



CITY OF TEMECULA

PLANNING DIVISION

41000 Main Street 951-694-6400

Temecula, CA 92590 TemeculaCA.gov/planning

CONDITIONAL USE PERMIT (CUP)

Introduction

This handout summarizes the City of Temecula's Conditional Use Permit (CUP) requirements. Detailed CUP requirements can be found in [Section 17.04.010](#) of the Development Code.

What is the purpose and intent of CUPs?

The purpose of a CUP is to allow for the establishment of those uses which may have special impacts or uniqueness such that their effect on the surrounding environment cannot be determined in advance of the use being proposed for a particular location. The CUP provides the City with the means to review the location, design, configuration of uses, and potential impact and compatibility with the surrounding area(s).

When is a CUP required?

The City's Development Code lists particular uses that require a CUP for each zoning district. A CUP is required for all uses which could have some special or unique impact on the surrounding environment.

How do I apply for a CUP?

1. **Read**, review, and complete this application
2. **Verify** all required items (including fees) are provided (a "required" list is on the next page)
3. **Fold** your plans to 8 ½" x 11"
4. **Call** the Community Development Department at (951) 694-6400 to schedule an appointment time (within 1-2 working days)
5. **Submit** folded plans to our Permit Center at 41000 Main Street, Temecula, CA 92590.

Where can I find fee information?

TemeculaCA.gov/fees

What are the criteria for CUP approval?

In order to approve a CUP, the Planning Commission or Planning Director must make the following findings:

- The proposed conditional use is consistent with the General Plan and the Development Code.
- The proposed conditional use is compatible with the nature, condition and development of adjacent uses, buildings and structures and will not adversely affect the adjacent uses, buildings or structures.
- The site for a proposed major or minor conditional use is adequate in size and shape to accommodate all development features.
- The nature of the proposed conditional use is not detrimental to the health, safety and general welfare of the community.

CUPs are approved with "Conditions of Approval" which are designed to ensure that the use operates properly and is compatible with the surrounding area.

Can I renew my approval?

A CUP is valid for two (2) years and will expire if substantial construction or the use has not commenced. The City may, upon an application being filed within thirty days prior to expiration, grant a time extension of one year (up to three extensions may be granted).

Is a hearing required?

A Public Hearing is required for a CUP.



APPLICANT ✓	STAFF ✓	CUP	SECTION	REQUIRED ITEMS Detailed instructions for each section can be found in this packet. Incomplete applications will not be accepted. Use this checklist to ensure all documentation is provided upon submittal.
		# OF COPIES		
		1	A	Complete/signed application and filing fee
		1	B	A digital copy of all project files in PDF format or JPEG/PNG format (CD or USB)
		10	C	Statement of Operations
		10	D	Statement of Justification
		1	E	MSCHP/Burrowing Owl Report
		2	F	Water Quality Management Plan or Checklist
		1	G	Hazardous Waste Site Information Form
		1	H	Chemical classification/Quantification Packet (obtain from Fire)
		1	I	Underlying Conditions of Approval
		1	J	Color Photos (8 1/2" x 11")
		10	K	Site Plan
		10	L	Floor Plan
		1	M	Developer Disclosure Statement

BEFORE SUBMITTING PLEASE REMEMBER

Appointment:

Appointments are required for submittals. Please contact the Community Development Department at 951-694-6400 to schedule an appointment.

Fees:


Fees are available at TemeculaCA.gov/fees.

Folding:

All plans larger than 8 1/2" x 11" must be folded down to 8 1/2" x 11".



CONDITIONAL USE PERMIT (CUP)

APPLICANT ✓	STAFF ✓	CUP	SECTION	
				 The following items will be required <u>prior to the public hearing</u> (if applicable). These items are <u>not required for the initial submittal.</u>
		1	X1	Public Hearing Information (see Section X1)
		8	X2	Spiral Bound Color 11" x 17" reductions of all exhibits
		1	X3	Final Color 3D Renderings
		5	X4	Full Size Site Plan, Floor Plans, Folded to 8 1/2" x 11"
		1	X5	Developer Disclosure Statement
		1	X6	CD or USB of all project plans and documentation.

