



City of Oakley
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An Applicant's Guide to Procedures CONDITIONAL USE PERMIT

In each zoning district of the City's Zoning Ordinance, specific uses are permitted for property in that zone. Each zoning district also lists various "conditional uses" which are permitted subject to approval of a Conditional Use Permit (CUP). The CUP process provides the City sufficient flexibility to determine whether a specific land use with unusual characteristics will be compatible with its surrounding area, the General Plan, and the zoning on adjacent properties. In reviewing a use permit application the staff and City Council will evaluate such items as building placement and size, traffic generation, compatibility of the use with adjoining properties and other related development impacts. Conditions may be imposed as necessary to ensure the project's compatibility with surrounding neighborhoods and the Oakley General Plan.

A request for a CUP requires at least one (1) public hearing before the City Council. Processing time is normally twelve weeks however; it is dependent on a complete application submittal and the number of applications before the City. Applications shall be reviewed for compliance with the submittal requirements. **Applications submitted without the required information are not required to be accepted for processing.** Please use the following checklist to ensure a complete application is submitted to the City.

Step 1 – Pre-Application Submittal

The following items must be submitted for a pre-application review. It should be noted that the pre-application allows for one hour of staff time review in order to preliminarily review an application for completeness and to identify any major issues with the project. **Additional issues and/or project conditions may result in changes to the project by either the applicant or from requests from the City and/or other reviewing agencies such as the Fire District, Diablo Water District, Iron house Sanitary District, Contra Costa Health Department, etc.**

- A) One (1) copy of the completed application form with all necessary signatures.
- B) Letter of Authorization from property owner(s) if represented by a third party.
- C) Environmental Information Form
- D) Signed Hazardous Waste Statement (new construction only)
- E) Preliminary Title Report not more than 6 months old. Report must include owners, legal description, and easements.
- F) One (1) 8 ½" x 11" or 11" x 17" reduction of all exhibits for reproduction.

- G) **All plans must be collated, stapled, and folded in sets (site plan, building elevations, landscape plan, grading plan, and floor plan).**
- H) Eight (8) copies of a fully dimensioned Site Plan drawn to scale indicating:
- ___ Project name, north arrow, vicinity map, scale and date of preparation
 - ___ Name, address, and phone number of owner/applicant and person preparing plans
 - ___ Acreage, building square footage, percent of landscape coverage, parking requirements
 - ___ Dimensions of each lot
 - ___ Existing and proposed structures and/or features such as buildings, walls and trees. Show septic system and/or well if applicable.
 - ___ Names of adjoining landowners and existing land uses on adjoining properties
 - ___ Easements, public right-of-ways, zoning designation, land use designation, and limits of 100 year floodplain (if applicable)
 - ___ Existing and proposed building dimensions, setbacks, footprints and lot coverage
 - ___ Driveways, including width and distance to property lines and/or street corners
 - ___ Parking layouts showing dimensions of stalls, drive aisles and planter areas. Show location of handicapped parking, ramps and pavement markers. All parking spaces shall be individually numbered.
 - ___ Location of trash enclosure and recycling area(s)
 - ___ Show location of all landscaping and dimensions of planters
 - ___ Entrances, exits and walkways
 - ___ Screens for ground mounted equipment, trash enclosures, etc.
 - ___ Fencing/wall details
 - ___ Exterior lighting including type, location, height, photometrics
- I) Eight (8) copies of a Preliminary Grading and Drainage Plan drawn to scale indicating:
- ___ Project name, north arrow and scale
 - ___ All existing and proposed grades on site and on adjacent properties
 - ___ Grades and slopes for all accessible paths of travel
 - ___ All cut/fill slopes
 - ___ Pad elevations of proposed buildings and existing/approved buildings on adjacent properties
 - ___ Location and elevations of proposed retaining walls
 - ___ All true elevations including contours, spot elevations, existing and post project elevations
 - ___ Method of drainage
 - ___ Drainage flow lines
 - ___ Water and sewer lines
 - ___ Grading quantities
 - ___ Any existing utility structures
- J) Eight (8) copies of a landscape plan drawn to scale indicating:
- ___ Project name, north arrow, and scale
 - ___ Location of all existing and proposed trees and a tree legend indicating botanical and common names, quantity, size, spacing and water usage
 - ___ Location of proposed turf, shrubs and groundcover

- ___ A plant legend including botanical and common names, size, quantity, spacing and water usage
- ___ Shade calculations for parking areas
- ___ Percentage of landscaping and parking noted on the plan
- ___ Signature of Landscape Architect, Architect or Licensed Nursery Person
- K) Two (2) copies of a traffic study. Please contact the Engineering Department for specific requirements.
- L) One copy of the East Contra Costa County Habitat Conservation Plan and Natural Community Conservation Plan Application Form and Planning Survey Report. A copy of the Application and Planning Survey Report is available at:
<http://www.co.contra-costa.ca.us/depart/cd/water/HCP/project-permitting.html>
- M) Development applications for projects creating or replacing 10,000 sq. ft. of impervious area must be accompanied by a Stormwater Control Plan. A Stormwater C.3 Guidebook is available on the Clean Water Program's website at www.cccleanwater.org (Please see the Engineering Department for more information)
- N) Color and materials board showing samples and manufacture's callouts of building materials(size 8-1/2 x 11 inches)
- O) Other information deemed necessary by the Community Development Department.

