LIVERMORE
CALIFORNIA

ZONING USE PERMIT PACKET FOR TEMPORARY USES (INCLUDING RESIDENTIAL STORAGE CONTAINERS), TEMPORARY CONSTRUCTION OFFICES, TRACT SALES OFFICES AND RESIDENCES, RALLIES, CIRCUSES AND CARNIVALS

INSTRUCTIONS:

Please follow these instructions upon submittal of the following application packets: Temporary Uses, Temporary Construction Offices, Tract Sales Offices, Model Home Complexes and Residences, Rallies, Circuses and Carnivals.

1. The applicant shall complete the general application and business license application. The owner or an authorized agent must sign the applications.
2. The applicant shall provide eight (8) copies of the site plan. The site plan must be folded 9" x 12" maximum and show the following:
   a. Address
   b. Location of all buildings on the site and setbacks from property lines and existing structures
   c. Elevations of all buildings (Construction Offices, Tract Sales Offices, Residences, etc.)
   d. Location, type and height of any temporary fencing
   e. Location of all temporary facilities (i.e., tanks, power poles, etc.) and setbacks from property lines and existing structures
   f. Egress, ingress and internal circulation (including location of temporary access roads)
   g. Parking (check with the Building Division for any ADA compliant parking requirements)
   h. Temporary sign location, size, design and materials, if applicable. **(Note: A separate Sign Application and Fee ARE required.)**
3. In addition to the site plan, the applicant shall provide the following:
   a. 8 ½" x 11" reduction of all plans
   b Colors and materials samples, if applicable
   c. Site photographs
   d. Environmental Assessment Form
4. The applicant shall pay one of the following ZUP fee amounts, plus a $50 CEQA recording fee:

   a. Non-profit Organizations - $61
   b. Model Home Complex (including Construction, Tract Sales Offices and Residences - $2960 (a non-profit fee does not apply)
   c. Rallies, Circuses and Carnivals - $500

   (Note: To qualify for the non-profit fee, an Organization must provide proof of non-profit status from the Internal Revenue Service, such as a determination letter that recognizes their section 501(C)(3) status. For more information on obtaining a determination letter, qualifications, or applying for non-profit status, please contact the Internal Revenue Service at 1-877-829-5500).
5. The Planner shall give the applicant a receipt.
6. The Planner shall enter the application and obtain ZUP number from Permit Plus.
7. The Planner shall give the application packet to the Principal Planner for assignment.
8. The Principal Planner will then give the application packet to the Planning Administrative Technician for appropriate routing to other reviewing Divisions.

CITY STANDARDS FOR TEMPORARY AND INTERMITTENT USES
ZONING USE PERMITS

Certain minor or temporary uses of a property are allowed subject to the approval and issuance of a Zoning Use Permit (ZUP) per Chapter 3-10-320 of the Livermore Planning & Zoning Code (LP&ZC). ZUPs are approved at staff level and a public hearing is not required unless an appeal is filed. Some examples of such uses and their requirements are described below:

☐ **Construction Offices, Tract Sales Offices and Residences.** (*)

A. The following temporary uses shall be authorized/permitted for a period up to one year.
   1. A residence on a site in any residential district; provided, that the building meets all zoning requirements of the underlying zoning district and the site is under construction for a permanent single-family residence.
   2. Sleeping quarters for security personnel associated with the construction of any commercial, industrial or residential development. Such sleeping quarters shall meet all requirements of the underlying zoning district.
   3. A construction office associated with the construction of any previously approved commercial, industrial or residential development which meets all the zoning requirements of the underlying zoning district.
   4. A tract sales office or model home complex associated with an approved subdivision which meets all development standards of the underlying zoning district.

B. The fee is $2960, plus a $50 CEQA recording fee.
C. Applications for ZUPs required under this policy should be submitted to the Planning Division at least thirty (30) days prior to the event.
D. These applications are routed to other Divisions for review prior to issuance of the ZUP.
E. Applications required under this policy shall be processed and then assigned to a Planner.
F. ZUPs issued for construction offices, tract Sales offices and residences are not transferable.