APPLICANT/REPRESENTATIVE

First Name		Middle Name	Last
Street Address			
City	State	Zip	Phone
E-mail			

PROPERTY OWNER

First Name		Middle Name	Last
Street Address			
City	State	Zip	Phone
E-mail			

SIGNATURES AND CERTIFICATIONS

I certify that all filing requirements have been satisfied for my application. I further understand that an incomplete application cannot be accepted for processing.

Applicant's Signature →	Date
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I certify under the penalty of the laws of the State of California that I am the property owner of the property that is the subject matter of this application and I am authorizing to and hereby do consent to the filing of this application and acknowledge that the final approval by the City of Temecula, if any, may result in restrictions, limitations and construction obligations being imposed on this real property.

Owner's First Name (Printed)	Owner's Last Name
Owner/Authorized Agent Signature →	Date

NOTE

Written authorization from the legal property owner is required. An authorized agent for the owner must attach a notarized letter of authorization from the legal property owner.

Multiple parcels will require authorization from each property owner.

SECTION B**DIGITAL COPY**

Provide a digital copy (PDF) of all project files. All PDF files must follow the below requirements:

- Unlocked & unencrypted PDF format
- Merged or flattened
- The same sheet size shall be utilized (for plans)
- Plans shall utilize a landscape orientation
- Follow the City's standard filename conventions (see examples below)
- Sections with multiple sheets should be one PDF file. For example, if there are five site plan sheets, it will be one PDF file called "V1 Site Plan 1.01.17." Different sections should not be mixed (i.e. floor plans should a separate PDF from elevations).

Example Filenames for Plans

Submittal	Version #	Plan Name	Date	Actual Filename
1 st Submittal	V1	Site Plan	1.01.17	V1 Site Plan 1.01.17
2 nd Submittal	V2	Site Plan	2.05.17	V2 Site Plan 2.05.17

Example Filenames for Documentation

Submittal	Version #	Document Name	Date	Actual Filename
1 st Submittal	V1	Statement of Operations	1.01.17	V1 Statement of Operations 1.01.17
2 nd Submittal	V2	Statement of Operations	2.05.17	V2 Statement of Operations 2.05.17

SECTION C**STATEMENT OF OPERATIONS**

Provide a written Statement of Operations outlining your proposed business the Statement of Operations shall include:

- Title the Statement of Operations, "Section C: Statement of Operations"
- Include a date on the Statement of Operations
- A detailed description of the proposed business operations
- Hours and days of operation
- Number of employees
- Proposed private security (if required)
- Estimated number of customers
- Total number of parking spaces
- Indicate if food will be served
- Indicate if alcohol will be served
- Indicate if live entertainment will be provided

SECTION D**STATEMENT OF JUSTIFICATION**

Provide written justification (typed) outlining your request for a Conditional Use Permit.

- Provide a title labeled "Section D: Statement of Justification"
- Include a date on the Statement of Justification

This justification must answer the following questions. Please provide a thorough explanation of your responses.

1. Is the site suitable and adequate for the proposed use?
2. Would the proposed use and design have a substantial adverse effect on traffic circulation and on the planned capacity of the street system?
3. Would the proposed use have a substantial adverse impact on the general welfare of persons residing in the community?
4. Is the design of the project compatible with the existing and proposed development within the district and its surroundings?

SECTION E**MSHCP INFO**

Visit TemeculaCA.gov/MSHCP. On that page, click on the report generator. Use the property's Assessors' Parcel Number (APN) to generate a report. Attached a copy of that report to this application.

SECTION F**WQMP CHECKLIST**

State and regional water quality permits require the completion of applicable water quality documents. At minimum, projects will be required to provide Appendix A.1 which can be downloaded and filled-out at the following URL:

- TemeculaCA.gov/WQMPA1

Additional forms may be required based on the answers and steps outlined in the above form. Please contact our Public Works team at 951-694-6400 for assistance or visit TemeculaCA.gov/WQMP for more information.

Government Code Section 65962.5, which became effective July 1, 1987, requires the applicant for any development project to consult specified State-prepared lists of hazardous waste sites and submit a signed statement to the local agency indicating whether the project is located on or near an identified site. Under the statute, no application shall be accepted without this signed statement.

PART A – REGIONAL WATER QUALITY CONTROL BOARD HAZARDOUS WASTE SITES

Determine if your project is within a one-mile radius of a hazardous waste site.

