

City of***Community Development Department***

390 Towne Centre Dr. – Lathrop, CA 95330

Phone (209) 941-7290 – Fax (209) 941-7219

www.ci.lathrop.ca.us**DISCRETIONARY PERMIT APPLICATION****Introduction**

The Discretionary Permit Application is the City of Lathrop's application for development permits that require Planning Commission and/or City Council approval. Such entitlements include Conditional Use Permits, Site Plan Review permits and Variances.

It is important that you discuss your application with a staff member before submittal. City staff must find that your application is complete as defined by the City Code before your application can be processed. If you would like to schedule a time to speak with a staff member prior to submittal, please call the number noted above to set a time convenient for you.

After your application is received and all fees are paid, you will be notified within 30 calendar days if your application is not complete and if additional information or materials are needed. The application information you are reading contains checklists that will assist you in completing your application, including a list of fees, required information for maps and an application form that will describe your project. All checks for fees should be made payable to the "City of Lathrop."

Once your application has been deemed complete, a project planner will be assigned to review and process your application. In some cases, depending on the type of application, a public hearing will be scheduled before the Planning Commission and/or the City Council for approval. Some applications are approved by the Community Development Director and do not require a public hearing. A description of each type of application and the process necessary for its review is included in the subsequent sections of this information packet. Please note the City reserves the right to require the submittal of additional information during the 30-day review period that the City deems necessary to complete the application process. Such information may include, but is not limited to, submittal of: reviewed plans, photo simulations, special studies or addressing project issues.

If your application is scheduled for a public hearing, you will be mailed a copy of a staff report that will be presented to the Planning Commission and/or City Council approximately one week prior to the date of the hearing. Some applications will require both a hearing before the Commission and then before the Council. In these cases, you will be provided a copy of a staff report for each hearing. You or your representative will be allowed to make a presentation at the public hearing to provide the Commission/Council with any pertinent information you feel will help in the review of your project. Keep in mind that other interested parties and individuals may also speak or provide information about your application – this will often include adjacent property owners or others that live near the project site. The Planning Commission may approve, deny or, with some applications, recommend an action to the City Council based on all information presented to them, both verbally and in writing, which includes this application. Any action made by the City Council is deemed final.

Discretionary Application**Revised: 02.02.26**

Please also note that other public agencies may comment and review your application and may require additional permits. Both the fire district and schools are separate districts from the City and may impose additional requirements, fees, and permits. Please review the “Contact Names and Agencies List” in this information packet for contact names and numbers.

Requirements for Application Submittal

All of the following items are necessary in order for you to submit a complete application package:

- ✓ A complete and signed original application. Please note that all property owners must sign the application form or provide a signed agent authorization form.
- ✓ Payment of an application fee as provided in the schedule of application fees. The application fee is due and payable at the time the application is filed with the Planning Division office. The application fee is non-refundable. Payment of the application fee does not preclude payment of other fees related to the issuance of a development or building permit or fees related to Environmental review.
- ✓ One (1) full size copy (24" x 36") fan folded, three (3) reduced size copies (11" x 17") and digital PDF copy of the plans in CD or email.
- ✓ A copy of title reports or a preliminary title report for all properties involved in the project.
- ✓ For projects subject to Environmental review (please see the Environmental review section of this package to determine if your project is subject to review), a completed Environmental assessment form.

Environmental Review

The City is required by state law to review your application for environmental impacts in accordance with the California Environmental Quality Act of 1970 (also known as “CEQA”), which governs the environmental review process.

The purpose of the Environmental review process is to evaluate your projects physical effects upon the environment, including both man-made and natural conditions. Some applications, such as an administrative approval, are considered ministerial, and by law, exempt from the provisions of CEQA. However, most development permits are considered a project subject to review and will require you to fill out an Environmental Assessment Form and pay the corresponding fee for proceeding with the review. The Environmental Assessment Form is included in this package with additional information on how to fill it out. The Environmental Assessment Form is used by staff to prepare an “Initial Study”. An Initial Study is a checklist that describes the potential impacts that may be associated with your project. In some cases, additional information may be necessary to determine what impacts are involved, such as a traffic study. If the identified impacts are significant, they must be mitigated to a level of insignificance prior to your project being implemented. Mitigations can be incorporated into the project's design or be in the form of conditions of approval for the project.

