

CONDITIONAL USE PERMIT (CUP) APPLICATION

ATTENTION ALL ARCHITECTS, DESIGNERS, AND DESIGN PROFESSIONALS: Per the South Pasadena Municipal Code Chapter 18, any person who transacts or carries on any business, trade, profession, calling or occupation in the City (regardless of the city in which your office is located), whether or not for profit or livelihood, must first obtain a license from the City. Failure to apply for a business license prior to beginning work may result in late fees. Business license applications are available at the Finance Department. Please note that Planning applications will not be processed until a business license is obtained.

*** * * APPLICANTS ARE CAUTIONED NOT TO PURCHASE OR LEASE PROPERTY
UNTIL AFTER THE CONDITIONAL USE PERMIT HAS BEEN GRANTED * * ***

I. Application Requirements

To file an application for a Conditional Use Permit (CUP), the applicant shall submit the following items to the Community Development Department:

Application Form (attached) - This includes a description of the proposed project, a statement of how the request meets the required Conditional Use Permit findings, and an original signature from the property owner and applicant (if not the owner).

Initial Study Questionnaire for review of potential impacts on the environment. See section below and the attached form.

Property Owners and Occupants Map and List – The following must be submitted with application:

- One (1) copy of a map depicting all the properties within the required 300' radius of the project site and a list of the names and addresses of all current owners and occupants of these depicted properties, including all residential and non-residential properties.
- Two (2) sets of envelope labels for the City to mail information to these property owners and occupants.
- A mapping company's affidavit signed and dated. (See attached form.)

Other - Staff will advise applicant regarding additional submittal requirements, if needed (i.e., drawings, photos, maps, technical studies, etc.)

Fees – See Fee Schedule.

II. Processing Your Application

Pre-Application Review - A preliminary meeting with the Planning Staff is recommended, though not required. The meeting provides you and staff an opportunity to review the project and the applicable zoning standards, and obtain the appropriate applications form(s) for your request. It also helps Planning Staff determine other approvals that might be necessary by other City departments. There is no charge for this service.

Application Submittal - After you have prepared your plans and filled out the application forms, bring them, the required fee, and any other materials advised by the City for processing. You will receive a receipt for your fee payment.

Staff Review of Application to Determine Completeness - Upon submittal, staff will review your application packet and notify you if additional materials or information are needed. Once your application is deemed "complete", staff will notify you with the time and date of the Planning Commission hearing. Your application is completed when all relevant materials are adequate for the Planning Commission to make a decision on your request.

Staff Review for Environmental Determination – Staff will review your project for any possible environmental impacts. Staff will notify you if additional information is required to satisfy the environmental review process. If an Environmental Impact Report (EIR) is required, the application will not be complete until a Draft EIR has been prepared. You will then be scheduled for a public hearing at the next available Planning Commission meeting. A deposit is required to obtain a consultant firm to prepare the Draft EIR.

Staff Review of the Conditional Use Permit Request - Staff will examine the application materials, including your plans, justification statement, and other relevant information. Staff will also make one or more site visits to your property.

Decision on the Request - A decision on your request for a Conditional Use Permit will be made by the Planning Commission at a public hearing. At the hearing, the Planning Commission opens the matter for public comment by interested parties or individuals. Once everyone wishing to speak on the matter has been heard, the Planning Commission will close the public hearing and discuss the application. Their decision could be approval, approval with conditions, continuation for redesign or additional information, or denial.

Appeal - Before the Commission's decision is final, there is a fifteen (15) calendar day appeal period during which the applicant, the City Council, or any person aggrieved by the decision of the Commission, can file a written appeal. An appeal application and filing fee shall be submitted to the City Clerk's office within the fifteen-day (15) appeal period. If no appeal is filed, the Commission's decision is final. If an appeal is filed, the matter is set for a public hearing by the City Council. At the hearing, the Council will either uphold or reverse the Planning Commission's decision, at which time, the decision on the matter is final.

Initial Study Questionnaire

I. Introduction

California law requires that all local governments review any project for its potential effects on the environment. The process for this review is contained in the California Environmental Quality Act (CEQA) and its implementing Guidelines. The first step in this review is the preparation by the City of an Initial Study. The Initial Study is the basis for reviewing your project and determining if additional studies, such as an Environmental Impact Report (EIR), are required. In order to prepare the Initial Study, the City needs information about the project, which you are asked to provide in the attached Initial Study Questionnaire.

Note: Some projects may be exempt from CEQA. The City will advise you regarding this.

This guide and the attached forms identify the information which you, as applicant, must provide before the City can decide on the possible environmental impacts of your project. You are also encouraged to contact the Community Development Department at (626) 403-7220 if you have any questions about your project or the application process.

