

How to Obtain a Conditional Use Permit

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Conditional Use Permits (CUPs) are required for uses with development features or operating characteristics requiring special consideration so that they may be designed, located, and operated compatibly with neighboring properties and uses.

When is a CUP Required?

The Salinas Zoning Code lists the types of uses and development that require a CUP. Check the Use Classification Tables in the Salinas Zoning Code to see if the proposed use or development requires a CUP.

What is the Process for Obtaining a CUP?

Obtaining a Conditional Use Permit at the earliest possible time will depend on the completeness of the application and the extent to which the plans comply with applicable Zoning Regulations. Early consultation with Community Development Department is strongly recommended before an application is made. This consultation will provide essential information about the project.

The following steps generally apply in processing a CUP application:

Step 1: Obtain an application from:

City of Salinas
Community Development Department
65 West Alisal Street,
Salinas, CA 93901
Or

www.ci.salinas.ca.us

(Community Development Department page)

Step 2: Complete the application and attach 10 copies of plans. Plans must include all items listed on the "Discretionary Application Submittal Checklist." They need not include structural, electrical, and mechanical details, which are usually necessary to obtain a Building Permit. Also include 8.5" x 11" copies of each page of the plans.

Step 3: Submit the completed application and attached plans along with an application fee to Community Development Department.

Step 4: The application will be reviewed by Community Development Department and other City departments to confirm the project conforms to City regulations.

Step 5: The application will also be reviewed in accordance with the California Environmental Quality Act (CEQA) to determine if the project may have a significant impact on the environment. One of the following determinations will be made:

1. The project is "exempt"; no further environmental review is required.
2. The project will have no significant impact on the environment, and a Negative Declaration will be posted a minimum of 20 days before the public hearing (30 days notice is required for projects requiring state review).
3. The project may have a significant impact on the environment, and an environmental impact report (EIR) will be required to assess its potential environmental effects. The project cannot be considered further until the EIR is prepared and reviewed by all appropriate agencies and the public.

INFORMATION BULLETIN

City of Salinas
Community Development Department
65 West Alisal Street
Salinas, CA 93901
(831) 758-7206

Step 6: After the initial environmental review has been conducted, any additional environmental review fees that may be required must be submitted to Community Development Department.

Note: The application cannot be considered complete until all plans and environmental documents have been completed.

Step 7: Following the review of the project and environmental documents, notification may be sent that changes to the plans are necessary in order to comply with City regulations or to receive a favorable staff recommendation. If so, the necessary revisions must be made before the plans are resubmitted.

Step 8: Once the plans and environmental documents are completed, a notice will be published in the newspaper announcing that a public hearing before the Salinas Planning Commission will be held to consider approval of the proposed CUP. The applicant will be notified of the hearing date and recommendations of City staff. All property owners within 300 feet of the project site will be notified by mail of the public hearing date and time.

Step 9: During the public hearing, the Planning Commission will ask for comments from the applicant, the public and City staff. The Planning Commission will then decide to approve, conditionally approve, or deny the application. The Commission's decision will become effective in 10 days following an appeal period.

Step 10: Following approval or conditional approval, the applicant and all property owners will be asked to sign the CUP. The applicant will receive a copy and the original will be retained by the City as a permanent record of the project approval. Building Permits may be applied for at any time during the process. However, a Building Permit may not be issued until a 10-day appeal period has occurred following approval of the CUP.

Are All CUP Applications Reviewed by the Planning Commission?

No, in those instances where the project is determined to be exempt from environmental review and no protest of the project is received in response to a notification sent to all property

owners within 300 feet of the project, the Planning Manager may administratively issue a CUP.

Can a Decision of the Planning Manager or the Planning Commission be Appealed?

Yes. A decision of the Planning Manager may be appealed to the Planning Commission and a decision of the Planning Commission may be appealed to the City Council. An appeal must be made within 10 days following the decision. Ask Community Development Department for more information regarding the procedure for filing an appeal.

Can an Approved CUP be Changed?

Yes, by making an application for an amendment of an approved CUP. Minor changes may be approved with a Minor Modification to an existing CUP.

Are Other Permits Required?

Usually. These may include Building Permits, Encroachment Permits, Sign Permits, etc. Ask Community Development Department before applying for a CUP if any other Permits will be required.