Discretionary Application

After review of all project information and studies, staff will make or recommend an Environmental determination for your project. The types of determinations are:

Categorical Exemption: this identifies that your project is exempt from the provisions of CEQA and that no further action by you or the City is necessary.

Negative Declaration: if the Initial Study prepared by staff reveals that your project will not have a significant effect on the environment, a Negative Declaration will be processed, adopted by the City and posted with the County Clerk, and in some cases, with the State Office of Planning and Research. A minimum 20 day public review period (30 days for projects subject to state review) is required before a Negative Declaration can be adopted.

Mitigated Negative Declaration: if the Initial Study reveals that your project will not have a significant effect on the environment if there are certain conditions or mitigations that can be imposed upon the project to avoid or minimize potential impacts, a Mitigated Negative Declaration can be adopted. A Mitigation Monitoring Program is also adopted that includes the required mitigations for the project, when they are to be performed, by whom and who is responsible for the implementation. The review period for a Mitigated Negative Declaration is the same as for the Negative Declaration described above.

Environmental Impact Report: An Environmental Impact Report (EIR) will be required if substantial evidence shows that your project will have significant adverse effects on the environment and as a result further analysis is necessary to determine appropriate mitigations. An EIR is prepared by an independent consultant hired by the City and paid for by the applicant. The EIR process includes a minimum 45-day public review period of the Draft EIR and the approving authority (PC, CC, or both) is required to certify a final EIR prior to the approval of your project.

Environmental Review

The EIR process can take at least 6 months; however, more complex projects may require a significantly longer process. A Mitigation Monitoring Program is also necessary for an EIR and the City Council may adopt a Statement of Overriding Considerations if there are impacts that cannot be mitigated to a level of insignificance but are considered acceptable because of the merits of the project.

For fish and wildlife resources, the planning commission or city council may also adopt a De Minimis Finding for projects that do not impact these resources. Projects that do affect fish and wildlife will be required to have additional review by the State Department of Fish and Game and an additional review fee will be required; please see the attached fee schedule or ask staff for more information.

Additional environmental review at the federal level under the National Environmental Protection Act or NEPA may be required for projects that affect resources under a federal agency's jurisdiction. Please ask staff for more information regarding this review process.

Application Descriptions

The following descriptions summarize the types of applications that can be reviewed and approved by the City. Please ask a staff member if you need more information on what application you need to file.

Discretionary Application

Permits Requiring Planning Commission Approval

Site Plan Review

The purpose of the Site Plan Review process is to enable the Planning Commission to make a finding that a proposed development is in conformity with the intent and provisions of the City Code (primarily the zoning ordinance) and to guide the Building Official in the issuance of building permits for that development.

Variance

In certain situations where, strictly interpreted, the zoning code prevents a physical land use entitlement applicable to real property, a Variance may be requested. Under the zoning code, Variance are allowed when special circumstances applicable to size, shape, topography, or location and surroundings, for a particular property deprives such property privileges enjoyed by other property owners in the vicinity.

Time Extension

This application is to extend the life of a particular development permit. The amount of time that may be extended shall comply with time extension provisions in the Lathrop Municipal Code or Subdivision Map Act.

Appeal of Staff Code Interpretation

In the event that an applicant or interested party does not agree with an interpretation of City code of decision made by staff on a development permit, an appeal may be filed with the Planning Commission for reconsideration. Any decision made by the Commission may also be appealed to the City Council. Appeals requests are heard by the Council at the next available City Council meeting.

Addition of Permitted Use to Code

This application is utilized to add a permitted use to a particular zoning district under circumstances where a certain use is compatible with other permitted uses within the same district and is allowed by general plan policy, but not specifically included in the text of the zoning code. The Planning Commission can approve the application by adopting a resolution adding the use to the list of permitted uses as codified in the adopted city zoning code.

Conditional Use Permit

In certain zoning districts, some uses are permitted subject to the granting of a Conditional Use Permit. Because of their unusual characteristics, conditional uses require special consideration so that they may be located properly with respect to the objectives of the zoning ordinance and their effects on surrounding properties. In order to achieve these purposes, the planning commission is empowered to grant or to deny application requests for Conditional Use Permits and to impose reasonable conditions of approval upon the granting of same.

