



CONDITIONAL USE PERMIT

Community Development Department
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THIS HANDOUT IS A SUMMARY OF REQUIREMENTS
Please refer to Section [17.100.100](#) of the City's Municipal Code

PURPOSE

A Conditional Use Permit (CUP) provides a public review process for discretionary review of proposed uses and activities that require special consideration by the Planning Commission to ensure that any effects are compatible with the locational, use, structural, traffic, and/or the characteristics of neighboring properties and the community.

Conditional Use Permits (CUPs) shall be required for all uses listed as conditional uses in the land use tables in the Zoning Ordinance. Final review and approval of a CUP will be at a public hearing, typically before the Planning Commission. The Planning Commission may approve, conditionally approve or deny an application for a CUP. Any CUP approval shall run with the land and cannot be transferred to another site.

CUPs 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 per the California Environmental Quality Act (CEQA) and public noticing.

A complete and accurate submittal package is essential to reducing the project timeline to its minimum. The Community Development Department staff have established a goal of processing applications as rapidly as possible within applicable legal constraints.

APPLICATION

Please review the ***Planning Application Submittal Requirements*** for a list of required application documents and items.

Once a submittal is determined to be complete, it is formally accepted for processing. 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.

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.

FEES

Please refer to the Community Development fee schedule for all current fees. Fees for processing Design Review applications that are exempt from CEQA require payment of a non-refundable 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.

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 also 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.

FINDINGS

The Planning Commission must be able to make the following findings about the project in order to approve a CUP.

1. The proposed use is consistent with the General Plan;
2. The proposed use is consistent with the purposes of the Zoning Code, and the purposes of the applicable zone;
3. The site is physically suitable for the type, density, intensity of the use being proposed, including access, utilities, and the absence of physical constraints;
4. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity including transportation and service facilities;
5. Granting the Conditional Use 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 zone in which the property is located; and
6. The proposed project has been reviewed in compliance with CEQA.

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 10 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.

EXPIRATION OF CONDITIONAL USE PERMITS

CUPs 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 City business license) 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.

CONDITIONAL USE PERMIT FLOW CHART

