



City of Woodland
Community Development Dept.
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CONDITIONAL USE PERMIT

CONDITIONAL USE PERMIT (CUP) REVIEW Minor or Major

PURPOSE

The purpose of a Conditional Use Permit (Article 27 of the Zoning Code) 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 (CUPs) shall be required for all uses listed as conditional uses in the residential, commercial and industrial land use tables or elsewhere in the Zoning Ordinance. Final review and approval of a CUP will be at a public hearing, typically before the Planning Commission.

Notice and Posting. A notice of the hearing shall be mailed out at least 10-days prior to the hearing to all property owners whose property lies within a 300-foot radius of the subject property. *The site shall be posted* to include notice informing the public of the type of application, date, time and location of the administrative hearing. The applicant shall be responsible for posting the site consistent with a format provided by the City, and shall provide verification of such posting. The Planning Commission may approve, conditionally approve or deny an application for a CUP.

MINOR vs. MAJOR REVIEW

Minor CUP – Includes review of uses, and/or minor additions or modifications, or it is anticipated that the application will typically have less impact on adjacent properties.

Major CUP – Includes use review and/or significant alteration, modification, or new construction, or it is anticipated that the application could have an impact on adjacent properties or may be controversial.

Conditional use permits can take from 2-5 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 2 months to process while those requiring a Negative Declaration take longer process. Projects that require preparation of an Environmental Impact Report (EIR) will take longer to process. ***A complete and accurate submittal package is essential to reducing the project timeline to its minimum.*** The Community Development Department staff has established a goal of processing applications as rapidly as possible within applicable legal constraints.

APPLICATION

Minor - Five sets of all items must be submitted.

Major – Twelve sets of all items must be submitted.

Based on consultation with staff it is possible that either fewer or additional sets of plans may be requested and submittal information may be modified. The application submittal information can be found in the *Planning Application Submittal Requirements and General Application Form*, and may not apply in all instances. Once submitted, the plans will be reviewed for completeness. You will be contacted if additional information is required.

ACTION

Once an application is determined to be complete, it is formally accepted. Copies of the application are sent to review agencies and departments. Once all issues have been addressed the application will be scheduled for public hearing and review by the Planning Commission.

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 14 days of the Planning Commission action. A fee will be assessed according to the current Comprehensive Fee Schedule. 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 proposed use is allowed within the applicable zoning district and complies with all other provisions of the Zoning Ordinance and Interim Zoning Ordinance.
2. The proposed use is consistent with the General Plan
3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity.
4. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints.
5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located.
6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).

EXPIRATION OF CONDITIONAL USE PERMITS

Conditional Use Permits are valid for one year from the date of approval unless designated differently by the approving body. 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 a one-year extension.

SUBMITTAL REQUIREMENTS

Detailed information regarding plan preparation, including the required number of plan sets, is provided in the ***Planning Application Submittal Requirements and General Application Form*** Handout.

FEES

(Please refer to the Community Development current fee schedule for all current fees). Fees for processing Design Review applications that are exempt from CEQA require payment of a nonrefundable, flat fee plus a categorical exemption. In some instances, if the project is complex or requires hiring a consultant to perform analysis a deposit fee will be required rather than the flat fee.

The Department of Fish and game requires payment of fees for the review of projects impacting wildlife sensitive areas. (Please check with Yolo County Recorder for all current fees). Checks for payment of these fees should be made out to the County of Yolo, but should be submitted to the Community Development Department.

ENVIRONMENTAL REVIEW

All conditional use permit applications shall be accompanied by the applicable environmental information and reports as specified by the Community Development Department. Please refer to the separate "Instructions for Filing Initial Studies" handout concerning additional submittal requirements.

CONDITIONAL USE PERMIT FLOW CHART