Permits Requiring City Council Approval

Appeal of Planning Commission Decision

Any interested party may file an appeal with the city council after a decision has been made by the planning commission. An appellant has ten (10) days to file an appeal with the planning division office. The appeal would then be heard by the council at their next available council meeting.

Discretionary Application

Permits Requiring Planning Commission and City Council Approval

General Plan Amendment

A General Plan Amendment involves a change to the city's adopted General Plan Map and/or related policies. Since the General Plan is the primary land use document for the city, all other land use regulations must be consistent with the General Plan (such as the zoning or subdivision codes). Other amendment applications may be necessary for your proposal. General plan Amendments typically involve a change in a property's land use designation. Such a proposal would also need a rezone approval to change the commensurate zoning district for that parcel.

General Plan Text Amendment

The General Plan Text Amendment application is utilized to propose text changes to the General Plan that are internally consistent with other sections of the General Plan.

The changes may be proposed due to a variety of reasons, including changing environmental circumstances, new federal, state or local laws, changes in market conditions for the supply and demand for land, changes in technology, etc.

Neighborhood Design Review

This approval is applicable only to proposed subdivisions located within the Mossdale Village section of the West Lathrop Specific Plan area (which encompasses both the Stewart Tract and Mossdale Village). Neighborhood design review is utilized to provide a uniform and consistent design standard program (including public facilities) for a planned unit of residential development.

Planned Unit Development Permit

The Planned Unit Development Permit utilizes the Conditional Use Permit procedure to institute a planned unit development for properties five acres in size or greater. Planned unit developments involving the careful application of design, are encouraged to achieve a more functional, aesthetically pleasing and harmonious living and working environment, which may otherwise not be possible by strict adherence to the regulations of the zoning code.

Rezoning to Planned Unit Development

A request for a rezone to Planned Unit Development (also called a "PUD") changes a properties zoning district to a planned district that allows for a flexible use of development standards and in some cases, a mix of different land uses. As with the planned unit development permit, creative design principles of design are utilized to achieve a more functional, aesthetically pleasing and harmonious living and working environment, which may, otherwise not be possible by strict adherence to the regulations of the zoning code. A rezone to PUD differs from a PUD permit in that the rezoning of property is more permanent than approving a permit that can be revoked by the City Council for cause.

Rezoning (Not To Planned Unit Development)

A request for Rezone involves the reclassification of certain properties under a particular land use designation. Often, a Rezone must be accompanied by a General Plan Amendment application when the requested zoning does not match the appropriate General Plan land use designation.

Discretionary Application

Urban Design Concept

Similar to the neighborhood design review utilized for residential developments, the urban design concept is a discretionary approval used in the West Lathrop Specific Plan area to master plan commercial, office and mixed use developments. All facets of design review are considered, including streetscapes, landscaping, signage, and building treatments.

Williamson Act Contract Cancellation

The purpose of the Williamson Act Contract Cancellation application is to terminate a current Williamson Act Contract on property that has been annexed to the city. The City Council can approve the cancellation only if certain findings required by state law are met, including payment of deferred property taxes; please ask staff for more information about this application.

Zoning/Subdivision Code Amendment

The Zoning/Subdivision Code Amendment application is utilized to propose text changes to the zoning or subdivision codes that are internally consistent with other sections of the respective code and the city's General Plan. The changes may be proposed due to a variety of reasons, including changing environmental circumstances, new federal, state or local laws, changes in market conditions for the supply and demand for land, changes in technology, etc.

