



CONDITIONAL USE PERMIT

This information is provided as a guide to assist you in the preparation of the **Conditional Use Permit (CUP)**. It is also intended to explain the process by which the City analyzes and acts upon the application.

What is a Conditional Use Permit?

The Patterson Municipal Code is a body of law that, among other things, establishes the permitted uses for each of the various zoning districts within the City. There are permitted uses, prohibited uses, and uses that are **conditionally** permitted subject to the granting of a use permit.

Application Submittal

An application for a Conditional Use Permit shall be filed by the property owner or his representative agent with the Community Development Department on forms prescribed for this purpose. Accompanying materials required include:

- A written statement of operational characteristics which should include all relevant details of the proposed use (type of use, operating hours, number of employees, parking, traffic impacts, etc.)
- A written explanation of why the proposed use will meet the required use permit findings (see Required Findings)
- Proof of owner's interest in the property (copy of deed, tax bill, etc.)
- Owner's concurrence in the application (if owner does not sign the application)
- A location map
- A site plan (including parking stalls, circulation lanes, access, location of buildings and setbacks)
- Proposed building elevations (dimensions)
- Floor plans (show proposed seating if restaurant or public assembly area)
- Landscaping and irrigation plan (if applicable) and a review fee of \$180.00



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- Proposed signage and on-site lighting
- A written list of any other permits or approvals required or already obtained for this project (include agency, permit # and date)
- A completed Environmental Information Form (attached)
- Application Fee (as pertains to the project)

NOTE: At least one copy of all maps, site plan, floor plans, etc., must be provided as an 8.5 X 11" reproducible copy.

Additional information may be required by the Community Development Director during review of your application. Environmental assessment is required for all projects. If your project is not categorically exempt, environmental documents will be prepared and filed at the applicant's cost.

REQUIRED FINDINGS

To approve an application for Conditional Use Permit, the Planning Commission must determine that this project complies with the following required findings:

- A. That the requested Conditional Use Permit is consistent with the City of Patterson General Plan and Zoning Ordinance;
- B. That the establishment, maintenance, or operation of the proposed use or structure will conform to the requirements and the intent of this title; and that such proposed use or structure will not, under the circumstances of the particular case or as conditioned, be injurious or detrimental to the health, safety, or general welfare of persons or property in the vicinity of the proposed use, or to the general welfare of the City.

PROCESSING THE APPLICATION

The processing time for a Conditional Use Permit varies from one to three months depending on the complexity of the application, environmental documentation required, public noticing requirements, etc... A hearing before the Planning Commission will be scheduled and public notices will be issued. All CUP hearings are open to the public and any member of the public wishing to address the Planning Commission on a CUP application may do so.



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NOTE: If the application is not complete (See Application Submittal) within 30 days of receipt, the City of Patterson Community Development Department will deem the application incomplete and return the application and application fee(s) to the applicant.

Planning staff will prepare a staff report to the Planning Commission. The staff report contains an analysis of the application and a recommendation for action by the Planning Commission. This recommendation may be to approve the application per staff recommended conditions, approve the application per staff recommended conditions with changes/revisions, or to deny the application. You will be mailed a copy of the meeting agenda and staff report several days prior to the Planning Commission hearing. It is recommended that the applicant and/or the applicant's agent attend the hearing to speak on behalf of the application and to answer questions the Planning Commission may have.

Decisions and Appeal Process

After the Planning Commission has rendered a decision, you will receive written communication of this determination, and if approved, any conditions of the approval. Any interested party, aggrieved by the determination of the Planning Commission, may appeal this decision to the City Council, within ten (10) business days after such date of determination. Approval of the application is not in effect until the appeal period has expired, or any appeal filed has been acted upon by the City Council. Appeals must be made in written form, addressed to the City Council and accompanied by the required fee of \$480.00.

If not utilized or acted upon, Conditional Use Permits will expire one year from the date of determination. Extensions may be granted by written request to the Planning Commission accompanied by the required fee of \$100.00. Conditional Use Permits may be revoked if conditions are not met.



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Application for Conditional Use Permit

Applicant Name

Mailing Address/City/State/Zip

Phone Number

Email

Property Owner Name

Mailing Address/City/State/Zip

Phone Number

Email

Name of Business/Description:

Project Address/Location

Assessor's Parcel Number(s) (APN):

Existing Zoning District

REQUIRED FINDINGS:

To approve this application, the City must determine that this project complies with all applicable regulations including the following specifically required findings (Title 18, §76.100, Patterson Municipal Code):



- A. That the requested Conditional Use Permit is consistent with the City of Patterson General Plan and Zoning Ordinance.

- B. That the establishment, maintenance, or operation of the proposed use or structure will conform to the requirements and the intent of this title; and that such proposed use or structure will not, under the circumstances of the particular case or as conditioned, be injurious or detrimental to the health, safety, or general welfare of persons or property in the vicinity of the proposed use, or to the general welfare of the City.