☐ **Seasonal Outdoor Sales Lots. (*)**

A. A seasonal sales lot, such as a Christmas tree lot, shall be authorized for a period not to exceed forty (40) consecutive days.
B. A separate application packet is required for each event and/or each location.
C. The site(s) must comply with the attached Fire Department requirements.
D. The fee is $500 ($61 for Non-profit Organizations), plus a $200.00 deposit. The deposit will be refunded once the site has been inspected and signed off by the Fire Department.
E. These applications typically do not need to be routed to other Divisions prior to issuance of the ZUP.
F. Applications required under this policy shall be processed and then assigned to a Planner.
G. ZUPs issued for seasonal outdoor sales Lots are not transferable.

☐ Temporary Uses. (*)

A. A temporary use such as (but not limited to) temporary outdoor seating areas, used car sales lots, temporary residential storage containers or temporary structures shall be authorized for a period not to exceed forty (40) consecutive days.
B. A separate application packet is required for each event and/or each location.
C. The fee is $500 ($61 for Non-profit Organizations), plus a $50.00 CEQA recording fee.
D. Applications for ZUPs required under this policy should be submitted to the Planning Division at least thirty (30) days prior to the event.
E. Each residential ZUP for storage containers is limited to no more than two (2) containers in the driveway and/or primary paved frontage area. If the storage containers will not be on a paved surface, then the setbacks for the underlying zoning district must be met.
F. There must be a verifiable construction project prior to a ZUP being issued for temporary storage containers. Only one forty (40) day written extension can be granted after a site visit has been conducted by a Building Inspector.
G. Storage containers that are not located within the front one half of the lot, must adhere to the Accessory Structure Guidelines.
H. These applications are routed to other Divisions for review prior to issuance of the ZUP.
I. Applications required under this policy shall be processed and then assigned to a Planner.

J. ZUPs issued for temporary uses are not transferable.

☐ **Rallies, Circuses, Carnivals.** (*)

A. Rallies, circuses, carnivals and similar events in conjunction with an established church, school or membership organization; provided, that the use is on the same contiguous site, or is on a site at least 200 feet from any residence.
B. Permits for such uses shall be authorized for a period not to exceed ten (10) days twice per year, separated by at least thirty (30) days between uses.
C. The fee is $500 ($61 for Non-profit Organizations), plus a $50.00 CEQA recording fee.
D. Applications for ZUPs required under this policy should be submitted to the Planning Division at least thirty (30) days prior to the event.
E. These applications are routed to other Divisions for review prior to issuance of a ZUP.
F. Applications for ZUPs required under this policy shall be processed and then assigned to a Planner.
G. ZUPs issued for Rallies, Circuses, Carnivals are not transferable.

☐ **Outdoor Dining Uses**

A. Outdoor dining uses to be located in the flexible zone along with the adjacent sidewalk area my be used for outdoor dining uses within the Downtown Specific Plan (DSP) areas, subject to City approval.
B. A separate application packet is required for each location.
C. The following fees are required to be submitted with each ZUP application for outdoor dining uses: $500 annual ZUP permit fee, $50 CEQA filing fee, $40 annual electrical service fee, 15 cents per square foot of flexible zone area used for annual maintenance and a $279 one-time deposit for damages that may incurred.
D. Applications for ZUPs required under this policy should be submitted to Planning Division at least thirty (30) days prior to the even.
E. A SUP issued for outdoor dining uses shall be valid for a period of one year, beginning on January 1st and ending on December 31st. However, during the year for which the permit is issued, flexible zone use is limited to a period of eight months, beginning March 15th and ending November 15th. Each year, the applicant shall submit a complete application for a ZUP.
F. ZUPs issued for outdoor dining uses are not transferable.
G. These applications are routed to other Divisions for review prior to issuance of the ZUP.
H. Applications required under this policy shall be processed and then assigned to a Planner.

