



Community Development Department

Counter Hours: 8:00 a.m. to 12:00 noon
Monday through Thursday

Address: 1110 West Capitol Avenue, 2nd Floor
West Sacramento, CA 95691

Phone: (916) 617-4645

Fax: (916) 371-0845

Website: www.cityofwestsacramento.org

INSTRUCTIONAL PACKET FOR CONDITIONAL USE PERMITS

Updated July 1, 2010

PURPOSE

The purpose of a Use Permit is to allow the proper integration into the community of uses that may be suitable only in specific locations in a zone or only if the uses are designated or laid out on the site in a particular manner. Typically, staff will be analyzing the project with respect to the proposed use of the subject site including, for example, the hours of operation; additional impacts to traffic; and the overall appropriateness of the proposal in conjunction with other established uses in the area.

Conditional Use Permits are issued by the Planning Commission. The Planning Commission comprises seven individuals appointed by the City Council who are charged with the responsibility of approving or denying requests for development. The Commission meets the first and third Thursday of each month at 1110 West Capitol Avenue. Meetings are located on the second floor in the City Council chambers and begin at 6:00 p.m.

Conditional use permits can take from 3-5 months to process, depending on the level of environmental review that is required and staff's current workload. This time frame includes certain minimum timeline requirements stipulated by State law for environmental review and public noticing. Projects that are determined to be categorically exempt from CEQA normally take 3 months to process while those requiring a Negative Declaration take approximately 5 months to process. Projects that require preparation of an Environmental Impact Report (EIR) will take significantly longer to process. The Community Development Department staff has established a goal of processing applications as rapidly as possible within applicable legal constraints. It is important that the applicant prepare a complete and accurate submittal package. Delays may occur if staff does not have accurate information or has to return an incomplete application.

APPEALS

Any person dissatisfied with the decision of the Planning Commission may appeal to the City Council. Appeals must be filed with the City Clerk's office in writing within fifteen (15) days of the Planning Commission action with the appropriate filing fee (see enclosed fee schedule). A public hearing will be scheduled before the City Council to hear the appeal. Decisions by the City Council regarding appeals are final.

FINDINGS

The Planning Commission must be able to make the following findings about the project in order to approve a Conditional Use Permit:

1. The requested use is listed as a conditional use in the zone regulations of the Land Use Matrix;

2. The requested use is essential or desirable to the public comfort and convenience;
3. The requested use will not impair the integrity or character of the neighborhood nor be detrimental to the public health, safety or general welfare;
4. The requested use will be in conformity with the General Plan; and
5. Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities will be provided.

EXPIRATION OF CONDITIONAL USE PERMITS

Conditional Use Permits are valid for one year from the date of approval unless designated differently by the Planning Commission. This means that the project must commence (i.e., receive a valid building permit or start construction) within that one year period or the Use Permit expires and is no longer valid. The Zoning Administrator under certain circumstances may approve extensions of up to two (2) years pursuant to Section 17.65.060 of the Zoning Ordinance.

GENERAL APPLICATION FORM

Application forms must be completed and signed by the property owner(s) or designated agent. Applications signed by individuals other than the property owner(s) will require evidence of authority to file on behalf of the owner(s). Applicants should attempt to complete the form to the best of their ability. The planning staff is available to clarify any questions that may arise.

STATEMENT OF JUSTIFICATION

A statement of justification must be provided on a separate sheet of paper. Applicants should explain in detail the nature of the request and why the proposal is justified (i.e., how it meets the required Findings). A strong and complete project description and justification will improve the likelihood of a favorable staff recommendation and approval by the Planning Commission. Projects without clear statements of justification will be requested to provide such prior to determination that the application is complete.

FEES

Fees for Conditional Use Permits are based upon a deposit/reimbursement agreement between the Community Development Department and the applicant. Submittal fees are used to cover staff's time for preparation of environmental documents, project meetings, preparation of staff reports, and attendance at required public hearings. Actual staff time



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is charged against the initial deposit at a rate specified by the City Council. Projects exceeding the base deposit amount will be charged accordingly. Payment of all fees is due one (1) working day prior to the scheduled public hearing. Projects having an outstanding balance on the scheduled hearing date will be continued pending payment of fees due. A reimbursement agreement is attached which must be completed and returned with the submittal package.

The California Department of Fish and Game (Fish & Game) requires payment of fees for the review of projects impacting fish and wildlife resources. Fish & Game charges a fee of \$1,800 for review of a Negative Declaration and \$2,500 for review of an Environmental Impact Report. If an applicant feels that their project will not cause any environmental effects, they may contact Fish & Game prior to submittal of their project to the City and inquire if Fish & Game will issue a "finding of no effect determination" for the project. **At the time of project submittal, applicant must either submit a copy of the signed "no effect" form on Fish and Game letterhead or pay the appropriate fee (made payable to Yolo County) for their application to be deemed complete.**

Yolo County requires a \$50 processing fee for the filing of a Notice of Determination or Notice of Exemption. These fees are due and payable prior to the scheduling of public hearings for the proposed project. Checks for payment of these fees should be made payable to the County of Yolo and submitted to the Community Development Department for processing.