1. Visit geotracker.waterboards.ca.gov
2. Enter your project address
3. Enter a buffer (radius) of 5,280 feet (one mile)
4. Print the map and attach it.
5. **Is the project within a one-mile radius of an identified hazardous waste site? Yes No**

REGIONAL WATER QUALITY CONTROL BOARD HAZARDOUS WASTE SITES**PART B – PUBLIC WELL PROXIMITY**

Determine if your project is within a one-mile radius of a public well site.

1. Visit <http://geotracker.waterboards.ca.gov/qama>
2. Enter your project address
3. Enter a buffer (radius) of 5,280 feet (one mile)
4. Print the map and attach it.
5. **Is the project within a one-mile radius of an identified public well? Yes No**

I (we) certify that I (we) have investigated and completed this hazardous waste site form, and that my (our) answers are true and correct to the best of my (our) knowledge.

Owner/Representative _____ Date _____

SECTION H**CHEMICAL CLASSIFICATION/QUANTIFICATION PACKET**

Provide a chemical classification/quantification packet. Consult with the Temecula Fire Department to see if this requirement is applicable to your project.

Phone: 951-694-6405

Website: TemeculaCA.gov/232

SECTION I**UNDERLYING CONDITIONS OF APPROVAL**

Provide a copy of the underlying Conditions of Approval. If original copies are needed, please submit a records request online at TemeculaCA.gov/records.

SECTION J**COLOR PHOTOS**

Provide 8 1/2" x 11" color photos from the interior of the site looking north, south, east, and west with the directions labeled on each photo. Additionally, provide photos of the project site from all off site directions.

SECTION K**SITE PLAN****PLAN PREPARATIONS & GUIDELINES**

All plans shall be drawn on uniform sheets no less than 24" X 36" (or as approved by the Community Development Department). Each complete set consisting of the site plan, floor plan/roof plan, proposed structure elevations, conceptual landscape plan, photometric plan, and conceptual grading plan should be stapled together and folded into 1/8 sections with a **folded size not to exceed 8 1/2" X 11"**. All plans shall be clear, legible and accurately scaled. The site plan, landscape plan and grading plan should all be at the same scale and shall be consistent with each other.

On large scale drawings, 1"=20', or larger, it will generally be desirable to include the conceptual grading of the site on the site plan in lieu of a separate drawing (see Section C). For larger, more complicated sites drawn at a smaller scale (i.e., 1"=40'), a separate conceptual grading plan should be submitted.

Scale: Engineering scale not to exceed 1"=40'

The following information shall be included on the plan:

- Name, address, and phone and fax number of applicant, owner, architect and/or engineer
- Graphic scale (with bar scale) and north arrow
- Vicinity map
- Existing property lines in bold and label all dimensions (metes and bounds)
- Location and dimensions of all existing and proposed easements (with record reference)
- Proposed lot lines and dimensions, if applicable
- Delineate and label the minimum setbacks from all property lines
- Location and dimension of all existing and proposed structures, including building setbacks
- Location and dimension of all landscaping and pedestrian walkways (shaded)
- Location and typical dimension of drive aisles, loading zones and parking stalls
- Location of existing and proposed onsite fuel tanks
- Location and dimensions of all trash enclosure(s) (interior and exterior dimensions)
- Location of monument sign(s) (existing and proposed)
- All proposed public improvements, including cross sections
- Location, type and height of all street, parking and pedestrian lights
- Location of existing or proposed fire hydrants within 500 feet of project site
- Location of existing or proposed Fire Department connections (within 50 feet of a public hydrant and 40 feet away from the building)
- Location of existing or proposed Post Indicator Valve
- Label interior and exterior turning radius dimensions at entries and drive aisles for emergency vehicle access (minimum interior – 37 feet; exterior – 56 feet; wheel cuts – 50 feet)
 - Location and dimension of all walls and fences
 - Location of all structures, driveways, parking areas, trees and adjoining property lines within 50 feet of

- the perimeter of the subject property
- Zoning and existing land use of adjacent parcels
- Phasing of the project (if proposed)
- Americans with Disabilities Act (ADA) path of travel (horizontal path of travel only)
- Location of all existing and proposed street lights (Indicate any to be relocated)
- Name of utility purveyors
- Date Site Plan prepared
- Data table formatted in the following order:

