

TEMPORARY CONDITIONAL USE PERMIT

In certain zoning districts, specified temporary conditional uses are permitted subject to the granting of a Temporary Conditional Use Permit (TUP). Because of their nonpermanent status and unusual characteristics, temporary conditional uses require special consideration so they may be located properly with respect to their effects on surrounding properties and uses. TUP review considers land use, parking, noise, and other factors for conditional uses and ensures potential negative impacts on surrounding properties and uses are addressed by imposing reasonable conditions of approval. These conditions of approval aim to balance the request of the applicant with the public health, safety, and welfare of the surrounding properties and uses.

REVIEW PROCESS OVERVIEW

When the application is submitted it will be reviewed for completeness and assigned to a staff planner. The information provided will be sent to the appropriate departments, divisions, and agencies for review against applicable standards and policies. Once an application is deemed complete, the process takes about two to three weeks for administrative level action. This period will be longer if the plans require revisions.

The Zoning Administrator (ZA) will generally take action on Temporary Conditional Use Permit applications after the application is considered complete. If the project complies with applicable zoning regulations and the design is determined to be acceptable, the project will be approved administratively by the ZA. This action is subject to a 15-day appeal period. If the ZA action is appealed, the item is forwarded to the Planning Commission. If the Planning Commission action is appealed, the item is forwarded to the City Council. Actions taken by the City Council are final unless challenged in a court of law.

WHAT ARE THE CRITERIA FOR GRANTING A TUP?

The Pleasanton Municipal Code (PMC) establishes the following standards to obtain a TUP:

- The facility shall adhere to all occupancy, Americans with Disabilities Act (ADA), California Building Code, and exiting requirements.
- Adequate parking is available for the use, and the proposal has an effective traffic circulation system including pick-up and drop-off for business patrons.
- The use meets the requirements of the Noise Ordinance.
- The proposed use is allowed subject to a TUP within the zoning district.
- The proposed use will not be detrimental to the public health, safety or welfare.
- The proposed use will comply with each of the applicable provisions of PMC Chapters 18.116 and 18.124.

SUBMITTAL REQUIREMENTS

Following is a comprehensive list of plans and documents required for a TUP application submittal. All TUP application fees are due at the time of submittal.

- Application:** An Application for Development Review form can be obtained online at www.pleasantonpermits.com or from the Planning Division at 200 Old Bernal Avenue. The property owner must sign the application form or provide a written letter of authorization upon submittal. The TUP application fee (located on the application and on the City's website) is due at the time of submittal. Applications are required to be submitted online at http://www.cityofpleasantonca.gov/gov/depts/cd/planning/electronic_planning_submittal.asp.
- Photographs:** Submit photographs of the existing site conditions.
- Owners Association Approval:** If the property is located in an Owners Association, one copy of an approval letter must be submitted with the application.
- Written Narrative:** A letter which describes the proposed business operations and specified term of use (not to exceed one year). Please clearly state hours of operations, number of employees, impacts to parking, and if applicable, provide the number of students/patrons/attendees at any one time, including during peak and off-peak times, any vehicles stored on-site and their respective quantities and sizes and/or any other pertinent information related to the operations of the proposed use. State how the request conforms to the required CUP findings.
- Project Plans:** One digital copy in PDF format of the following plans (plans must be drawn to scale):
 - a. **Site Plan:** An exhibit which clearly shows the dimensions of the lot, the existing structure(s), setbacks, any proposed new construction, the subject tenant space, and parking areas.
 - b. **Floor Plans (if applicable):** Existing and proposed floor plans which clearly show all building dimensions, all interior walls, doors, windows, description of each room/space.
 - c. **Elevations:** Plans showing the detailed appearance of all proposed construction (include all sides of the buildings and provided colored and black/white elevations). Dimensions, heights, colors, materials, lighting, and special architectural features shall be shown on the elevations.