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## **CONDITIONAL USE PERMIT APPLICATION PROCEDURES**

### **PURPOSE**

In each zoning district of the City, various uses are listed as permitted, permitted subject to Plot Plan Review or permitted subject to issuance of a Conditional Use Permit. The use permit process is intended to allow uses that are generally consistent with the purposes of the district in which they are proposed, but require special consideration to ensure that the use is designed, located and operated in a manner that will not interfere with the use and enjoyment of surrounding properties. Since a zoning ordinance cannot be drafted to deal equitably with every circumstance, the use permit process is designed to provide sufficient flexibility to determine whether a specific land use on a certain site will be compatible with its surroundings and the General Plan.

### **PROCESS**

#### **Step 1 - Pre-application Discussion with Staff**

It is recommended that the applicant review the proposal with planning staff prior to the submission of the formal application. This will allow the staff to advise the applicant on conformity with the General Plan and Zoning Ordinance; possible environmental concerns; zoning requirements; and specific traffic, siting, landscaping, and building-design criteria. The applicant should provide preliminary sketch plans and a project description. A large or complex project may necessitate follow-up discussion. Usually, this first step is the most important step and helps a project move faster through the process.

#### **Step 2 - Filing of Application**

The applicant should submit a completed application, an accurately drawn reproducible site plan, filing fee, and other required supplemental information to the Cloverdale Community Development Department, 124 N. Cloverdale Blvd., Cloverdale, CA 95425. The application must be signed by the applicant and the property owner.

#### **Step 3 - Review by City Project Review Committee (PRC)**

Once the initial application has been received and fees paid, the proposal may be scheduled for review by the PRC. The PRC consists of City staff who collectively and informally consider an application in its early stages with the applicant. The intent of the PRC meeting is to identify any significant issues early in the process and determine the completeness of the application packet.

#### **Step 4 – Completeness and Environmental Review**

Following review by the PRC, the application will be evaluated for its completeness. The applicant should submit any changes that were recommended by the PRC and agreed upon by the applicant. Once the application is deemed complete, if the project is subject to the California Environmental Quality Act (CEQA), an Initial Study will be prepared by planning staff. The purpose of the Initial Study is to identify any significant environmental impacts of the project. If there is no substantial evidence that the project or any of its aspects may cause a significant effect to the environment, a Negative Declaration or Mitigated Negative Declaration may be prepared. If there is substantial evidence that any aspect of the project, either individually or cumulatively, may cause a significant effect to the environment, the preparation of an Environmental Impact Report (EIR) will be required. Some projects are exempt from CEQA (and would go directly to Step 5); however, such a project must meet the criteria set forth in State law.

#### **Step 5 – Public Hearing before Planning Commission**

After the application has been deemed complete and any required environmental review has been completed, the application will be scheduled within four to six weeks for a public hearing before the Planning Commission. Permits may be approved, approved subject to certain conditions, or denied. The applicant and/or his/her representatives should attend all hearings. Failure to do so may result in the application being continued to a later date. Any action of the Planning Commission may be appealed by the applicant or any interested party to the City Council. Use permits are not effective until the ten day appeal period expires. Any use permit shall automatically expire if not used within two years from the effective date of approval unless a time extension is requested in writing prior to the expiration and approved.

#### **ESTIMATED PROCESSING TIME**

The actual time for the processing of a use permit will vary depending on the complexity and magnitude of the proposal and the type of associated environmental document, but generally requests require two months including appeal periods. This period begins only after the application is accepted by the City as “complete”. It cannot be over-emphasized that the burden for meeting the time period rests largely on the applicant. A project that is exempt from CEQA will take less time.

#### **APPLICATION SUBMITTAL REQUIREMENTS**

1. Application form completed and signed by the applicant and property owner
2. Project description including a description of the proposed uses including the nature of the proposed use, expected days and hours of operations,

expected number of employees and patrons. If there are multiple uses on the site, indicate the location and square footage of the different uses.

