sufficient to justify the proposed height of the proposed wireless communication facility.
- c. An alternative configuration analysis, assessing the feasibility of alternative wireless telecommunications facility construction configurations — both at the proposed site and in the surrounding vicinity — which would result in a more visually compatible antenna(s), as deemed necessary by the Director of Community Development. This analysis shall include an explanation of why other wireless telecommunications facility construction configurations were not selected.
- d. A projection of the applicant's anticipated future wireless telecommunications facility siting needs within the city, which information may be used by the City as part of a master planning effort designed to ensure a more planned, integrated and organized approach to wireless telecommunications facility siting.
- e. An identification of the geographic service area for the subject installation, including a map showing all of the applicant's existing sites in the local service network associated with the coverage gap the wireless telecommunications facility is meant to close, and describing how the coverage gap will be filled by the proposed installation.
- f. An accurate visual impact analysis showing the maximum silhouette, viewshed analysis, color and finish palette and proposed screening for the wireless telecommunications facility. The analysis shall include photo simulations and other information as necessary to determine the visual impact of the wireless telecommunications facility. A map depicting where the photos were taken shall be included. The analysis shall include a written description of

efforts to blend the wireless telecommunications facility with the surrounding area.

- g. The height and diameter of the facility, together with evidence that demonstrates that the proposed wireless telecommunications facility has been designed to the minimum height and diameter required from a technological standpoint for the proposed site. If the facility will exceed the maximum permitted height limit, a discussion of the physical constraints (topographical features, etc.) making the additional height necessary shall be provided.
- h. A description of the maintenance and monitoring program for the wireless telecommunications facility and associated landscaping.
- i. A written statement of the applicant's willingness to allow other carriers to co-locate on the proposed wireless telecommunications facility wherever technically and economically feasible and aesthetically desirable.
- j. A written description of any good faith efforts to co-locate the proposed wireless telecommunications facility on another site or building, including a GIS compatible map of the sites and engineering information or letters from the owners of the site describing why co-location would not be feasible.
- k. A written description of all accessory wireless equipment for the wireless telecommunications facility. Describe the function of this ancillary equipment and the need to locate same on or near the wireless telecommunications facility.
- l. A written description of any requested exceptions to the standards set forth in Chapter 30.48 and the reasons therefor.
- m. For applications requiring Planning Commission review: Certified public notice mailing labels for all owners of real property as shown on the latest equalized assessment roll within a five hundred (500) foot radius of the exterior boundaries of the real property that is the subject of the hearing except that if such property is owned by the same person or entity, the owners of contiguous real property to that owned by the applicant shall also be included, property ownership map keyed to the mailing labels. If additional mailed notice is required, it shall be the responsibility of the applicant to provide certified public notice mailing labels for all owners of real property as shown on the latest equalized assessment roll within an area determined by the Director of Community Development to be directly affected by the request and to provide a property ownership map keyed to the mailing labels.
- n. An alternative site analysis, assessing the feasibility of alternative sites, including the potential for co-location, in the vicinity of the proposed site, as deemed necessary by the Director of Community Development. Said alternative site analysis shall specifically include an evaluation of the availability and feasibility of potential alternative sites located outside a ROS, R1R, R1, R-3050, R-2250, R-1650 and R-1250 zone. Said alternative site analysis shall include a map that shows other potential stand alone locations for the proposed wireless telecommunications facility that have been explored, and shall describe why the proposed location is superior to other potential locations. Factors that must be considered in the alternative site analysis include but are not limited to cost, visual benefits and detriments of alternative sites and proximity to single family dwellings.
- o. Noise/acoustical information derived from the manufacturer's specifications for all equipment such as air conditioning units and back-up generators, and a depiction of the

equipment location in relation to adjoining properties.

- p. A conceptual landscape plan as determined necessary by the Director of Community Development. Said plan shall show all existing trees and all proposed landscaping, concealment, screening and proposed irrigation with a discussion of how the chosen material at maturity will screen the site as determined by the Director of Community Development.
 - q. The Director of Community Development may require additional information related to topography, including slopes, contours and proposed grading.
 - r. All other information as determined necessary by the Director of Community Development may be required by the City's wireless telecommunications facility permit supplemental application form.
2. Expert Review.
- a. In the event that the Director of Community Development in his or her discretion determines the need to hire an independent, qualified consultant to evaluate technical and other aspects of the application, the applicant shall provide the City with written authorization for the City to do so. Such authorization shall include a written agreement by the applicant to advance the City for all reasonable costs associated with such consultation. The City may require the applicant to submit a cash deposit for the estimated cost of such consultation, and to replenish said deposit if consumed by reasonable costs associated with such consultation. Such consultation is intended to be a site-specific review of technical aspects of the proposed wireless telecommunications facility and shall address all of the following:
 - i. Compliance with applicable radio frequency emission standards;
 - ii. The appropriateness of granting any requested exceptions;
 - iii. The accuracy and completeness of submissions;
 - iv. The applicability of analysis techniques and methodologies;
 - v. The validity of conclusions reached; and
 - vi. Any specific technical issues designated by the City.
3. If a permittee proposes any modifications to any wireless telecommunications facility permit after said permit is granted, the permittee shall submit an application to the Community Development Department for consideration by the approval body specified in Section 30.48.020; provided, however, that the City and the approval body need not accept and/or process said application unless and until the permittee (i) demonstrates the existing wireless telecommunications facility's compliance with all applicable local requirements; and (ii) certifies that the existing wireless telecommunications facility complies with all applicable state, and federal requirements. In the case of co-locations, minor structural modifications may be permitted if necessary to accommodate said co-located facility.

30.40.030 – Filing Fees

Filing fees in an amount specified by resolution of the city council shall be paid upon the filing of each application for a variance, conditional use permit, administrative exception, home occupation permit, design review, wireless telecommunications facilities permit, or amendment to the General Plan, text of the Zoning Ordinance, or Zoning Map or Special Setback Ordinance, or an appeal thereof, for the purpose of defraying the expense of postage, posting, advertising and/or other costs of labor and materials incidental to the proceedings prescribed herein. One variance application may request relief from more than one standard or permitted use; in this case one fee shall be charged. However, if another type of application is submitted in conjunction with a variance, additional fees shall be charged for each additional application.