<input type="checkbox"/>	Assessor's Parcel Number		
<input type="checkbox"/>	Street Address (if available)		
<input type="checkbox"/>	Legal description of the property. (i.e. Tract / Parcel Map and Lot(s)/parcel(s))		
<input type="checkbox"/>	Zoning designation		
<input type="checkbox"/>	General Plan designation		
<input type="checkbox"/>	Existing land use/proposed land use		
<input type="checkbox"/>	Total Gross Area:	square feet	acres
<input type="checkbox"/>	Total Net Area:	square feet	acres
<input type="checkbox"/>	Total Building Area:	square feet	FAR
<input type="checkbox"/>	Lot coverage:	<u>Square Feet</u>	<u>Percentage</u>
	o Building area	s.f.	%
	o Parking area	s.f.	%
	o Landscaping area	s.f.	%
	o Hardscape	s.f.	%
<input type="checkbox"/>	Parking:	<u>Spaces Required</u>	<u>Spaces Provided</u>
	o Ratio/square foot of use(s)	spaces	spaces
	o Number of disabled spaces	spaces	spaces
	o Total Parking	spaces	spaces
<input type="checkbox"/>	Floor Area Ratio(s)		
<input type="checkbox"/>	Occupancy classification (per Uniform Building Code)		
<input type="checkbox"/>	Type of construction (per Uniform Building Code)		
<input type="checkbox"/>	Indicate if building has fire sprinklers and/or alarm		
<input type="checkbox"/>	Number of stories		
<input type="checkbox"/>	Height of building (as measured from the pre-existing grade, finished grade or floor protection elevation, whichever is lowest to highest point on roof)		

SECTION L	FLOOR PLAN
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Scale: The scale used on the floor plans shall be no less than 1/4" per foot. Plans must be fully dimensioned. Large projects shall be no less than 1/8" per foot with 1/4" per foot details). The Floor plans shall illustrate all proposed (and existing, if applicable) buildings and structures. The following information shall be included on the plans:

- Proposed use for each room
- Proposed square footage for each room
- Clearly label, dimension and identify:
 - o Restrooms
 - o Exits
 - o Doors
 - o Hallways
 - o Corridors
 - o Elevators
 - o Patio
 - o Stairs
 - o Fire sprinkler riser room
 - o Fire alarm control panel
 - o Location of Knox Box
 - o Location of Fire Department connection

SECTION M	DEVELOPER DISCLOSURE STATEMENT
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Provide a completed Developer Disclosure Statement. The Developer Disclosure Statement can be found at the end of this packet.

SECTION X1**PUBLIC NOTICING REQUIREMENTS**

NOTE: The following will be required prior to the public hearing but is not required for the initial submittal.

The following information may be obtained by requesting a "Radius Package" from a title insurance company.

The following items will be required prior to scheduling the application for public hearing:

1. **TWO** identical packages to be inserted in separate 9 1/2" x 12 1/2" manila envelopes. These envelopes shall indicate the case number and the word "labels," and shall contain the following:

a. One typed set of gummed labels (**30 labels per sheet**) indicating all the property owners' names and the mailing addresses that are within a 600-foot radius of the exterior of the proposed tract boundaries (this list shall be ascertained from the last equalized assessment roll). The Planning Application Number shall be located on all label sheets.

***A minimum of the 30 nearest individual property owners (persons owning multiple properties shall only be counted once) shall be provided. Applicant is responsible for crossing out all duplicate labels.**

b. A photocopy of the aforementioned labels.

c. One label for the representative/engineer.

d. One label for the owner.

2. Four typed sets of gummed labels of the owner, engineer, and representative with their mailing addresses. Do not include duplicate sets where representative and owner, etc., are the same. These should be inserted in a letter-sized envelope and stapled to the outside of one of the large manila envelopes mentioned in item 1 above.

3. Certification by the Title Company, engineer, or surveyor that the above list is complete and accurate. The Tax Assessor's Office will not prepare or certify the property owner list (see certification form attached).

4. On a copy of your assessor's parcel map show all the parcels within the noticing radius. On the map, print the names of all property owners within the noticing radius as they are listed on the gummed labels.

