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[www.ci.clayton.ca.us](http://www.ci.clayton.ca.us)

# Use Permit Application

As provided in the Clayton Municipal Code Title 17, Chapter 17.60

Below: Office Use Only

File No: \_\_\_\_\_ Total Deposit: \_\_\_\_\_

Residential Deposit: \_\_\_\_\_ Non-Residential Deposit: \_\_\_\_\_

Received By: \_\_\_\_\_

Date: \_\_\_\_\_ Receipt No: \_\_\_\_\_

Please clarify any questions with the Planning Staff prior to completing this form. Please print or type legibly. Attach additional sheets if necessary. Incomplete applications will not be accepted.

**1. Applicant/Property Owner Contact Information:** Phone Number: \_\_\_\_\_

Applicant Name: \_\_\_\_\_ Applicant Email: \_\_\_\_\_

Property Owner Name: \_\_\_\_\_ Property Owner Email: \_\_\_\_\_

**2. Project Designer Contact Information:**

Designer Name/Company: \_\_\_\_\_ Email: \_\_\_\_\_

Company Address: \_\_\_\_\_ Direct Phone No: \_\_\_\_\_

**3. Project Description:** Type and attach your project description. Be specific.

Applicant's interest in property:  Own  Lease---Owner's name: \_\_\_\_\_

If leased, owner's address: \_\_\_\_\_ Owner's phone No: \_\_\_\_\_

**4. Submittal Requirements:**

The number of copies of each of the Items below, which constitutes a complete Application Submittal Packet, will be determined by the Community Development Director. If not specified, assume only one copy is needed. If applicable, all plans and analyses shall be at scale 1"=20' for site planning and 1/8"=1' or greater for elevations and floor plans. Please submit the following information in the order in which it is outlined below. Additional items may be required by the Community Development Director.

Community Development General Application

Use Permit Application

Processing Deposit: Residential \$ \_\_\_\_\_ Non-Residential \$ \_\_\_\_\_ ( Make check payable to the City of Clayton)

Title Report or copy of a Preliminary Title Report prepared for the current owner

Legal description for each subject parcel(s)

Current zoning map showing existing and proposed zoning classification(s), as applicable, for the subject parcel(s) and its surrounding land uses

General Plan map showing existing and proposed general plan designation(s), as applicable, for the subject parcel(s) and its surrounding land uses

Photographs/Graphics showing the relationship of the subject parcel(s) identified to the surrounding properties. Include aeriels such as Google Earth maps, and perspective photographs.

Preliminary Landscaping Plan (See Title 17, Chapter 17.80 of the Municipal Code)

**Site Opportunities/Constraints Analysis:** Use maps, graphics, and text to answer the questions below, as applicable

**I. Environmental:**

- |  |   |
|--|---|
| 1. Existing natural land features  | 6. Water bodies and wetlands  |
| 2. Type and diameter of trees 6" or larger in diameter at 4'6" above natural grade | 7. Flood hazard areas   |
| 3. Topography (at 2' contour intervals)  | 8. Surface and subsurface geology plus geological hazards such as earthquake faults |
| 4. Soils- summarize soils report findings  | 9. Natural features including view sheds and ridge lines                            |
| 5. Drainage patterns   | 10. Archeological sites   |

**II. Existing Improvements:**

1. Location and dimensions of all existing structures/improvements
2. Show roads, paths, parking areas and all other improvements (patios, pools, decks)
3. Identify all on-site and off-site improvements to be retained showing location and dimensions

**III. Easements:**

1. The location, dimension, and purpose of all existing easements on the property.

**Site/Development Plan:** 9 copies (Show/Include the following, as applicable:  
1 copy reduced (maximum size 11" x 17")

1. Project name
2. Submitted by (name, address, phone, date)
3. Site address
4. Scale, north arrow
5. The name(s) of the present owner(s) of each separate legal parcel
6. Map showing the property to be developed in its context (surrounding streets, land uses, structures)
7. Boundary lines showing the entire proposed development including dimensions
8. Boundary lines of each separate legal parcel including dimensions
9. Parcel size (net and gross)
10. Legal description(s)
11. Zoning (existing and proposed)
12. General Plan projected land use
13. Density (existing and proposed)
14. Location of existing improvements to be retained
15. Location of proposed on-site and off-site improvements (buildings, structures)
16. Building area, % of lot coverage, height of bldg., number of stories
17. Property lines/lease lines/phase lines: (1) fully dimensioned (2) street right of ways/alleys/easements (3) setbacks
18. Indicate proposed private common areas and those proposed for dedication for public use
19. Landscaping on-site, required and provided by % of site/ % of open useable open space
20. All streets, medians & driveways (both sides of street) within 125' of property
21. Parking required and provided

**Architectural Design:** 12 copies (maximum of 11"x 17"). Show/Include the following:

1. Elevations/drawings to scale showing architectural design of all structures proposed for the site
2. Identify the exterior materials, color and finish of all structures
3. Discuss the harmony of the proposed design with the significant design features or themes of adjacent and community structures

