How to Obtain a Conditional Use Permit

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What is a Conditional Use Permit?

Conditional Use Permits (CUPs) are required for certain uses or developments that have operating characteristics or development features requiring special consideration to ensure they are designed, located, and operated compatibly with neighboring properties and uses.

When is a CUP Required?

The Salinas Zoning Code identifies uses and development that require a Conditional Use Permit. Applicants should review the applicable Use Classification Tables and other provisions of the Zoning Code to determine whether a proposed use or development requires a CUP.

Applicants are encouraged to contact the Community Development Department, Current Planning Division, before submitting an application to confirm applicable requirements.

What is the Process for Obtaining a CUP?

The process for obtaining a CUP varies depending on the type of CUP required, the complexity of the project, and the environmental review required under the California Environmental Quality Act (CEQA).

The following steps generally apply:

01 **Step 1: Contact the Current Planning Division**

Applicants are encouraged to consult with Current Planning staff before submitting an application. Early consultation can help identify applicable zoning requirements, required permits, application materials, and potential issues associated with the proposed project.

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Step 2: Prepare and Submit the Application

Complete the required Development Review Application and provide all plans, supporting documents, and other materials identified on the applicable City submittal checklist.

The application must be submitted with the required application fees.

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Step 3: Application Review

Current Planning staff will review the application for completeness and compliance with applicable City regulations. The project may also be routed to other City departments or outside agencies for review, as applicable.

If additional information or plan revisions are required, the applicant will be notified.

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Step 4: Environmental Review

The project will be reviewed in accordance with the California Environmental Quality Act (CEQA). Depending on the project, the City will determine the appropriate level of environmental review.

Additional environmental documents, studies, information, or fees may be required before the application can proceed.

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Step 5: Project Review and Revisions

Following review of the application, plans, and environmental information, City staff may identify changes necessary to comply with applicable regulations or address project-related issues.

The applicant may be required to submit revised plans or additional information before the application proceeds to a decision.

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Step 6: Notice and Decision

The required decision-making process depends on the type of CUP and applicable provisions of the Salinas Zoning Code.

Certain CUPs may be considered administratively by the City Planner in accordance with the Zoning Code. When required, notice of the proposed administrative action will be provided to surrounding property owners.

CUPs requiring Planning Commission consideration will be scheduled for a public hearing. Notice of the hearing will be provided in accordance with applicable City and State requirements, including notice to property owners within the required notification area.

At the public hearing, the Planning Commission will consider the application, staff's analysis and recommendation, and comments from the applicant and the public before taking action on the CUP.

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Step 7: Approval and Permit Recordation

If a CUP is approved or conditionally approved, the permit must be signed and returned to the City within the timeframe required by the Salinas Zoning Code.

Following completion of the applicable appeal period and other required steps, the CUP will be filed for recordation with the Monterey County Recorder, as applicable.

The applicant is responsible for complying with all conditions of approval and obtaining any additional permits required for the project.

Are All CUP Applications Reviewed by the Planning Commission?

No. Depending on the type of CUP and the circumstances of the application, certain CUPs may be reviewed and approved administratively by the City Planner in accordance with the Salinas Zoning Code.

Other CUPs require consideration by the Planning Commission at a noticed public hearing.

The Current Planning Division can assist applicants in determining the applicable review process for a proposed project.

Can a CUP Decision Be Appealed?

Yes. CUP decisions may be appealed in accordance with the procedures and timeframes established by the Salinas Zoning Code.

Generally, an administrative decision may be appealed to the Planning Commission, and a Planning Commission decision may be appealed to the City Council.

Contact the Community Development Department for current information regarding appeal procedures, deadlines, and applicable fees.

Can an Approved CUP Be Changed?

Yes. Changes to an approved CUP may require an amendment or other modification to the existing approval.

The appropriate process will depend on the nature and extent of the proposed changes. Applicants should contact the Current Planning Division before making changes to an approved project.

Are Other Permits Required?

Possibly. Depending on the project, additional permits or approvals may be required, such as Building Permits, Encroachment Permits, Sign Permits, or other City or agency approvals.

Applicants are encouraged to coordinate with the Community Development Department early in the process to identify additional requirements that may apply to the project.