SECTION X2-X6**PUBLIC HEARING REQUIREMENTS**

- Spiral Bound Color 11" x 17" reductions of all exhibits
- Final 3D Color Renderings
- Full Size Plans, Elevations, Floor Plans, Grading Plans, and Landscape Plans Folded to 8 1/2" x 11"
- An Updated Developer Disclosure Statement (found at the end of this packet)
- A Final Copy of All Project Plans and Documentation
- The correct number of copies can be found of page 4 of this packet.

CITY OF TEMECULA
DEVELOPMENT APPLICATION
DEVELOPER DISCLOSURE STATEMENT

This portion of the Application must be fully completed and signed by the Applicant. If not fully completed and signed, the Application will be deemed incomplete. Additionally, this portion of the Application must be fully completed and signed by the Applicant and filed with the Planning Department again not less than five nor more than ten days prior to the hearing before the Planning Commission and not less than five nor more than ten days prior to the hearing before the City Council, if any.

1. Address of subject property: _____
2. Cross street: _____
3. Date this Disclosure Statement is completed: _____
4. Name of Applicant: _____

A. If Applicant is a limited liability company ("LLC"), please state:

- 1) Full name of LLC
- 2) Address of LLC
- 3) State of registration
- 4) Name and address of managing member(s)
- 5) Name and address of agent for service of process

B. If Applicant is a partnership, please state:

- 1) Full name of partnership
- 2) Address of partnership
- 3) State of registration
- 4) Name and address of general partners
- 5) Name and address of agent for service of process

C. If Applicant is a corporation, please state:

- 1) Full name of corporation
- 2) Address of corporation
- 3) State of incorporation
- 4) Name and address of officers of corporation
- 5) Name and address of shareholder with fifty percent (50%) or more of the shares of the corporation, if any
- 6) If no shareholder has fifty percent (50%) or more of the corporation's share, name and

address of controlling shareholder

7) Name and address of agent for service of process

5. Name of each Owner of the subject property: _____

A. If Owner is a limited liability company ("LLC"), please state:

- 1) Full name of LLC
- 2) Address of LLC
- 3) State of registration
- 4) Name and address of managing member(s)
- 5) Name and address of agent for service of process

B. If Owner is a partnership, please state:

- 1) Full name of partnership
- 2) Address of partnership
- 3) State of registration
- 4) Name and address of general partners
- 5) Name and address of agent for service of process

C. If Owner is a corporation, please state:

- 1) Full name of corporation
- 2) Address of corporation
- 3) State of incorporation
- 4) Name and address of officers of corporation
- 5) Name and address of shareholder with fifty percent (50%) or more of the shares of the corporation, if any
- 6) If no shareholder has fifty percent (50%) or more of the corporation's share, name and address of controlling shareholder
- 7) Name and address of agent for service of process

6. If the subject property is in escrow to be conveyed to another party or is the subject of a purchase and sale agreement, state the name of each person in escrow to purchase the subject property or a party to the purchase and sale agreement ("Party in Escrow"): _____

A. If the Party in Escrow is a limited liability company ("LLC"), please state:

- 1) Full name of LLC
- 2) Address of LLC
- 3) State of registration
- 4) Name and address of managing member(s)
- 5) Name and address of agent for service of process

B. If Party in Escrow is a partnership, please state:

- 1) Full name of partnership
- 2) Address of partnership
- 3) State of registration
- 4) Name and address of general partners
- 5) Name and address of agent for service of process

C. If Party in Escrow is a corporation, please state:

- 1) Full name of corporation
- 2) Address of corporation
- 3) State of incorporation
- 4) Name and address of officers of corporation
- 5) Name and address of shareholder with fifty percent (50%) or more of the shares of the corporation, if any
- 6) If no shareholder has fifty percent (50%) or more of the corporation's share, name and address of controlling shareholder
- 7) Name and address of agent for service of process

7. For any deeds of trust or other liens on the property (other than real property tax liens) please state the following:

A. Name of beneficiary of the deed of trust or lien

B. Date of the deed of trust or lien.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
Executed on the date and location set forth below

Name:
Title:
Date of signing:
Location of Signing: () Temecula or () Other