



CITY OF CAPITOLA

CONDITIONAL USE PERMIT INFORMATION

CITY OF CAPITOLA COMMUNITY DEVELOPMENT DEPARTMENT
420 CAPITOLA AVENUE, CAPITOLA, CA 95010
831-475-7300 WWW.CITYOFCAPITOLA.ORG

Conditional Use Permit Overview

A Conditional Use Permit (CUP) allows uses and activities which can be appropriate for a particular property, but may require restrictions to minimize adverse impacts on neighboring properties. For example, a CUP is required to allow a large family day care facility in a residential neighborhood because of the potential for increased traffic, parking, and noise which may be undesirable to neighbors. A CUP allows the City to impose restrictions to ensure neighborhood compatibility. A CUP is a discretionary permit which is typically considered by the Planning Commission at a publicly noticed hearing.

Conditional Use Permit Applicability

The [Zoning Code](#) outlines principally permitted and conditionally permitted uses for every zoning district in the City. For example, the C-C (Community Commercial) district includes a list of uses which may be allowed by-right (without a CUP) and those that require a CUP. Additional criteria and standards for a CUP are in Zoning Code sections 17.96 and 17.124.

A CUP applies to a specific use on a distinct property. A CUP remains valid for current and future property owners as long as the use is not changed or expanded. The City may revoke a CUP if a use is changed, expanded, or is not operated in compliance with conditions of approval.

Modifications to an Existing Conditional Use Permit

An applicant may propose to change or expand their use by applying for a new CUP.

Application Requirements and Cost

Applicants must submit a [Master Application](#) and submit necessary fees as established in the City's adopted [Fee Schedule](#). CUP applications also require:

- Site plan, floor plans, elevations, landscape plans
- Color and materials board
- Stormwater permit application
- Drainage/erosion control plans

Depending on the nature of the project, additional information may be necessary.

Time and Cost

A CUP typically takes 60-180 days to process depending on the complexity of the project. The cost for a CUP is listed in the [Fee Schedule](#) under Planning Fees.

CUP Process

City staff will process a CUP application concurrently with any other discretionary permits such as a Design Permit or a Coastal Development Permit. CUP applications which also require a Design Permit are presented to the City's Design and Development Review Committee prior to being considered by the Planning Commission.

CUP Findings

To approve a CUP, the Planning Commission must make findings that the proposed use would be compatible with neighborhood character and would not introduce significant adverse impacts to the surrounding community. The Planning Commission considers a number of factors in their deliberations, as outlined in Zoning Code section 17.124.060.

Public Hearing Process

Applicants for a CUP should attend the Planning Commission hearing with their architect or designer, as applicable, and be prepared to present information to support their request. City staff will present its analysis of the request with a recommendation to approve or deny the application. The applicant and their representatives will then have an opportunity to present their case. The public will also have an opportunity to comment, either in support or in opposition of the proposal. After the hearing body receives all public testimony, the public hearing is closed and the decision-maker(s) deliberate the merits of the proposal. The decision-maker then renders a decision to approve or deny the proposal. The decision-maker may approve a modified project or condition the project as necessary to ensure consistency with the City's General Plan, Zoning Code, and compatibility with existing neighborhood character. Decisions of the Planning Commission may be appealed to the City Council.