



## **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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Fax 209.895.8019  
www.ci.patterson.ca.us

- 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

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Applicant Name

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Mailing Address/City/State/Zip

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Phone Number

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Email

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Property Owner Name

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Mailing Address/City/State/Zip

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Phone Number

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Email

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Name of Business/Description:

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Project Address/Location

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

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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):



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- 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 1-1-2016) as follows (some or all may apply):**

- Negative Declaration (ND) or Mitigated Negative Declaration (MND)\* \$2210.25
  - Environmental Impact Report (EIR) \* \$3070.00
  - Environmental Document Pursuant To A Certified Regulatory Program \* \$1043.75
  - 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: \_\_\_\_\_