



# City of Villa Park

## Application for Conditional Use Permit

### INSTRUCTIONS FOR FILING A PROPERTY DEVELOPMENT CONDITIONAL USE PERMIT APPLICATION

<b>Application Filing Fee for New and Modified Permit:</b>	<b>\$600.00</b>
<b>After the Fact:</b>	<b>\$800.00</b>
<b>Modification:</b>	<b>\$550.00</b>

Prior to submittal of any Conditional Use Permit Application, a Site Plan Review must be conducted. If after a Site Plan Review it is determined that a Conditional Use Permit is necessary, a Conditional Use Permit Application must be completed. Fees paid for a Site Plan Review may be deducted from the Application Filing Fee for the Conditional Use Permit Application. Building permits and plan check may be required.

The applicant shall prepare all required exhibits. All plans, legal descriptions and supporting documents must be submitted on sheets not less than 8 ½” by 11”. Plans must be carefully drawn and easily readable. If a plan is not so drawn, it will not be accepted for filing. All applications not containing the required documentation will be returned and may result in delay in City Council consideration.

Decision by the City Council is final and not subject to appeal. Applications denied may not be submitted for consideration again in similar scope for a period of one (1) year from date of denial. Approved applications are subject to conditions of approval and applicable timelines.

#### **Required Documents and application checklist:**

1. **PLOT PLAN** – Fifteen (15) copies drawn to scale containing at a minimum the following information (plans must be folded no larger than 8 ½” x 14” and include one clean 8 ½” x 11” copy to be scanned for public viewing):
  - a. Title Block (including applicant’s name, project name, project address, vicinity map, date drawn, and directional indicators)
  - b. Property lines of the subject property, including dimensions.
  - c. Buildings, existing and proposed, showing location, size and setbacks from property lines.
  - d. Property data and calculations showing the following:
    - i. Lot dimensions and net lot area.
    - ii. Existing and proposed building areas.
    - iii. Building setback requirements and proposed building setbacks.
    - iv. Lot coverage calculations including lot coverage allowed and lot coverage requested (expressed in figures and as a percentage).
    - v. Floor area allowed, requested floor area, and floor area ratio.
    - vi. Existing and proposed building heights.
  - e. Exterior elevations and floor plans for all proposed and existing structures.
  - f. Location of structures on adjoining properties within 25’ and showing setbacks from property lines (specifically dwelling units).
  - g. Street names, locations, and width of right-of-way adjacent to site.
  - h. Easements, location, purpose and width.

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- i. Parking areas including driveways.
- j. Walls and fences, existing and proposed, showing type, location, and height.
- k. Landscaped areas, existing and proposed.
- l. Topography of proposed site and extending 25' into adjacent property.
- m. Signs, location, height, dimensions and copy, if applicable.
- n. other outdoor structures and facilities; show location and use.

2. **LETTER OF JUSTIFICATION** – One (1) copy *written by the applicant* that clearly describes and explains the requested exception and how the proposed exception is justified in reference to municipal code regulations.

Section 23-19.3 of the Villa Park Municipal Code states: "...In order to give the use regulations the flexibility necessary to achieve the objectives of this chapter, in certain zones conditional uses are permitted, subject to the granting of a conditional use permit. Because of their unusual characteristics, conditional uses require special consideration so that they may be located properly with respect to the objectives of the zoning regulations and with respect to their effects on surrounding properties. In order to achieve these purposes, the City Council is empowered to grant and to deny applications for use permits for such conditional uses in such zones as are prescribed in the zone regulations and to impose reasonable conditions upon the granting of conditional use permits...In all cases, the City Council has the final authority in the granting of conditional use permits..."

Conditional Use Permit requests must include a statement indicating the precise manner of compliance with each of the applicable provisions of the specified regulation, together with any other data pertinent to the findings prerequisite to the granting of a use permit, prescribed in subsection 23-19.15.