Note: The Pre-Application does not require the submittal of an up front application fee. Any time worked on a project that results in the submittal of a formal application will be retroactively billed upon deposit account being set up.

Step 2 – Pre-Application Meeting

Approximately four (4) weeks from the date of submittal a pre-application meeting will be held at City Hall. Those attending the meeting include: representatives from the Planning, Building, and Engineering Departments and the applicant and/or applicant's representative. This will allow the Planning, Building, and Engineering staff to review the plans and to provide input to the applicant on possible environmental concerns, General Plan and zoning requirements, traffic, and site and design criteria. This will limit possible delays and plan revisions.

Step 3 – Formal Application Meeting

After the pre-application meeting the applicants can make any changes (if any) that may have been requested or required by City staff. An appointment shall then be made with the assigned Project Planner, prior to formal submittal. The applicant should submit the completed formal application packet to the Planning Division. The Project Planner will review the materials to ensure that all of the required information is submitted.

The following items must be submitted at time of formal application:

- A) Item A through E and items L through O from Step 1 above.
- B) Application fee for: Conditional Use Permit.
- C) Fifteen (15) sets of plans (site plan, grading plan, floor plan, cross sections, elevations, landscape plan) (**collated, stapled, and folded**). Additional plan sets will be requested after the project has been deemed complete (see Step 5 – Finalization of Plans).

- D) One (1) reduced reproducible set of plans (size 8 ½" x 11" or 11" x 17").
- E) Public Notice Package as follows:
 - 1. One (1) set of Contra Costa County Assessor's map(s), prepared by a Title Company, marked up showing the entire property outlined in red with a green line encircling the property at a distance of 300 feet from the property line. Each parcel lying wholly or in-part within the 300 feet shall have its Assessor's number colored yellow with a "highlighter" pen or yellow colored pencil. Assessor's maps must be 11" x 17" (full size) at true scale **and not reduced**.
 - 2. One (1) copy of mailing label list, prepared by a Title Company. A typed list of all affected property owner's parcels highlighted in yellow as above; by Assessor's Parcel Number with names and address. The addresses must be the property owner's mailing address and not the leaser or renter. In addition, the mailing list shall include the name and address of the subject property owner, applicant, and the agent or individual responsible for the request.
- F) Two (2) copies of Geotechnical Study and Drainage Study.
- G) Two (2) copies of Storm Water Control Plan from Step 1 above.
- H) Two (2) copies of Traffic Impact Study (*This is only for projects generating more than 100 peak hour trips*).
- I) Any additional material which was requested as a result of the pre-application meeting.

Step 4 – Environmental Review

After the application is submitted to the Planning Department, the site plans will be sent to the appropriate public agencies involved in the project for their review and comment. Once the proposed project has been deemed complete and after the completion of an Environmental Initial Study, an environmental determination will be made. If no significant environmental impacts are anticipated, a Negative Declaration will be prepared. If it is determined that the project will have a significant environmental impact, an EIR will be prepared and circulated for public review and comment.

Step 5 – Finalization of Plans

Three (3) weeks prior to the public hearing, the applicant shall submit the following:

- A) Ten (10) sets of colored plans (site plan, grading plan, floor plan, cross sections, elevations, landscape plan) **(collated, stapled, and folded to 8 ½" x 11" or 8 ½" x 14")**.
- B) One (1) reduced (no larger than 8 ½" x 11") set of colored plans.
- C) One (1) digital version of plans in PDF or JPEG format submitted to the Project Planner.

Step 6 – City Council Hearing

The City Council will consider the recommendation of the Planning Department and will, at a public hearing, either approve the Conditional Use Permit as submitted, approve with modification, or deny the project.

Step 7 – Post-Entitlement

- A) Schedule a Post Entitlement meeting with the Project Planner.
- B) Projects will be required to pay one of the following County Clerk and California Department of Fish and Game fees (State Law - AB3158):

<u>Type of CEQA Document</u>	<u>Fee Effective 1-1-12</u>
• Notice of Exemption	\$50
• Negative Declaration (ND) or Mitigated Negative Declaration (MND)	\$2,151.50
• Environmental Impact Report (EIR)	\$2,969

For more information, see the California Department of Fish and Game (www.dfg.ca.gov/).

Applicant Acknowledgement

I certify that I (either the Applicant or Authorized Person) have read and understand all of the requirements detailed in the Applicant’s Guide to Procedures. I further understand that there may be additional issues and/or project conditions placed on the project as a result in changes to the project by either the applicant or from requests from the City and/or other reviewing agencies such as the Fire District, Diablo Water District, Iron house Sanitary District, Contra Costa Health Department, etc.

Applicants Signature: _____ Date: _____