

## What is a Conditional Use Permit?



First, it's important to remember what "zoning" is and why zoning is important in Turlock. Zoning means dividing land in the City of Turlock into "districts" reserved for different purposes. Within each district, local rules on the height, bulk and area of buildings, the area of yards and open space, and permitted land uses are established. These local rules are contained in the Turlock Zoning Regulations, part of the City's Municipal Code.

The "permitted" land uses of each zone district are those that are considered most appropriate for the particular type of district, or area in which they are located. For instance, single family homes are "permitted" by right in the Residential, Single Family zoning district.

However, the City has identified other land uses for each zoning district that are generally compatible with the "permitted" land uses, however, because of certain aspects associated with their use, it has been decided that they may be permitted under certain "conditions." Therefore, these types of activities are identified as "conditional uses" in each respective zoning district.



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## Conditional Use Permits



**Development Services Department**  
**Planning Division**

## What if the use I want to do is listed as a "Conditional Use"?



Then you must first obtain a conditional use permit from the Turlock Planning Commission prior to occupying the building or land, or obtaining building permits for any new construction to support the proposed conditional land use.

The Zoning Regulations of the Turlock Municipal Code establish the criteria that the Planning Commission follows in determining each conditional use request for a particular piece of property. Generally, the City laws allow the Commission to grant a use permit when they find:

- (a) That the site for the proposed use is adequate in size and shape to accommodate such uses, all yards, open spaces, wall, fences, parking, loading, landscaping and other features required by the Municipal Code or the commission to make sure such use is compatible with the land and uses in the vicinity;
- (b) That the site for the proposed use is related properly to streets and highways to carry the quantity and kind of traffic generated by the proposed use;
- (c) That the proposed use will not adversely affect the abutting property or the permitted use thereof with the provisions of conditions; and
- (d) That the site for the proposed use is in conformance with the General Plan.

It's important to note that while you may feel you have valid reasons for requesting a conditional use permit, these requirements in the Turlock Municipal Code are the basis upon which the Planning Commission makes its decision.

## How to Apply



In order for the Planning Commission to review your request for a "conditionally permitted" land use, you must submit an application for a conditional use permit with the Turlock Planning Division. An application for a conditional use permit can be picked up at the Planning counter in City Hall. The application includes instructions on how to complete the application form and environmental questionnaire, lists the information that must accompany the request and identifies the application processing fee. We recommend that you come in person and speak with a member of the Planning staff prior to submitting an application. We will discuss your proposed "conditional use" with you, review the local laws applicable to your request, and can also describe similar applications and what happened with them.

## What happens after applying?



Once an application has been accepted as complete, it will be scheduled for consideration by the Planning Commission. Prior to the meeting, City staff will review your application, visit the site and compile background information on your request. They will analyze how your request relates to the provisions of the law, access to public facilities, its relation to City plans, and the possible consequences of the request.

Conditional Use Permit applications require a public hearing before the Planning Commission. A public hearing notice is prepared by the Planning Division, published in the local newspaper, and mailed to all property owners within 500 feet of the property under review. Additionally, the applicant is required to post a public notice sign, of prescribed content and dimensions, on the project site.

About one week before the Planning Commission hearing, Planning staff will prepare a written report including recommendations and forward it to the Planning Commission. A copy will also be mailed to you. At the Commission meeting, a Planner will present the City staff's analysis and recommendation. Then, you will be given an opportunity to comment on your proposal. Finally, any member of the public wishing to speak on the project may do so. Following public comments, the Planning Commission will make a decision either to grant your request, deny your request, or continue it for further study. The Planning Commission decision is final unless appealed to the City Council. In granting a use permit, the Commission may impose conditions on the use to make sure it is compatible with the surrounding land uses and

complies with other City requirements.

These may include things such as increased setbacks, use of special fences or landscaping, building or site design approval, street dedications, and time limitations.

## Who can appeal to City Council?



You or any other member of the public has the right to appeal the Planning Commission's decision to the City Council. The appeal must be filed with the City Clerk within ten days of the Planning Commission decision. If an appeal is filed, a public hearing will be immediately scheduled for the City Council.

*We encourage you to contact the Development Services Department as early in the process as possible. We will be happy to help you find out how the City regulations may affect your specific plans or ideas. We're here to help you achieve your goals while protecting the safety and interests of all citizens of Turlock.*