3. Application fee
4. Statements in support of the required findings
5. Preliminary title report not more than 6 months old
6. Mailing list inclusive of all property owners within a 300' radius of the subject property, and two sets of mailing labels prepared and certified by a title company.
7. A statement of how the project will meet Inclusionary Housing Ordinance requirements (for projects with 5 or more residential units)
8. Fifteen copies of a detailed, fully-dimensioned site plan drawn to scale depicting the following (Depending on whether new construction is proposed, more or less information may be required. Consult with the Planning Department to ascertain what would be required for your project.):

- North Arrow
- Property lines
- Topography, if more than 5% slope
- Preliminary grading and drainage plans
- Proposed and existing building location(s) with setbacks
- Floor area ratios
- Easements and adjacent streets
- All existing and/or proposed on-site improvements (buildings, paving, driveways, walkways, fences/walls, etc.) and all required and proposed setbacks from all property lines
- Adjoining properties and locations of buildings
- Building elevations and finish materials
- On site circulation for vehicles and pedestrians
- Required street dedications
- Landscape and irrigation plans that comply with the Water Efficient Landscape Ordinance
- Location of the backflow prevention device
- Existing trees, waterways and/or other significant natural amenities
- Locations and elevations of trash/recycling enclosure(s)
- Outdoor Storage (if applicable)
- Location and type of signage
- Exterior lighting plan

Other information may be required for environmental review such as preliminary soils, cultural resources, arborist, traffic, and/or biology reports, or a phase I environmental assessment, etc.

### **REQUIRED FINDINGS**

The Cloverdale Zoning Ordinance requires that prior to the granting of a Conditional Use Permit, the following findings of fact be made by the Planning Commission in an affirmative manner. The applicant shall provide written information to substantiate these findings:

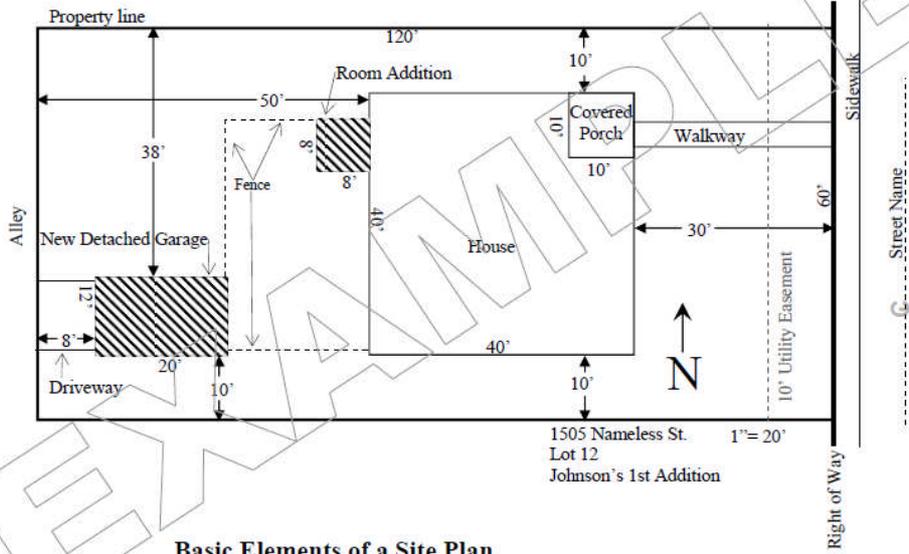
1. The proposed use is permitted within the subject district pursuant to the provisions of this section and complies with all the applicable provisions of this ordinance, the goals, and objectives of the Cloverdale General Plan, and the development policies and standards of the City.
2. The proposed use would not impair the integrity and character of the district in which it is to be established or located.
3. The site is suitable for the type and intensity of use or development that is proposed.
4. There are adequate provisions for water, sanitation and public utilities and service to ensure public health and safety.
5. The proposed use will not be detrimental to the public health, safety, or welfare or materially injurious to properties and improvements in the vicinity.

If a Conditional Use Permit to allow residential uses on the ground floor in commercial districts is proposed, the following additional finding must be made:

6. The residential use does not detract from the primary commercial use of the property or interrupt the continuity of business use in a commercial area.

(NOT FOR CONSTRUCTION)

### Site Plan



Basic Elements of a Site Plan