



**NOTE:** Additional property owners and/or applicants (name, address, phone number, and signature) shall be attached to the application. In the case of a partnership, all general and limited partners shall be identified. In the case of a corporation, all shareholders owning 10% or more of the stock and all officers and directors shall be identified.

**If you would like project correspondence and notice of meetings to be sent to parties other than the applicant, please list their names, address and telephone numbers in the space provided below.**

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I, \_\_\_\_\_, hereby file this application for a development project and agree to pay any and all processing fees imposed by the St. Helena Municipal Code and City Council Resolutions (as they may be amended from time to time).

**Staff time is billed at an hourly rate and the initial deposit may not be sufficient for processing your application. If expended staff time exceeds the initial deposit, you will be notified that additional funds are required. Applications with a negative balance at the time of the public hearing will be continued until the balance is paid in full.**

**In the event the property owner is different from the applicant, the property owner must sign to indicate her/his/its consent to the filing and agreement to be liable with the applicant for payment of the processing fees.**

Failure to pay all accumulated fees by the time of public hearing will result in a continuance or denial of the project.

A finance charge of 12% per annum shall accrue on any balance unpaid after 30 days.

In the event the City is required to take legal action to enforce any of the terms and conditions of this application, Applicant and Property Owner agree to pay to City reasonable attorney fees and costs incurred in such action.

We, the owner and the applicant, will defend, indemnify and hold the City, its agents, officers, and employees harmless from any claim, action or proceeding to attack, set aside, void or annul an approval of the City concerning the project, as long as the City promptly notifies the applicant of any such claim, action or proceedings and the City cooperates fully in the defense. We have also reviewed the requirement to disclose the complete list of partners and/or shareholders.

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

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

\_\_\_\_\_

\*The applicant requests the following additional recipients for receipt of Public Hearing Notices; staff reports; agendas; and any additional communications when requested:

Each application must contain the following information. Some specialized applications require additional information. Consult with planning staff to determine whether additional materials are required. Incomplete applications will not be scheduled for Planning Commission action.

- Completed **APPLICATION FORM**, with all property owner's signatures, including all parties holding a title interest
  - WRITTEN STATEMENT**, signed and dated, explaining the reasons for your Use Permit Extension request. If a new business activity is proposed, describe the purpose, proposed hours of operation, number of full-time and/or part-time employees, type of business (i.e. type of office space, product, or manufacturing), all interior or exterior building modifications, existing number of parking spaces, etc. If a construction project is proposed, describe the project, including the maximum building height, total number of floors, gross floor area of each floor, floor area by type of use (i.e., office space, retail area, warehouse space, showroom area, etc.), number of parking spaces to be provided, access to property, and maximum building occupant load.
  - A **MAILING LIST** of all owners of property within a 300' radius of the subject property prepared and certified by a title company. \* *The Planning Department can offer this service for an additional fee of \$200.00 paid at the time of submittal.*
  - PRELIMINARY TITLE REPORT** not more than 6 months old.
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- Processing Fee Initial Deposit: **\$500**
- Public Hearing Notice: **\$400**
- Request Preparation of Mailing Labels: **\$200** \* (*Additional Fee*)

## Chapter 17.168 USE PERMITS

### Sections:

- [17.168.010](#) Purpose.
- [17.168.020](#) General provisions.
- [17.168.030](#) Application required.
- [17.168.040](#) Procedure.
- [17.168.050](#) Findings required.
- [17.168.060](#) Recordation of use permits.
- [17.168.070](#) Master use permit.

#### 17.168.010 Purpose.

The purpose of a use permit is to allow the proper integration in the city of essential or desirable uses which may be suitable only in certain locations or zoning districts, or to ensure that such uses are designed or arranged on the site in a particular manner. (Prior code § 27.435)

#### 17.168.020 General provisions.

Uses which require use permit approval have been determined to have a special character that makes their establishment as a permitted or accessory use without prior review impractical and undesirable. This review shall be for the purpose of determining that each proposed use is, and will continue to be, compatible with surrounding existing and planned uses. It is also for the purpose of establishing special conditions as may be necessary to ensure the harmonious integration and compatibility of uses in the neighborhood and with surrounding areas. (Prior code § 27.436)

#### 17.168.030 Application required.

A. Application. Application for a use permit, use permit amendment or use permit extension shall be made with the planning department on a prescribed form and shall be accompanied by plans, elevations, facts and information deemed by the department to be necessary to show details of the proposed use or building. Applications shall include the property owner's written authorization for any use permit, use permit amendment or use permit extension to be recorded against the property.

B. Filing Fee. Fees for processing applications under this section shall be set by resolution of the city council and shall be representative of the actual costs incurred by the city for processing the application.

C. Filing Date. The filing date for an application shall be the date an application is certified by the city to be complete pursuant to Government Code Section 65020 et seq. (Prior code § 27.437)

#### 17.168.040 Procedure.

The planning commission shall hold a public hearing on the use permit application prior to a final decision. (Prior code § 27.438)

#### 17.168.050 Findings required.

In its review of applications for use permits, the planning commission shall evaluate each proposed use in order to consider its impact on the city. No use permit shall be granted unless all of the following general findings can be made:

- A. That the proposed use would not generate odors, fumes, light, glare, radiation or refuse that would be injurious to surrounding uses or to the community;
- B. That the proposed use would not generate levels of noise that adversely affect the health, safety or welfare of neighboring properties or uses;
- C. That the proposed use would not generate traffic noise in excess of the normally acceptable range identified in the general plan;
- D. That the proposed use would not make excessive demands on the provision of public services including water supply, sewer capacity, energy supply, communication facilities, police protection and fire protection;
- E. That the proposed use would provide adequate ingress and egress to and from the proposed location;
- F. That allowing the proposed use would not conflict with the city's goal of maintaining the economic viability of a local-serving economy;
- G. That the proposed use would be compatible with surrounding land uses and would not conflict with the purpose established for the district within which it would be located;
- H. That the proposed use would not be in conflict with the city's general plan;
- I. That the proposed use would not be injurious to public health, safety or welfare;
- J. That granting the use permit would not set a precedent for the approval of similar uses whose incremental effect would be detrimental to the city or would be in conflict with the general plan;
- K. That, as demonstrated on a detailed plan submitted by the applicant, adequate off-street parking to accommodate the long-term parking needs of employees and business owners and customers is available;
- L. That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed use. (Prior code § 27.439)

#### 17.168.060 Recordation of use permits.

Use permits, use permit amendments and use permit extensions shall be recorded following their effective date. (Prior code § 27.440)

#### 17.168.070 Master use permit.

A master use permit is a special type of use permit which authorizes more than one conditional use, including future uses, from the list of conditional uses of the zoning district in which a property is located. On properties with one or more buildings which are occupied or designed for occupancy by multiple nonresidential uses, the planning commission may approve a master use permit. Following approval of a master use permit, any uses so authorized may be established subject only to a zoning clearance to verify status and compliance with any conditions of approval. Each master use permit shall list all of the conditional uses authorized by the permit and may be subject to conditions or requirements over and above those which might be applied for any particular use. The procedure and findings for a master use permit shall be the same as that of a use permit as described in Sections [17.168.010](#) through [17.168.060](#). (Prior code § 27.441)