For a Conditional Use Permit to be approved, the City Council *must* make findings of fact that establish that the circumstances in the paragraphs below do apply:

- i. That the proposed location of the conditional use is in accord with the objectives of the Municipal Code and the purpose of the zone in which the site is located.
- ii. That the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
- iii. That the proposed conditional use will comply with each of the applicable provisions of the Municipal Code, except for approved variances.
- iv. With regard to antennae, supporting masts or towers, the granting of a conditional use permit shall be conditioned so that it will terminate on the sale or transfer of ownership of the property by the applicant.

3. **LEGAL DESCRIPTION** – One (1) copy of the property involved, including a description of easements and rights-of-way that provide access thereto. In some cases, a copy of the recorded grant deed may be required. Where the property consists of lots on a recorded tract or parcel map, the information may be noted on the plot plan.

4. **LETTER OF AUTHORIZATION** – An original letter of authorization is required where the property owner is not the applicant. The letter shall state that the

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applicant has the owner's permission to file the subject request on the property. The owner or an authorized agent must sign the letter.

5. **PUBLIC NOTICE** – Furnish two (2) sets of self-adhesive labels for all persons whose names and addresses appear on the most recent assessment roll for Orange County as owning property within a distance of 300 feet from the exterior boundaries of the property to which the applications pertains. A radius map showing the property in question and the 300-foot radius must be included. The radius is measured by traversing 300 lineal feet from every corner extremity of the subject property. All properties within the radius, even if they intersect the radius line must be notified (a sample radius map is available at the public counter).

6. **FILING OF APPLICATION** – The applicant must present all exhibits in person at City Hall, 17855 Santiago Boulevard. Filing hours are 8 a.m. to 4 p.m. Monday through Friday. Applications must be submitted by the first Tuesday of the month to be heard at the regularly scheduled City Council meeting held on the fourth Tuesday of the month. When all required documents and exhibits have been completed and accepted, the date of the public hearing will be set. The applicant or his authorized agent should be present at the public hearing.

**Second Dwelling Units:** Second Dwelling Units must comply with Villa Park Municipal Code Section 23-22. Second Dwelling Units are defined as an attached or detached dwelling unit containing sleeping quarters and kitchen and bathroom facilities independent of the principal dwelling unit. Per California Government Code Sections 65852.1 and 65852.2, Second Dwelling Units are subject to a ministerial site plan review (separate application).

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**A SEPARATE CONDITIONAL USE PERMIT APPLICATION, TOGETHER WITH FEE, MUST BE FILED FOR EACH SEPARATE CONDITIONED USE ON A SUBJECT PROPERTY. ANY APPLICABLE VARIANCE APPLICATION SHALL ALSO CONSTITUTE A SEPARATE APPLICATION AND FEE.**

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# City of Villa Park

CUP # \_\_\_\_\_ Reso # \_\_\_\_\_ - \_\_\_\_\_

Fees Paid \_\_\_\_\_ *Staff Use Only*

## Application for Conditional Use Permit

Please fill out this form completely in order to be considered for a Property Development Conditional Use Permit. This form and all of the required documentation and applicable fees are due to the City of Villa Park no later than the first Tuesday of a month to be considered at the City Council Meeting on the fourth Tuesday of the Month.

Applicant/Property Owner Information	
Name:	
Address:	
Home Phone:	Work Phone:
Email Address:	
Agent for Property Owner (if applicable)	
Name:	
Address:	
Work Phone:	Cell Phone:
Email Address:	

Property Information		
Address:		
Tract #:	Lot #:	APN #:
Zoning Designation: E-4 Small Estate	R-1	Lot Size:
Description of Request		

### **CERTIFICATION STATEMENT**

As the property owner or Applicant/Agent in the request made by this filing, I hereby certify that I acknowledge, understand and concur with the following statements:

- a) There are no assurances at any time, implicitly or otherwise, regarding staff recommendations to the City Council.
- b) Major changes to the proposed project may require a new application and payment of new fees.
- c) To the best of my knowledge the information that I have presented in this form and the accompanying materials is true and correct. Any City approval of a project based on incorrect information may result in the revocation of the City approval and/or other penalties as provided by law

Signature(s): \_\_\_\_\_

Date: \_\_\_\_\_