Planning Division Application Fees

Application	Fee
Planning Commission	
Site Plan Review	\$1,330
Variance	\$ 938
Time Extension	\$ 429
Appeal of Staff Code Interpretation	\$ 753
Addition of permitted Use to Code	\$ 954
Appeal of PC Decision	\$ 588
Plan Storage Fee	See Master Fee Schedule
Public Notice Advertising (Deposit)	\$300 (Planning Commission) / \$600 (City Council)
Planning Commission and City Council	
General Plan Amendment	\$3,561
Rezoning to PUD	\$3,413
Rezoning	\$2,327
General Plan Text Amendment	\$2,178
Zoning Ordinance Amendment	\$2,109
Subdivision Ordinance Amendment	\$2,109
Ag Contract Cancellation	\$1,516
Conditional Use Permit	\$2,167
PUD Permit	\$2,867
Public Hearing Noticing (Published)	\$300/\$600

Note: Fees subject to change

Discretionary Application

Revised: 02.02.26

Application Fees Continued:

Application	Fee ¹
<i>Other Staff Work</i>	
Annexations	Cost of staff time, any consultants, and all other agency fees. Cost shall also include cost of providing all requested materials and payment of all fees to other governmental agencies. Plus 15% administrative fee.
Development Agreement	Cost of staff time, any consultants to write and/or review agreement. Plus 15% administrative fee.
Neighborhood Design Review (West Lathrop Specific Plan)	Cost of staff time, and/or any consultants to review and process the application. Plus 15% administrative fee.
Urban Design Concept (West Lathrop Specific Plan)	Cost of staff time, and/or any consultants to review & review application. Plus 15% administrative fee.
Environmental Impact Report	Cost of City-hired consultant and cost of City staff time, plus \$875 Fish and Game Filing Fee and 15% administrative fee.
Final Map	Developer shall pay the cost of all work done prior to approval of a Tentative Map, and in addition, the fees due upon submittal of a Final Map, improvement plans, and recording of the Final Map. Plus 15% administrative fee.
Any Required Studies (i.e., transportation, biological, drainage, etc.)	Cost of hiring a consultant to prepare any studies, plus the cost of staff time to review and coordinate the studies. Plus 15% administrative fee.
Specific Plan	Cost to review the applicant provided specific plan or, if so requested, of hiring a consultant to prepare the specific plan, in addition to staff costs. Plus 15% administrative fee.

1. A minimum retainer of \$10,000 shall be required for any project that, in the discretion of the Community Development Director requires extensive review.

Discretionary Application

Contact Names and Agencies List

The following names and phone numbers may be used to contact staff members or outside agencies in compiling necessary information for your application. All phone numbers are Area Code 209:

City Staff

Planning Division:	941.7290
Public Works Department/Engineering Division:	941.7430
Building Department:	941.7270
Finance Department:	941.7320
City Clerk's Office:	941.7230
City Attorney's Office:	941.7235
City Manager's Office:	941.7220
Lathrop Police Department	647-6400

Fire District

Manteca Lathrop Fire District:	941-5100
--------------------------------	----------

School Districts

Manteca Unified School District:	825.3200
Banta Unified School District (River Islands):	835.0171

Health Department

San Joaquin County Environmental Health Division:	468.3400
---	----------

County Surveyor

San Joaquin County Surveyor's Office:	468.3049
---------------------------------------	----------

County Clerk

San Joaquin County Clerk's Office	468.2362
-----------------------------------	----------

Air Pollution Control District:	1.800.766.4463
---------------------------------	----------------

Discretionary Application

FORM AND SCALE OF DEVELOPMENT SITE PLAN

All development plans shall be prepared and submitted by a licensed Architect or Engineer and shall be clearly and legibly drawn to scale (1"= 30 ft, etc.) and dimensioned appropriately. Each map shall include the following information:

- Location and dimensions of existing and proposed structures, with existing and proposed structures clearly labeled. Existing structures proposed for demolition must also be labeled.
- Building setback dimensions, from building(s) to all property lines and between buildings.
- Dimensions of landscape planters; height and materials of fences.
- Type, area (square feet) and use of each structure, both proposed and existing.
- Proposed landscape areas (label); species and size identification of existing trees.
- Proposed parking areas, including location, dimensions, intended uses, and striping specification for parking spaces, aisles, and driveway throats. The specifications for parking space size and striping must be shown on the site plan. Standard, compact, motorcycle and handicap parking spaces must be shown. (Use the specification figures from the Parking Ordinance.)
- Number of parking spaces required and number of spaces provided (by type)
- Location and dimensions of existing and proposed curb cuts on the site, within 50 feet of the project boundaries and across the street from the site.
- Location, identification and dimensions of easements on, adjacent to or otherwise affecting the property.
- Scale and north arrow. Provide "reference north" if "true" north is not perpendicular or parallel to the property lines.
- Location, capacity and design of bicycle rack(s)
- Property boundaries, dimensions and area (in square feet and acres)
- Location and identification of any amenities to be included in any outdoor private or common recreation area. Include outdoor lunch or seating areas, fountains, etc.
- Location, size, materials, copy and design of freestanding, monument and structural signs.
- Phasing lines (if any)
- Structures, land uses, walls and other improvement within 50 feet of the project boundaries.
- Dimension from property line(s) to center of adjacent street(s).