(*) Any similar temporary or intermittent use as determined by the Zoning Administrator to be of the same general character as those above or otherwise specifically permitted in the underlying zoning district. Only one Temporary Use and one Seasonal Use are allowed per parcel, per calendar year.

GENERAL APPLICATION

Project Address/Location	Assessor's Parcel Number	
Project Name	General Plan Designation	Zoning District
Applicant Name	Phone ( )	Fax ( )
Applicant Address		
Property Owner's Name (See below for required signature)	Phone ( )	Fax ( )
Property Owner's address	City	State Zip
Other Representative (Engineer/Architect)	Phone ( )	Fax ( )
Representative Address	City	State Zip

PROJECT INFORMATION

Existing Use	Proposed Use
☐ Residential ☐ Commercial ☐ Industrial ☐ Office ☐ Vacant	☐ Residential ☐ Commercial ☐ Industrial ☐ Office ☐ Vacant

Parcel size(s)	Existing Floor Area	Existing Foot Print Area	Landscape Sq. Ft.
#of Buildings	Proposed Floor Area	Proposed Footprint Area	#of Parking Spaces

Detailed Project Description *(Examples: To construct…., To allow……, To authorize……..)*

OWNER/AGENT STATEMENT

Property Owner Consent – I am the legal owner of record of the land specified in this application or am authorized and empowered to act as an agent on behalf of the owner of record on all matters relating to this application. I declare that the foregoing is true and correct and accept that false or inaccurate owner authorization may invalidate or delay action on this application.

X _____ **DATE** _____

APPLICATION REFERRAL – STAFF USE ONLY

The attached project plans and application materials are hereby forwarded to your agency for review and comment. Your suggestions and applicable requirements/regulations are needed by the date shown below. Please do not return plan sets.

Staff Planner: Application No.:

Date Sent: Please Return By: Project Review Date:

Building Division	Airport Commission	Historic Preservation
Engineering Division	Redevelopment Agency	Public Services Director
Fire Prevention	Alameda County Health	Alameda County Zone 7
Traffic Engineer	Alameda County Planning	Livermore School District
Police Department	Bay Area Air Quality Mgmt District	Livermore/Dublin Disposal
Water Resources Division	L.A.V.T.A. (Wheels)	LARPD
Other_____	City of _____	A.L.U.C. Form $250 Fee/ 60 Day
	Other_____	Other
Referral Response:	☐ **Comment Attached**	☐ **No Comment**
Name/Agency		**Date:**

APPLICATION TYPE – STAFF USE ONLY

Amendment to CUPA# or SPAA# _____	Development Agreement-DA# _____	Planned Development-PD# _____
Conditional Use Permit - CUP# _____	General Zoning Change-GZCT#_____	Planned Unit Development-PUD# _____
Design Review Only - DR# _____	General Zoning Change-GZCM#_____	Subdivision (PMW) SUB# _____
Adm. Design Review Only - ADR# _____	Housing Implementation-HIP# _____	Subdivision (TPM) SUB# _____
Site Plan Approval - SPA# _____	Lot Line Adjustment-LLA# _____	Subdivision (TTM) SUB# _____
Variance - VAR# _____	Secondary Dwelling Unit-SDU# _____	Subdivision (VTTM) SUB# _____
Zoning Use Permit - ZUP# _____	Other_____# _____	Tentative Map#_____ _____
☐ Seasonal Sales Lot		
☐ Temporary Use (to be routed)		
☐ Model Home Complex (to be routed)		
☐ Construction Office, Tract Sales Office and Residence (to be routed)		
☐ Rallies, Circuses and Carnivals (to be routed)		

APPLICATION FEES – STAFF USE ONLY

	Base Fee:	$
	Multiple Applications (Less 20% of Base Fee):	$
Date Received:	Environmental Filing Fee:	$ +50.00 =
Received By:	Design Review Fee:	$
Receipt Number:	Total Fees Due:	$
CEQA:	Total Fees Paid:	$
	Balance Owed:	$

