

DEPARTMENT OF REGIONAL PLANNING

September 23, 2015

TO: All Planning Staff

FROM: Richard J. Bruckner
Director



SUBDIVISION AND ORDINANCE POLICY NO. 2015-02 - COMPLETE APPLICATIONS FILED PRIOR TO NEW OR UPDATED LAND USE PLANS OR ORDINANCES

This memo clarifies what constitutes a complete application when a new or updated land use plan or ordinance adopted on or after June 1, 2015, (such as the General Plan Update, and related zoning consistency ordinances) has provisions stating that such applications qualify for review under previously existing requirements and are therefore not subject to the provisions of the new or updated land use plan or ordinance.

To be considered a complete application:

1. The application must be filed prior to the effective date of the newly adopted land use plan or ordinance.
2. All items listed on the Department's application checklist(s) must be submitted for each entitlement requested, in accordance with the written instructions.
3. Applications that require multiple entitlements must submit all of the application materials for each entitlement prior to the effective date of the newly adopted land use plan or ordinance. If at a later date it is determined that additional entitlements are required due to lack of information provided by the applicant at the time of original submittal, or due to subsequent modifications proposed by the applicant, a determination for a complete application may be revoked, rescinded or rendered null and void.
4. All forms must be completely filled out, including all required original signatures and/or notarizations.
5. All fees required at the time of filing must be paid in full. In case of insufficient funds, the application shall not be considered complete until the required fee(s) and Notice of Non-Sufficient Funds (NSF) fee are paid.

Applicants may request an official determination of complete application in writing by submitting a written request to the Director.

Notwithstanding the criteria above:

1. The filing of an application and issuance of a fee receipt does not constitute a complete application for the purposes of this memo as an Insist Filing is not considered a complete application. (Please see "Application Filings" on Page 118 of the DRP Subdivisions and Zoning Interpretations and Procedures Manual)
2. Filing a complete application does not provide or imply any guarantees of approval.
3. Where applicants are provided the choice of complying with previously existing or new requirements, it is the applicants' responsibility to inform the Director of their choice in writing to ensure applications are reviewed appropriately.

This memo does not relate to the determination of whether a project is "deemed complete" per the State of California Subdivision Map Act, the Permit Streamlining Act, and/or the California Environmental Quality Act. For information on that topic, please see "Completeness of Permit Filings" on Page 97 of the Subdivision and Zoning Interpretations and Procedures Manual.

RJB:SA:MG:lm