



Conditional & Minor Use Permit Information

Community Development Department
Planning Division
100 Civic Center Drive / P.O. Box 1768 / Newport Beach, CA 92658-8915
(949)644-3204 Telephone / (949)644-3229 Facsimile
www.newportbeachca.gov

General Information

A Conditional or Minor Use Permit is required for uses typically having unusual site development features or operating characteristics requiring special consideration so that they may be designed, located, and operated compatibly with uses on adjoining properties and in the surrounding area. Examples are restaurants, animal hospitals, carwash and car rental facilities, gas stations, nightclubs, and accessory dwelling units. The use tables in Part 2 of the Zoning Code specify whether a use is allowed, prohibited, or requires approval of a use permit.

Justifications and Findings

Chapter 20.52 of the Zoning Code authorizes the Planning Commission or the Hearing Officer to approve, conditionally approve, or disapprove applications for a Conditional Use Permit; and the Zoning Administrator to approve, conditionally approve, or disapprove applications for a Minor Use Permit. To approve or conditionally approve a use permit, the hearing body must make the following findings provided by Section 20.52.020 F.

1. The use is consistent with the General Plan and any applicable specific plan;
2. The use is allowed within the applicable zoning district and complies with all other applicable provisions of this Zoning Code and the Municipal Code;
3. The design, location, size, and operating characteristics of the use are compatible with the allowed uses in the vicinity;
4. The site is physically suitable in terms of design, location, shape, size, operating characteristics, and the provision of public and vehicle (e.g., fire and medical) access and public services and utilities; and
5. Operation of the use at the location proposed would not be detrimental to the harmonious and orderly growth of the City, or endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.

Please note the following:

- For Conditional Use Permits in Residential Zoning Districts, the findings pursuant to Section 20.52.030.H. must also be made.
- There is a separate information sheet and application for Residential Care Facilities requiring a Conditional Use Permit. Please speak with a member from the planning department or refer to the application online for more information.

Conditional & Minor Use Permit Information

Application Requirements

1. A completed Planning Permit Application for a Minor Use Permit or Conditional Use Permit (attached).
2. One (1) copy of a Preliminary Title Report not more than six (6) months old from the date the application will be submitted that identifies the legal description of property.
3. Project Description and Justification

A written statement describing the proposed project in detail. This document will serve as the formal statement to the approving authority on what the project is and why it should be approved. Please include any relevant information which supports the application and the required findings pursuant to Section 20.52.020 F, which are noted on the previous page. The pertinent information should include the following information related to the existing and proposed use of the project site:

- | | | |
|---|--|---|
| <input type="checkbox"/> Lot Area | <input type="checkbox"/> Building/Lot Coverage (%) | <input type="checkbox"/> Number of Seats |
| <input type="checkbox"/> Lot Width | <input type="checkbox"/> Building Height (ft) | <input type="checkbox"/> Dwelling Units |
| <input type="checkbox"/> Lot Depth | <input type="checkbox"/> Landscaping (%) | <input type="checkbox"/> Hours of Operation |
| <input type="checkbox"/> Setbacks | <input type="checkbox"/> Paving (%) | <input type="checkbox"/> Use |
| <input type="checkbox"/> Gross Floor Area (sq. ft.) | <input type="checkbox"/> Parking | <input type="checkbox"/> _____ |
| <input type="checkbox"/> Floor Area Ratio | <input type="checkbox"/> Number of Employees | <input type="checkbox"/> _____ |

4. Public Noticing Requirements.

Please refer to the Planning Division's handout on [Public Noticing Requirements](#) for more information on the application materials required for a public hearing.

5. Plans

- Minor Use Permit

Use Permits requiring Zoning Administrator approval shall be submitted with three (3) standard sets and four (4) reduced sets of plans.

- Conditional Use Permit

Use Permits requiring Planning Commission approval shall be submitted with eight (8) standard sets and one (1) reduced set of plans. Twelve (12) additional sets (size to be determined) of final drawings (after staff review) will be required prior to the Planning Commission Meeting.

