



HOW TO APPLY FOR A CONDITIONAL USE PERMIT

WHEN IS A CONDITIONAL USE PERMIT REQUIRED?

Approval of a conditional use permit is required before certain uses may be established in the City. The list of uses that require a conditional use permit varies by zoning district. Check with the Planning Division or refer to the zoning district regulations in the Zoning Ordinance to determine if your project requires approval of a conditional use permit.

WHAT IS ITS PURPOSE?

The purpose of a use permit is to assure that certain uses, as specified in the various zoning districts, are permitted where there is a community need, and that the uses occur in maximum harmony with the area and in accordance with city policies and regulations. Conditions, which are attached to use permits to ensure harmony, may include such things as limits on hours of operation or visual improvements.

An application for a site plan review and/or a variance may be processed concurrently with a conditional use permit application.

WHAT DOES IT COST?

The initial application fee for a Conditional Use Permit is a \$5,000 deposit to be used for cost of staff review time and materials (no maximum), billed on a monthly basis [See Planning Fee Schedule]. This charge covers staff review of the

request, preparation of staff reports and presentation of the application to the Planning Commission and City Council.

WHO APPROVES A CONDITIONAL USE PERMIT?

A conditional use permit is approved by the Planning Commission. Action may be appealed within 10 days to the City Council.

WHAT ARE THE STEPS?

1. Make an appointment to see a Planner to determine which regulations apply to your proposed use. In certain cases you may also be directed to contact other City departments. At your request, or if a Planner determines it would be helpful, a pre-application meeting will be set up with staff members in attendance from the appropriate City departments.
2. Submit a completed application form, filing fee and required materials for review to the Planning Division.
3. A Planner will review your application to insure that it contains sufficient information to process. Copies of your proposal will also be referred to other affected departments, other agencies, and to property owners and occupants in the area for comment. Upon receipt of their responses, the project planner may contact you to obtain additional information.

4. When all additional information requested has been received and your application is deemed complete, the application will be scheduled for a hearing before the Planning Commission.

WHAT MATERIALS DO I SUBMIT?

Obtain “Development Application Instructions” available at the Permit Center or on-line at www.hayward-ca.gov.

HOW LONG DOES THE PROCESS TAKE?

Once the application is complete with all requested information submitted, the process takes approximately 6 to 8 weeks. Proposals requiring special environmental studies may require additional time. (NOTE: Estimated processing time **does not** include time needed by the applicant to revise and resubmit plans and studies.)

If an Environmental Impact Report (EIR) is required, the process will take considerably longer. For details about EIR requirements or other environmental concerns, see the Environmental Assessment Information Sheet.)

WHAT IS INVOLVED IN THE APPROVAL PROCESS?

The applicant and all owners and occupants of property within 300 feet of the boundaries of the project will be notified that a hearing will be held before the Planning Commission to review the proposed use. At the hearing the Planning Commission will consider the Planning Division staff report, and hear testimony from applicant and members of the public. After the public hearing

portion of the meeting is concluded, the Planning Commission may conditionally approve the project, deny it, hold the matter over for redesign (with the applicant’s consent) or refer it to the City Council.

MAY A DECISION BE APPEALED?

An applicant or anyone else who may be impacted by the decision of the Planning Commission may appeal the decision to the City Council. To appeal, a written statement explaining one's objections must be filed with the Planning Division within 10 days after the decision has been made.

A public hearing before the City Council will be held in approximately 4 to 6 weeks.

WHEN ARE HEARINGS HELD?

The Planning Commission holds public hearings on Thursdays at 7:30 p.m. in the City Council Chambers, City Hall, 777 B Street, Hayward. The City Council holds public hearings on the first four Tuesdays of each month at 8:00 p.m.