**Proposed Signs:**

1. Architectural drawings for each sign
2. Location of each sign
3. Size, color, and shape of each sign
4. Type of illumination for each sign

**Written Statement of Operation:**

1. Type of activity
2. Days/hours operation
3. Estimated number of persons involved

**Mailing Envelopes and addresses:**

1. List of names and addresses of all legal owners of property within a 300' radius of the subject parcel(s).
2. Envelopes: prepare a complete set of addressed and stamped legal size envelopes for all listed property owners. Do not place return address on envelopes.
3. Ownership Map: County Assessors map showing subject parcel(s) highlighted or outlined and a boundary line indicating all properties located within a 300' radius of the subject parcel(s). (Will be provided by City Staff if applicant is not using a Title Company.)

## 5. Important Implementing Information from the City of Clayton Municipal Code:

### 17.60.010 Definition.

A Use Permit may allow certain uses or activities not permitted by right in specific zoning districts or areas. In some cases, these uses must comply with defined conditions in order to be allowed to develop and/or operate. (Ord. 325, 1996)

See the City of Clayton Municipal Code Title 17, Chapter 17.60 for a list of general, residential and commercial uses requiring a use permit.

### 17.60.040 Standards of Review.

#### **A. Parking/Access.**

1. Does the project provide sufficient off-street parking for vehicles and bicycles?
2. Does the project provide safe and effective access for vehicles, pedestrians, and bicycles?

#### **B. Traffic Congestion.**

1. Could the project generate significant traffic congestion?

#### **C. Town Center Compatibility** (Applicable only to uses which require a use permit for ground floor locations in the Town Center Commercial land use designation of the *Town Center Specific Plan*).

1. Does the use (taking into account the building in which it is located, the location of the building within the Town Center, and the size of the use) complement Town Center Specific Plan goals and policies of attracting and enhancing pedestrian activity in the Town Center?
2. Does the proposed tenant space lack the street visibility which would be suitable for a retail use, restaurant, or permitted use, which does not require a use permit?
3. Would the tenant provide any goods, services, or window displays which are oriented toward or attractive to pedestrians?
4. Would the tenant complement the intensity of existing use-permitted tenants in the same project and in the Town Center?

5. What effort has the property manager or owner made to secure a tenant which does not require a use permit?
6. Is the subject tenant space located in a building with a vacancy rate which exceeds the normal vacancy rate for commercial buildings of comparable size and location?
7. Does the project involve the relocation of an existing business in the Town Center?

**D. Noise.**

1. Could the project generate noise levels above the standards of the Noise Element of the General Plan?
2. Could the project generate significant intermittent noise such as bouncing balls, announcements, grinding, sanding

**E. Air Quality.**

1. Could the project generate significant levels of dust, airborne particulate?
2. Could the airborne particulate be toxic?
3. Could the project generate significant fumes or smells?

**F. Lighting/Litter.**

1. Could the lighting especially exterior night lighting disturb surrounding properties?
2. Could the project generate significant litter?

**G. Crime.**

1. Could the project possibly result in the significant increase of crime in the area?
2. Could the project potentially have a significant negative influence on minors?

**H. Concentration.**

1. Could the project represent a concentration of a particular activity in an area to the detriment of the health, safety and/or welfare of nearby residents, businesses, property owners, and/or employees? (Ord. 414, 2008)

**17.60.050 Conditions of Approval.**

The City may impose such requirements, restrictions and conditions as a part of a Use Permit relating to factors including, but not limited to: location and site planning; construction; maintenance; operation, including hours of operation; and traffic control as it deems necessary for the protection of adjacent properties and the public interest. The City may require a cash or surety bond that such conditions will be or are being complied with by the operator. (Ord. 325, 1996)

**17.60.060 Required Findings.**

In granting a Use Permit, the factors to be reviewed by the Planning Commission (or the City Council upon appeal) shall include but are not limited to the following findings:

- A. That the use shall be in conformity with the General Plan and any applicable specific plan;
- B. That the use shall be in conformity with City-adopted standards.
- C. That the use shall not negatively affect the general safety (e.g., seismic, landslide, flooding, fire, traffic) of the City or surrounding area.
- D. That the use shall not have significant negative impacts on the health or general welfare of residents, businesses, property owners, or employees in the City.
- E. That the permit will be in accord with the purpose of Use Permits as stated herein. (Ord. 414, 2008)

**6. Certification:**

**I (We):**

- consent to the submission of this application.
- understand that an incomplete application may be denied.
- hereby declare under penalty of perjury under the laws of the State of California that the information in this application and its attachments is true, complete and correct.
- certify that I (We) have read and understand Title 17, Chapter 17.60 found in Part 5 of this application and in the City of Clayton's Municipal Code.

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Property Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_