PRELIMINARY TITLE REPORT

A preliminary title report, current within sixty (60) days, of all parcels involved in the request is required. A title report can be obtained from any title company located in Yolo County.

PUBLIC NOTICE MAP AND PROPERTY OWNER'S LIST

A Public Notice Map and Property Owner's List conforming to requirements outlined on form D of this packet is required.

PLANS

The proposed plans shall be prepared in conformance with accepted architectural standards and shall conform to the requirements of the enclosed "Site Plan Review" and the appropriate Zone Compliance Checklist.



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CONDITIONAL USE PERMIT CHECKLIST

SUPPORT DOCUMENTS

Each application for a Conditional Use Permit must contain the following:

- Completed General Application Form (Form A)
- Executed Conditional Use Permit Checklist and Site Plan Review Checklist
- Statement of Justification (Attach separate sheet)
- Payment of non-refundable application fees
- Payment of the California Department of Fish & Game fees or provide a copy of the "finding of no effect determination" from Fish & Game.
- Executed Reimbursement Agreement
- Preliminary Title Report of all properties involved in the request (2 copies, current within 60 days)
- 500-foot Public Notice Map
- List of all property owners within 500 feet from subject property, including subject property, by assessors parcel number, including mailing addresses (may be obtained from a title company)
- A supply of envelopes that are addressed to the owners of property located within 500 feet from subject property. **Envelopes must include legal sufficient postage** and include the following return address: City of West Sacramento, Community Development Department, 1110 West Capitol Avenue, West Sacramento, CA 95691.
- Ten (10) sets of proposed site plan; floor plans; landscape plan; and elevations pursuant to the Site Plan Review Checklist contained herein (folded to 8-1/2" x 11", individually)
- Ten (10) copies of a detailed Sign Plan, if entitlement request includes signage (folded to 8-1/2"x11", individually)
- One (1) 8-1/2"x11" reduction of each exhibit. Reductions may be PMT (Photo Mechanical Transfer) or electronic in PDF format on a disk. (No copier reductions will be accepted)

Additional information or exhibits in support of the proposal are encouraged if justified. Exhibits, photos, petitions, etc., become the property of the Community Development Department and cannot be returned. Additional studies and/or supplemental materials may be required pending environmental review.

SITE PLAN REVIEW

While it is not necessary for a professional to prepare your plans, it is necessary that the plans conform to accepted architectural standards. This means that the plans must be neatly drawn using ruled lines; that all dimensions be shown; that the plans be drawn to scale and that the scale be noted on the plans; that all improvements (existing and proposed) be clearly labeled; and that the plans be prepared in such a manner that a clear, understandable "picture" of the proposed project is easily seen.

SITE PLANS: Proposed site plans shall contain the following minimal information:

- 1. Title and address of the project
- 2. All property lines and easements (existing and proposed)
- 3. All public right-of-ways
- 4. All existing and/or proposed structures
- 5. North arrow
- 6. Scale of the drawing
- 7. Date of the drawing
- 8. All site dimensions including parking lot planters, walks, etc.
- 9. Location, species and size of all existing trees (indicate trees to be removed)
- 10. All fences or walls including height
- 11. All loading and storage facilities, utilities, trash enclosures, transformers, etc.
- 12. A statement regarding the proposed floor area, site area, parking ratios, employee counts where applicable, and zoning classification
- 13. Floodplain designation and finished floor elevation

LANDSCAPE PLANS: Applicants are encouraged to obtain a copy of the City of West Sacramento *Landscape Development Guidelines* prior to preparing plans. In addition to the list of basic items shown under Site Plans, landscape plans submittals must also include the following:

- 1. Landscape grading plan including berms, swales, and drainage easements
- 2. Proposed planting plan with detailed planting list by type and number
- 3. Required site amenity point schedule calculations
- 4. Arborist report (may be waived)

FLOOR PLANS: Floor plans shall be prepared to scale and contain the following minimal information:

- 1. Use for which each room is intended
- 2. Door and window location and size
- 3. Plumbing fixture layout
- 4. Location of utility service points
- 5. Drawing scale

ELEVATIONS: Elevation plans shall be prepared for all views and contain the following minimal information:

- 1. Slope of the property in relation to the proposed structure(s)
- 2. Exterior wall coverings, doors, and windows
- 3. Roof pitch and covering materials
- 4. Color scheme (if known)
- 5. Drawing scale



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I, _____, do hereby attest that I have reviewed the information contained in the Instructional Packet for Conditional Use Permits and have met each of the aforementioned requirements as they pertain to this conditional use permit application.

Signature of Applicant

Date