SUBMITTAL CHECKLIST – STAFF USE ONLY

Item	Received	Item	Received
Application		Plan Sets	
Fee		Landscape Plan	
Project Description/Proposal		Tentative Tract/Parcel Map	
Reduction (8.5” x 11”)		Plot Plan	
Transparency		Legal Description	
Site Photographs		Title Report	
Colors/Materials Board		Geotechnical Report for TTM/PM	
Environmental Assessment Form		Scenic Corridor/School Mitigation Info.	
Project Justification Letter		SLVSP Project Info.	

PLANNER/INTAKE HISTORY NOTES – STAFF USE ONLY

Planner’s Name: Date:

Notes:

Impervious Surface and Storm water Treatment Measures Worksheet

In compliance with the National Pollution Discharge Elimination System (NPDES) permit issued to the City of Livermore, NEW and REDEVELOPMENT projects within the City of Livermore must incorporate storm water treatment measures and/or best management practices (BMPs) to minimize the discharge of pollutants to the storm drain system and local waterways.

A complete submittal of this form is required prior to the issuance of a Building Permit. This form must be submitted for **ALL Development Projects with a project site of 10,000 sq. ft. or greater.**

Impervious Surface Area Calculation: Calculate the total impervious surface area of the site at project completion. Calculation should include the building footprint(s), garage(s), carport(s), shed(s), misc. structure(s), driveway(s), patio(s), parking lot(s), streets, sidewalks, etc.

Total Impervious Surface Area in Sq. Ft.:_____

Total Pervious Surface Area in Sq. Ft.:_____

Storm water Treatment Measures Information

1A. Type of Storm water Measures Implemented (check all that apply):

☐ Bioswale ☐ Detention Pond ☐ Retention Pond ☐ Wetland ☐ Filter Strip

1B. If unable to incorporate the design measures in section 1A to meet storm water treatment objectives, provide a separate response indicating as to why these measures are not possible and/or appropriate for the project and CHECK alternative measures implemented:

☐ Media Filter (i.e. Sand Filter) ☐ Inlet Filter ☐ Oil/Water Separator
☐ Other (describe):_____

2. Location of Storm water Treatment Measures:

☐ Include in Plan Set, a sheet clearly showing the type(s) and location(s) of storm water treatment measure(s) on the property.

3. Storm water Treatment Measure Owner/Operator and Maintenance Information:
(Identify party responsible for operating and maintaining treatment measures)
Name:_____Phone:_____

Address:_____ Fax:_____

_____ _____
Signature of Applicant ***Date***

ENVIRONMENTAL ASSESSMENT FORM

GENERAL INFORMATION

1. Name and address of developer or project sponsor:

_____
_____
_____
_____

2. Address or Project: _____
   Assessor's Parcel Number: _____
3. Name, address, and telephone number of person to be contacts concerning this project:

_____
_____
_____
_____

4. List and describe any other related permits and other public approvals required for this project, including those required by city, regional, state and federal agencies:

_____
_____
_____
_____
_____

5. Proposed use of the site (project for which this form is filed):

_____
_____
_____
_____

PROJECT DESCRIPTION

A complete description of the proposed project must be provided to ensure an accurate evaluation. The project description should be in narrative form covering and including all of the applicable items below. An incomplete project description may result in delays in project review.

6. Site size (acreage or square footage).
7. Square footage of existing and/or proposed building(s) and/or uses(s).
8. Building height and number of floors of construction.
9. Amount of off-street parking spaces provided.
10. Attach site plans and elevations.
11. Proposed scheduling or phasing of development; indicate estimated completion date.
12. Associated projects.
13. If residential, include the number and type of units, unit sizes, and range of scale prices or rents (if proposing very low or low-income housing).
14. If commercial, indicate the type, whether neighborhood, city or regionally oriented, square footage of sales, storage and office area, and loading facilities.