II. The Initial Study and your project

Typically, an environmental review is conducted as part of the entitlement process for development. However, you may request an environmental review in advance of applying for any permits or approvals. In either case, your project must be sufficiently well defined so that the City can prepare an adequate picture of future environmental conditions.

Fees

Please refer to the current Master Fee Schedule posted on the City Website.



APPLICATION FOR CONDITIONAL USE

Please complete and return the following pages.

1. Property Address for this application: _____

Assessor's Parcel No.: _____

2. Current Zoning Designation of Property: _____

3. Proposed Project Description (Examples: Conduct real estate office in 2,500 sq. R. building; Operate preschool for 35 children):

4. Description of use (Indicate types of activities, hours of operation, number of employees, other relevant information, etc.). Attach additional sheets if necessary:

5. Applicant:

Name

Street, City, State, Zip

() () _____

Home Number

Work Number

() () _____

Cell Number

Fax No.

E-mail: _____

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6. Property Owner(s), if different from applicant:

Name

Street, City, State, Zip

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Home Number

()

Work Number

()

Cell Number

()

Fax No.

E-mail: _____

7. Justification Statement(s): Please respond to the conditions and findings listed below. Each one must be met before the application can be deemed complete. Please indicate on the numbered lines below how the proposed project meets each criterion.

Findings for Conditional Use Permit. (See South Pasadena Municipal Code Sec. 36.410.060)

- 1) The proposed use is allowed with Conditional Use Permit or Administrative Use Permit approval within the applicable zoning district and complies with all applicable provisions of the City's Zoning Code.

- 2) The proposed use is consistent with the General Plan and any applicable specific plan.

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- 3) The establishment, maintenance, or operation of the use would not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.

- 4) The use, as described and conditionally approved, would not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.

- 5) The subject site is adequate in terms of size, shape, topography, and circumstances and has sufficient access to streets and highways which are adequate in width and pavement type to carry the quantity and quality of traffic expected to be generated by the proposed use; and

- 6) The design, location, operating characteristics, and size of the proposed use would be compatible with the existing and future land uses in the vicinity, in terms of aesthetics, character, scale, impacts on neighboring properties.

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8. Design Review Justification Statement(s): The City Council approved Resolutions 6979 and 6980 on April 23, 2008, which adopted the citywide commercial and residential design guidelines. The guidelines communicate the City's expectations of high quality design. If the proposed project involves new construction, or design alterations to an existing building or site, the Planning Commission will use the Design Guidelines as a basis for its decision on the proposed project. The guidelines may be found online on the City's website. Projects located within the Mission Street Specific Plan (MSSP) area are subject to the guidelines contained in this plan. The MSSP may be found online on the City's website. Use the City's Design Guidelines to address each design issue below, as it pertains to the proposed project. Each design issue must be addressed before this application can be deemed complete. If not applicable, write in "N/A" for a response, or explain why the design standards are not appropriate for the proposed project. Attach additional sheets if necessary.

New Residential Buildings: Multi-Family¹

- a. Describe how the proposed project meets the design guidelines in terms of building massing, and plan development. (See Residential Guidelines P. 96).

- b. Describe how the proposed project meets the design guidelines in terms of roofs, materials, forms, and shapes (See Commercial Guidelines P. 97).

- c. Describe how the proposed project meets the design guidelines in terms of porches, balconies, and exterior stairways (See Commercial Guidelines P. 97).

¹ "Spanish," "Mission," and "Mediterranean"-style new homes, multi-family projects, and substantial façade changes are subject to the "Mission and Spanish Colonial Revival" guidelines (as for historic homes), pages 12-13.

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- d. Describe how the proposed project meets the design guidelines in terms of windows, doors, and entries (See Commercial Guidelines P. 98).

Commercial Building on/near Huntington Drive, Fair Oaks Avenue, or Pasadena Avenue

- a. Describe how the proposed project meets the design guidelines in terms of site design including: building coverage, ground level treatment, parking standards and landscaping. (See Commercial Guidelines P. 12-15).

- b. Describe how the proposed project meets the design guidelines in terms of building mass and scale, forms and roof lines (See Commercial Guidelines P. 16-18).

- c. Describe how the proposed project meets the design guidelines in terms of building entrances, awnings, doors and windows, building materials and color (See Commercial Guidelines Pages 19 to 22).

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- d. Describe how the proposed project meets the development objectives for the specific commercial district: Fair Oaks Avenue corridor (Pp. 23-27), Fair Oaks Avenue/Huntington (P. 28), Huntington/Garfield (P.29), or Pasadena Avenue/Ostrich Farm (P. 30).