ACCOMPANYING MATERIALS REQUIRED:

This application must be accompanied by the following:

1. A written statement of operational characteristics (type of use, hours of operation, number of employees, vehicles, etc.);
2. A written explanation of why the proposed use will meet the required use permit findings (see "Required Findings").
3. Proof of owner's interest in the property (copy of deed, tax bill, etc...).
4. Owner's concurrence in the application (if owner does not sign the application).
5. A location map.
6. A site plan (including parking stalls, circulation lanes, access, location of buildings and setbacks, etc...);
7. Proposed building elevations (dimensions);
8. Floor plans (show proposed seating if restaurant or public assembly area);
9. Landscaping and irrigation plan (if applicable) and a review fee of \$180.00;
10. Proposed signage and on-site lighting;
11. A written list of any other permits or approvals required or already obtained for this project (include agency, permit # and date);
12. Completed Environmental Form (attached)



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13. Application Fee (fee applicable to the project)

- \$940.00 (RESIDENTIAL)
- \$1,140.00 (OTHER – MINOR PROJECT)
- \$1,760.00 (OTHER – LARGE PROJECT)

NOTE: Should your project require an environmental review, the applicant is responsible for the environmental filing fees, (effective 1-1-2020) as follows (some or all may apply):

- Negative Declaration (ND) or Mitigated Negative Declaration (MND)* \$2406.75
 - Environmental Impact Report (EIR) * \$3343.25
 - Environmental Document Pursuant To A Certified Regulatory Program * \$1136.50
 - County Clerk Processing Fee \$ 57.00
- *(Department of Fish and Game Fees)

NOTE: This is not an application for a building permit. When the Conditional Use Permit process has been completed, a separate building permit application may be required (depending on the project). Building permits will not be issued until the appeal period for this application has expired, or any appeal filed has been acted upon by the City Council. Please contact the Building Department for building permit applications and information.

SIGNATURES: The above information as well as plans and materials submitted herewith in support of this application are, to the best of my/our knowledge, true and correct.

APPLICANT: _____

DATE: _____

OWNER: _____

DATE: _____



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Environmental Information Form

This information is provided as a guide to assist you in the preparation of the **Environmental Information Form**. It is also intended to explain the process by which the City analyzes and acts upon the form.

Environmental Information Form

The State of California requires that most development projects submitted to the City of Patterson undergo some level of review under the California Environmental Quality Act (CEQA). CEQA is a state law that requires an analysis and public report on the potential environmental effects of any project that is carried out or approved by the City. The Environmental Information Form is used to determine whether a project needs to be reviewed under the CEQA regulations. The City of Patterson is responsible for reviewing the project to determine whether it is exempt from CEQA review.

If CEQA review is required, three types of reports are typically prepared for projects: 1) CEQA Exemption, 2) a Negative Declaration, or 3) an Environmental Impact Report. A majority of projects are either Exempt or Negative Declarations. Planning Staff will let you know what type of documentation is required based upon the type of project that is being proposed, the characteristics of the property, and other factors that are spelled out in State CEQA regulations.

Application Submittal

The Environmental Information Form shall be filed by the property owner or their representative agent on forms prescribed for this purpose. The application shall be submitted to the Planning Department, 1 Plaza (P.O. Box 667), Patterson, CA 95363.

Additional information may be required by the Planning Director during the review of the application.



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Number of Units, Unit Size, Range of Sale Prices/Rents, and Type of Household Size expected (Residential Only)

Type of Development (Regional, City or Neighborhood), Square Footage of Sales Area and Loading facilities (Commercial Only)

Type, Number of Employees per Shift and Number of Loading Facilities (Industrial Only)

Major Function Employees per Shift, Occupancy, Loading Facilities, Community Benefit of Project (Institutional Only)

Are the following items Applicable to the project or its effects? Please explain on additional sheets all items checked 'Yes'.

- | Yes | No | |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | Inconsistent with the City of Patterson's General Plan. |
| <input type="checkbox"/> | <input type="checkbox"/> | Affect the use of a recreation area or area of important aesthetic value. |
| <input type="checkbox"/> | <input type="checkbox"/> | Affect the functioning of an established community/neighborhood. |
| <input type="checkbox"/> | <input type="checkbox"/> | Displace community/neighborhood residence. |
| <input type="checkbox"/> | <input type="checkbox"/> | Affect unique natural or man-made features in the project area |
| <input type="checkbox"/> | <input type="checkbox"/> | Significantly affect the potential use, extraction or conservation of a scarce natural resource |
| <input type="checkbox"/> | <input type="checkbox"/> | Significantly affect a historical or archeological site |
| <input type="checkbox"/> | <input type="checkbox"/> | Serve as wildlife habitat for rare/endangered plant or animal species |
| <input type="checkbox"/> | <input type="checkbox"/> | Affect fish, wildlife or plant life |
| <input type="checkbox"/> | <input type="checkbox"/> | Result in soil erosion of agricultural land |
| <input type="checkbox"/> | <input type="checkbox"/> | Change the pattern, scale, or character of the general area of the project |
| <input type="checkbox"/> | <input type="checkbox"/> | Require certification, authorization or issuance of a permit by a Local, State, or Federal environmental control agency |
| <input type="checkbox"/> | <input type="checkbox"/> | Require facilities to be constructed in a flood plain |
| <input type="checkbox"/> | <input type="checkbox"/> | Require facilities to be constructed on land with greater than a 15% slope |
| <input type="checkbox"/> | <input type="checkbox"/> | Require constructing facilities on an active geologic fault |
| <input type="checkbox"/> | <input type="checkbox"/> | Generate significant amounts of dust or noise (in either the construction or operational stages) |
| <input type="checkbox"/> | <input type="checkbox"/> | Generate significant amounts of solid waste |
| <input type="checkbox"/> | <input type="checkbox"/> | Substantially change existing noise or vibration levels |
| <input type="checkbox"/> | <input type="checkbox"/> | Endanger the quality of the regional air or water resources |
| <input type="checkbox"/> | <input type="checkbox"/> | Cause a significant change in the hydrology of the area |



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- | Yes | No | |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | One in a series of foreseeable actions that may ultimately have an impact on the environment |
| <input type="checkbox"/> | <input type="checkbox"/> | Involve the application, use or disposal of potentially hazardous waste |

Certification: I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability and that the facts, statements, and information presented are true and correct the best of my knowledge and belief. **If any of the facts represented here change it is my responsibility to inform the City of Patterson.**

Applicant: _____ Date: _____