

## *Conditional Use Permits*

### *What is a Conditional Use Permit?*

Certain types of land, or types of business, those have an impact on their community. The City Council strictly controls such uses through the Conditional Use Permit (CUP) process. Conditional Use Permits are approved by the Planning Commission and may be appealed to the City Council

For business owners a CUP may be a required permit in order to obtaining a business permit to do business in the City of Saratoga. For this reason, the online City business resources section will have a link guiding business owners to the new CUP section to further offer guidance in the business permit process.

A *use permit* is not a matter of right, and the Planning Commission may deny a *use permit* or impose conditions upon the granting thereof if it finds that the proposed conditional *use* will adversely affect existing or anticipated uses in the immediate neighborhood, or will adversely affect surrounding properties or the occupants thereof.

Examples of uses that may need a Conditional Use Permit:

Restaurants, markets, hotels and motels, institutional facilities, community facilities, etc.

### *Do I need One?*

For additional information on which uses may require a Conditional Use permit, please consult the City's Municipal Code under the specific zoning districts [Chapter 15 ZONING REGULATIONS](#). Or contact the Community Development Department.

### *Who Approves a Conditional Use Permit?*

The Planning Division staff makes a recommendation to the Planning Commission. The Planning Commission can make a decision to approve, conditionally approve, or deny the permit. The Planning Commission decision may be appealed to the City Council.

### *What is their Decision Based On?*

There are numerous factors that are considered when the Planning Commission makes a decision on a Conditional Use Permit. The proposed use must meet the zoning and General Plan requirements for the site. The use must be compatible with the existing uses in the area. Other items that may be considered:

- Parking
- Building size
- Building placement
- Access to streets and utilities
- Hours of Operation
- Noise level
- Landscaping
- Traffic generation
- Expiration date of the permit

### *How Long Does it Take?*

In most cases, the process takes between three to six months. You can help expedite the review process by making sure your application is correctly filled out and your proposal is clearly stated. For any questions regarding the Conditional Use Permit process, please contact the Community Development Department.

### *What does it Cost?*

The Cost for a Conditional Use Permit is a flat fee of \$4,700 (\$4,400 for the permit plus \$300 document storage fee).