- e. Describe how the proposed project meets the design guidelines in terms of building entrances, awnings, doors and windows, building materials and color (See Commercial Guidelines P. 19-22).

- f. Describe how the proposed project meets the development objectives for the specific commercial district: Fair Oaks Avenue corridor (P. 23-27), Fair Oaks Avenue/Huntington (P. 28), Huntington/Garfield (P.29), or Pasadena Avenue/Ostrich Farm (P. 30).

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All of the following materials are required for a complete application:

- **Application Form.** Must be signed by the property owner and applicant
- **Written Narrative.** Describe the proposed project in detail. Include the extent of the work, architectural style and exterior materials that will be used
- **Mailing labels & Spreadsheet:** All projects reviewed by the Planning Commission require public notification (the Planning department will mail notices prior to the PC meeting). Mailing labels are required for this. The City strongly recommends that applicants utilize a mapping company to prepare the labels. A list of mapping companies is available from the Planning department; this is provided for informational purposes only: the City does not recommend or endorse any of these companies. Please provide:

Two (2) sets of address labels (on an 8-1/2" x 11" sheet of adhesive labels) and one (1) photocopy of the labels. The labels must list both the property owners and occupants

(if not owner occupied) of every parcel which falls within a 300' radius (100' for signs) of the project site (as measured from the corners of the subject parcel). Note: Labels for occupants do not need to include the occupant's name because this information is usually not available; these can simply state "Occupant, 3333 XYZ Street..." If possible, the labels should be cross-referenced to the radius map (by numbering each parcel or listing the Assessor's Parcel Number on each label).

A radius map, which identifies all parcels falling within a 300' radius (100' for signs) of the project site.

An electronic file that contains a spreadsheet on Microsoft Excel listing the following information in separate columns: a) Property Owner, b) Occupant, c) Property Owner Address, d) Occupant Address [including Unit Number]. *Planning Staff will use the spreadsheet to perform a mail merge with Microsoft Word..

A notarized declaration (the Planning department will provide this) from the company/individual that prepared the mailing labels stating the source of the property information how recently this was updated.

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- **Photographs.** One set of (approx.) 4" x 6" color photographs showing all existing elevations of the subject property and front elevations of neighboring properties. The photographs should show all street views on both sides of the subject property to adequately portray the appearance of the immediate neighborhood. Photos should be printed on 8 ½" x 11" sheets (two per page is a good size), and must be labeled with street addresses and referenced to a photo key (a reduced site map). Photo keys do not need to be drawn to scale, but must indicate approximate locations of where the photos were taken and the direction of each shot. Photo keys must also have a north arrow and the subject property address.
- **Plans:** An electronic file is required at the time the application is submitted. Hard copies may be required. Upon determining the completeness of the application, Staff will notify the applicant, and he/she will be required to submit seven (7) full sets of plans to the Planning Department. All site plans must be drawn at a minimum scale of 1/8" and elevations at 1/4". Submitted plans must be folded accordion style to a size of 8 ½" x 11" or less with the title block showing. The plans shall include, and may not be limited to the following: site plan, demolition plan, elevations, roof plan, window and door schedule, and building sections. **A detailed checklist of specific requirements is available for the project architect/project designer's use.**

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I HEREBY CERTIFY that I am the owner/applicant of the property which is the subject of this application; that this application is full and complete; and I have read and understand the City's Design Guidelines.

Furthermore, I agree to defend, indemnify, and hold harmless the City of South Pasadena and its Council members, Commission members, Board members, agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, or employees to contest this application or any portion of it or to attack, set aside, void, or annul any approval of the City, City Council, Planning Commission, Cultural Heritage Commission, Design Review Board or City staff concerning this application, its processing or approval.

Furthermore, I agree to provide advance payment for services to the City of South Pasadena for all reimbursable costs, both direct and indirect, including State-mandated costs, associated with the review and processing of all applications for land use entitlements and/or encroachment or grading permits, and inspections. Payment is acknowledged to be required even if the applicant withdraws the application or the City does not approve the application. Reimbursable costs include, without limitation, all items within the scope of the City's adopted Fee Schedules, as well as the cost incurred by the City for professional, technical, or legal services and any services necessary to perform functions related to review and process of the applications and inspection of the work. Non-payment or untimely payment of any amount owed may result in temporary or permanent cessation of processing of the application or inspection, and may result in the denial of the application, an order requiring cessation of all work, termination of defense of the matter through legal proceedings, and/or the withholding or revoking of permits, plan checks, entitlements, approvals, and/or certificates.

Owner's Name (Applicant)
(print)

Signature

Date

Owner's Name (Applicant)
(print)

Signature

Date

Applicant's Representative
Name (print)

Signature

Date