15. If industrial, indicate type, estimated employment per shift, and loading facilities.
16. If hazardous materials will be utilized, produced or stored as part of a commercial or industrial project, complete a Hazardous Materials Product Inventory (separate document).
17. If institutional, indicate the major function, estimated employment per shift, estimated occupancy, loading facilities, and community benefits to be derived from the project.
18. Anticipated off-site improvements necessary to support the project (e.g. roadway and channel improvements).
19. If the project involves a variance, conditional use or rezoning application, state this and indicate clearly why the application is required.

Are the following items applicable to the project or its effects? Discuss below all items checked yes (attach additional sheets as necessary). Attach any studies or surveys that have been conducted on the site.

YES	NO	
		20. Change in existing features of any bays, tidelands, beaches, lakes or hills, or substantial alteration of ground covers.
		21. Change in scenic views or vistas from existing residential areas or public lands or roads.
		22. Change in pattern, scale or character of general area of project.
		23. Significant amounts of solid waste or litter.
		24. Change in dust, ash, smoke, fumes, or odors in vicinity.
		25. Change in ocean, bay, lake, stream, or ground water quality or quantity, or alteration of existing drainage patterns.
		26. Substantial change in existing noise or vibration levels in the vicinity.
		27. Site on filled land or on slope of 10 percent or more.
		28. Use or disposal of potentially hazardous materials, such as toxic substances, flammables, or explosives.
		29. Substantial change in demand for municipal services (police, fire, water, sewer, etc.).
		30. Substantially increase fossil fuel consumption (electricity, oil, natural gas, etc.).
		31. Relationship to a larger project or series of projects.

ENVIRONMENTAL SETTING

32. Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical, or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site. Snapshots or Polaroid photos will be accepted.
33. Describe the surrounding properties, including information on plants and animals and any cultural, historical, or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one family, apartment house, shops, department stores, etc.),

and scale of development (height, frontage, set-backs, rear yard, etc.). Attach photographs of the vicinity. Snapshots or Polaroid photos will be accepted.

CERTIFICATION: I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation tot he best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Date: _____
Signature: _____

STAFF USE ONLY:
General Plan Designation: _____
Zoning District: _____
Project Number: _____

TEMPORARY SIGN

Project Address/Location (A separate application per location is required.):	**Zoning District:**		
Project Name:			
Applicant's Name:	**Phone:** ( )	**Fax:** ( )	
Applicant's Address:	**City:**	**State:**	**Zip:**
Property Owner's Name (See below for required signature.):	**Phone:** ( )	**Fax:** ( )	
Property Owner's Address:	**City:**	**State:**	**Zip:**
Other Representative (Engineer/Architect):	**Phone:** ( )	**Fax:** ( )	
Representative's Address:	**City:**	**State:**	**Zip:**

OWNER/AGENT STATEMENT:

Property Owner's Consent – I am the legal owner of record of the land specified in this application or am authorized and empowered to act as an agent on behalf of the owner of record on all matters relating to this application. I declare that the foregoing is true and correct and accept that false or inaccurate owner authorization may invalidate or delay action on this application.

X _____ **DATE** _____

PROJECT INFORMATION:

Type of Sign (PROVIDE COLOR PHOTO OF SIGN IN THE DSP AREAS):	**Size of Sign (NO LARGER THAN ONE-HALF THE SIZE OF PERMANENT SIGNAGE. BANNER SIGNS OVER 10SQ.FT. IN THE DSP AREAS MUST GET APPROVAL FROM THE DOWNTOWN REVIEW COMMITTEE):**
Lineal Footage of Building OR Unit Frontage:	
Location Sign will be Displayed (PROVIDE A SITE PLAN FOR SIGNS IN THE DSP AREAS):	
Dates Sign will be Displayed (35 DAYS MAXIMUM IN ANY 3-MONTH PERIOD ON PRIVATE PROPERTY):	

STAFF USE ONLY:

DATE RECEIVED:		**RECEIVED BY:**		
APPLICATION FEE $140	**RECEIPT NUMBER:**	**TEMPORARY SIGN PERMITS PLUS PROJECT NUMBER:**		
DOES SIGN REQUIRE PC APPROVAL? YES NO	**DATE OF PC APPROVAL:**	**APPROVED:**	**APPROVED W/CONDITIONS (SEE CONDITIONS BELOW):**	**DENIED:**
CONDITIONS OF APPROVAL:				
APPROVED BY:		**DATE OF APPROVAL:**		

PUMPKIN PATCH, CHRISTMAS TREE LOTS AND OTHER SEASONAL USES

1. A minimum of 10 feet shall be maintained at all times from all buildings.
2. No driveways or fire protection shall be blocked.
3. Combustible ground cover shall not be permitted.
4. Open fires shall not be permitted.
5. Use of straw or hay is permitted for decoration purposed provided the following requirements are met:
   a. All entrances shall have “NO SMOKING” signs posted, with a minimum letter size of 6” high with ¾” stroke.
   b. No open flame devices, such as kerosene heaters, may be used in display area or sales booth.
   c. No vehicles may enter property beyond curb line.
6. All dry combustible debris and weeds shall be cleared from the site prior to use.
7. No spraying or dipping operations shall be permitted on this site.
8. Electrical facilities shall be installed in conformance with the requirements of the Building Department.
9. The appropriate number and type of fire extinguishers shall be installed on the premises in conformance with the requirements of the Fire Department.
10. The entire site shall be maintained in a fire safe condition at all times.
11. All items shall be removed from the site no later than 7 days after the permit expiration date.
12. Exits shall be provided at every 200’ of perimeter. Minimum aisle ways of 36” in width shall be provided around every 40’ x 100’ area of display.
13. If the lot has a tent or a canopy that is greater or equal to 400 square feet, then a permit fee is required for both cities. The fee for Pleasanton is $153.00 and the fee for Livermore is $494.00.
14. At retail stores, no tree storage shall be under the overhang of any roof or portico and/or closer than 15’ from any exterior wall.
15. Unobstructed pathways, equal in width to entrance and exit doors of any building, shall be maintained through storage areas.
16. No tent or canopy shall be erected on the lot without first obtaining the proper permit. Permits may be obtained at:

    Livermore-Pleasanton Fire Prevention Bureau
    3560 Nevada Street, Pleasanton, CA 94566
    925-454-2361
    FAX 925-454-2367

Contact the Fire Prevention Bureau for an inspection of the site prior to opening. Call **925-454-2307** to schedule your inspection 48 hours in advance.

*****OVER*****

NOTICE TO BOOTH, TENT OR AWNING OPERATORS

1. A Permit is generally required for all booths or spaces using cooking equipment; however, Permits may not be issued at all events. There is no fee for the Permit. Fire Department personnel, on a random basis, may conduct safety inspections.

2. **Outdoor Cooking:**
   a. Spare white gas or Coleman fuel is limited to one gallon per space or booth.
   b. Spare propane shall be limited to one 20 lb. Cylinder for each cooking appliance.
   c. Fires used for cooking of food for human consumption or for recreational purpose shall be restricted to clean firewood or commercially manufactured fuels such as briquettes, compressed logs, etc.
   d. All fires shall be extinguished when no longer needed, including smoke and steam.

3. **Extension Cords:**
   a. Cords must be plugged directly into an approved receptacle and each cord shall serve only one appliance.
   b. Cord current capacity amperes shall not be less than the rated capacity of the appliance or fixture.
   c. Cords must be grounded type when serving grounded appliances or fixtures.
   d. Cords must be located so they do not present a tripping hazard and are out of foot traffic areas. Secure cords as necessary with heavy tape or wire twist ties.

4. Those booths or spaces utilizing heat-producing appliances are to provide one fire extinguisher with a minimum rating of 2-A:10-B:C. Pin and seal shall be intact and a current tag of inspection shall be affixed to the extinguisher.