Discretionary Application

- Identification and dimensions of existing and proposed sidewalks, curbs, streets, points of ingress & egress, pedestrian & vehicular access.
- Vicinity map location and proposed development within Lathrop.
- Walls and Fences: Location, Height and materials
- Width and configuration of streets (including striping, left-turn pockets and median identification from which the development has access).
- Identification and dimensions of loading areas and trash (refuse) enclosures. Show loading area striping. Indicate material and color of trash enclosure and gates.
- Type of paving materials proposed, including scored concrete and other enhanced pavement.
- On-site directional signs, pavement striping and painted arrows.
- Location of existing and proposed above-ground utility vaults, transformers, building backflow preventers and other facilities. Contact PG&E to determine where new utility vaults should be placed for the project.
- Wheel tracking for delivery trucks, fire apparatus and refuse trucks in parking areas, loading areas and for service to refuse enclosure(s).
- Name and street address of project.
- Name, address, and telephone number of the architect, landscape architect or other design professional that prepared the plans (include on every drawing).

PHOTOMETRIC PLAN

- Site lighting information with detailed specifications on fixtures, site poles and wall packs.

FLOOR PLAN:

- Room identification and square footage of each room. Show seating layout if project is a restaurant.
- Room and building dimensions.
- Location of doors and windows.

BUILDING ELEVATIONS:

- All building sites, with dimensions specified. Height of each building is to be shown from the average grade to the highest point of the structure and from average curb height to average grade. If proposal is an addition, show how addition fits with existing building.
- Product and color specification of exterior building materials and other features.
- Proposed building signs, including materials and dimensions.

Discretionary Application

- A section showing parapet walls (or roof wells) and roof-mounted equipment.
- Perspective drawings may **not** be submitted instead of elevations.
- Lighting mounted on the building (provide catalog cut or drawing on material board).

COLORED ELEVATIONS:

- Match the exterior building materials as closely as possible.
- Be submitted rolled; not mounted on any board.

CONCEPTUAL LANDSCAPE PLAN:

- General location, container size and species identification of trees, groundcover and shrubs.
- Existing trees that will be relocated or removed
- Location and identification of hardscape and other landscape features, such as walkways, fountains, pools, etc.
- Location and identification of outdoor furniture, and other recreational amenities.
- A note indicating that the landscaping will comply with the applicable City Landscape Standards.
- Other features and requirements specified by the appropriate City Landscape Standards.

Note: Conceptual landscape plans should be prepared by a registered landscape architect, and must comply with the applicable City Landscape Standards.

Preliminary Utility Plan

- Existing and proposed water, sewer, storm drain

PHOTOGRAPHS are to show:

- The project site.
- Immediately surrounding land area and development, particularly surrounding architecture and scale.
- Mount the photographs on an 8½" X 11" illustration board with a key map.

SUBMITTAL REQUIREMENTS:

- One (1) full size copy (24" x 36") fan folded.
- Three (3) reduced size copies (11" x 17").
- Digital PDF copies of the plans in CD or email.

Discretionary Application

MASTER SIGN PROGRAM:

- Location, dimensions, area, color, type, copy (or “placeholder” wording) and materials for all signs located on the project site. Include building signs, drawn to scale (with typical dimensions), on elevation drawings.
- Elevation view of monument, or freestanding signs, including dimensions.
- Method of sign area calculation.

For most commercial projects, the sign program information may be located on the site plan and building elevation drawings.

For shopping centers and multi-tenant industrial projects, sign program specifications are to be submitted as a separate document (11” X 17”). In addition to the information listed above, the sign program must include the method of calculating sign area for each tenant space, area of each tenant sign (including height of letters and length of the sign), placement of signs on the proposed building, letter style and color restrictions.