All plans shall adhere to the following:

- Drawn to scale no less than 1/8" = 1'
- Standard size plans are to measure 24"x36" (with details itemized on 8 1/2"x 11" sheets, if necessary) and folded no larger than 8 1/2"x14" when submitted
- Reduced size plans are to be measured between 8 1/2"x11" to 11"x17" (with details itemized on 8 1/2"x 11" sheets, if necessary) and folded no larger than 8 1/2"x 11" when submitted

Conditional & Minor Use Permit Information

The Planning Department may require additional material(s) or plan(s) and may modify or waive individual items if deemed appropriate to support the review of the application. Please consult with a planner to determine which items are applicable. The types of plans required may include the following:

Plot Plan/Site Plan

Plot plans or site plans shall be fully dimensioned and show the following information on the subject property. The plot plan shall show these items abutting the property a minimum of 20 feet from the boundaries of the site:

- Vicinity map, north arrow, and scale of the plan
- Existing and proposed property lines
- Required and proposed front, side, and rear-yard setback lines – measured and dimensioned from property lines
- Location, name, dimension, and description of all existing and proposed right-of-way lines, dedications, and easements
- Locations of existing and proposed structures, additions, utilities, driveways, walkways, and open volume areas
- Any structure(s) to be relocated, removed, or demolished
- Location, height, and material of existing and proposed walls and fences
- Location of all trash enclosures and how they will be accessed
- Location, dimension, description, and number of parking spaces/areas
- Location, height, size, and materials of existing and proposed signs
- Existing and proposed grade elevations and any significant natural features
- An information block containing the name and telephone number of the contact person and calculations in tabular form showing compliance with applicable property development regulations (i.e., density, floor area limits, height, parking, etc.)

Floor Plans

Floor plans shall be fully dimensioned and show the following information:

- Overall building and individual room dimensions, including square footage calculations
- All proposed interior walls and partitions
- Room identification
- Window and door locations
- For eating and drinking establishments, provide a furniture layout, including the proposed number of tables and chairs, and the net public area calculated and outlined or shaded.

Elevations

Elevations shall be fully dimensioned and show the following information:

- Exterior wall openings, materials, and finishes
- Roof pitches
- All roof mounted equipment and screening
- Heights above grade of all floors, eaves, and ridges

Landscape and Irrigation Plans

Landscape and irrigation plans shall be fully dimensioned and prepared by a California licensed landscape architect, licensed landscape contractor, certified nurserymen, project architect, or other

Conditional & Minor Use Permit Information

qualified professional as determined by the Planning Department. The plans shall include the following information:

- Location of the planning area(s);
- Number and types of plants to be used, specifying the common names, botanical names, size at installation, and spacing;
- Sprinkler layouts, moisture sensing devices, and controller types.
- Please refer to Chapter 20.36 (Landscape Standards) for additional information

Optional Materials

- Materials board (specifications and samples of type, color and texture of proposed construction materials)
- Color photographs of the subject and adjacent properties
- Food and/or beverage menus
- Link to website

Dock and/or Bulkhead Projects

All dock and/or bulkhead projects shall be fully dimensioned and show the following information on the subject property:

- Bulkhead, pierhead and project lines
- Property lines extending into the bay
- Existing slip and/or bulkhead layout
- Proposed slip and/or bulkhead layout
- Table describing number of existing and proposed slips/side-ties and corresponding size of vessel associated with each slip /side-tie
- Location of piles
- Table describing number and size (diameter) or existing and proposed piles
- Location of ADA compliant gangway if applicable

6. Filing Fee

A filing fee is required at the time of filing to partially defray the cost of processing and other expenses. The Planning Department will advise you of said fee.

7. Electronic Copy

All of the above submittal items are required to be submitted in an electronic format (i.e., CD, Dropbox or Email) as determined by the Planning Department prior to application submittal.