



TEMPORARY USE PERMIT (TUP) GUIDE

I. What is a Temporary Use Permit?

A Temporary Use Permit (or "TUP") is granted for uses on private property that are not intended to be permanent. These uses may be permitted in the property's zoning district, or may be permitted by Section 27.74.030 of the Municipal Code. These uses include but are not limited to the following types of outdoor uses: promotional activities, sales, or storage structures, and amusement facilities. The TUP has also been used for temporary construction staging.

II. How long can a Temporary Use Permit be active?

A TUP has an initial duration of up to 30 calendar days, but a TUP can be extended for up to six months. This means a TUP can be active for up to seven months in total.

III. What are the materials that must be submitted?

1. Planning Application Forms (Pages 6-10 of this Guide)
2. Preliminary Title Report (no more than one-year old, exhibiting all current property owner(s)), and/or a current Grant Deed.
3. Written Request letter, that includes the following, at minimum:
 - a. Description of the proposed use(s) in the TUP
 - b. Requested duration (up to seven months)
4. Project Plans with basic dimensions and notes. Plans shall be in a single, completed PDF with a file size no larger than 10 MB, that includes the following, at minimum:
 - a. Proposed Site Plan
 - b. Proposed Floor Plan(s), if any uses occur within the building interior
 - c. Proposed Exterior Elevations (all building sides), if any building alterations are proposed
5. Application Deposit of \$6,000 which is a deposit to cover staff time and materials. Please see the *Planning Application Deposit & Processing Costs Form* on page 9 for more information.
6. Technical studies may be required to assess impacts, such as for Noise, Site Circulation, etc.

IV. What is the procedure for obtaining a Temporary Use Permit?

Below is a summary of the process, milestones, and action items. Generally, the TUP process can be completed within four months from the date the application but is greatly dependent on the completeness of the submittal materials. A TUP can be approved by the Zoning Administrator (ZA), which does not require a public hearing. A ZA decision can be appealed to the Planning Commission. In addition, the Planning Commission's decision can be appealed to the City Council.

Step	Action	Responsibility
1	Mailing addresses: Obtain City approval of meeting notice and meeting date and time, then purchase Neighborhood Informational Meeting mailing addresses from the City of San Mateo Planning Division. Please see the <i>Neighborhood Notification & Meeting Process</i> section of this handout for more information.	Applicant
2	Meeting notice and Neighborhood Informational Meeting: Mail Neighborhood Informational Meeting notice & hold neighborhood meeting. Please see the <i>Neighborhood Notification & Meeting Process</i> section of this handout for more information.	Applicant
3	Application Submittal: Submit application materials and forms online at www.cityofsanmateo.org/onlinepermitcenter or in-person at City Hall.	Applicant
4	TUP Review: Project review for submittal completeness and consistency with the Municipal Code occurs within 30 calendar days of a complete submittal. A comment letter is sent to the applicant with preliminary input from all reviewing City Departments and Divisions.	City
5	Application Resubmittal: If incomplete, resubmit revised submittal online at www.cityofsanmateo.org/onlinepermitcenter or in-person at City Hall. Staff will conduct a subsequent review (Step 4) and prepare a revised Incomplete Letter within 30 calendar days if needed. <i>Note: Multiple rounds of resubmittals may be required before planning application is complete. Each round may take up to 30 calendar days.</i>	Applicant
6	Public notice for Decision: When the TUP application is deemed complete, planner prepares any Conditions of Approval and public notice of “Pending Zoning Administrator (ZA) Decision.” City staff will mail the notice at least 10 calendar days prior to a ZA decision, and members of the public may comment on the planning application. Applicant is required to post the public notice placard on the project site during these 10 days.	City staff & Applicant
7	Decision: Take action on the project through a ZA Decision letter. (Note: decision is made to approve or deny the TUP.) The decision date begins a 10-calendar day appeal period.	City Staff (Zoning Administrator)
8	Determination: The ZA decision is final at the end of the 10 calendar day appeal period, unless: <ol style="list-style-type: none"> An appeal is filed for Planning Commission review (\$550 appeal fee); or Planning Application is “called up” for review by a Planning Commissioner Any Planning Commission action can be appealed to City Council. If no appeal or call-up is received, the City’s decision on the application is final.	

V. How does the Zoning Administrator determine if the TUP is approvable?

The Zoning Administrator and staff consider the proposed location of the TUP and its effect on the neighborhood with respect to traffic, parking, lighting, security, fire protection, noise, and other impacts. Conditions of approval may be added to meet code standards or policies to protect public health, safety, and welfare and must be adhered to throughout the life of the temporary use. A TUP cannot be approved if it is anticipated to overburden the City’s public services or nearby properties or residents.

NEIGHBORHOOD NOTIFICATION & MEETING PROCESS

The San Mateo City Council and Planning Commission have established a planning application neighborhood notification and review process to ensure that there is resident involvement early in the land development process. The process is intended to familiarize the surrounding property owners and residents, business owners, neighborhood associations and interested persons with the details of the proposed project.

1. **Purchase mailing addresses:** Purchase the neighborhood informational meeting mailing addresses from the City of San Mateo Planning Division through the Online Permit Center: www.cityofsanmateo.org/onlinepermitcenter
 - Click on *Citizen Self-Service (CSS) Online Permit Center*, then *Apply*, then *Informational Neighborhood Meeting Labels* under *Planning Applications*
 - The fee is \$500 from 7/1/2023 through 6/30/2024.
 - Mailing addresses must be purchased from the City within 3 months of the neighborhood meeting date. If addresses are purchased and not used, the applicant must re-purchase the mailing addresses to ensure they are up-to-date.
2. **Virtual neighborhood meeting date & time:** Select the meeting date and time.
 - Meetings must be a minimum of one (1) hour
 - Meetings must be held between the hours of 6-8 pm on a weeknight or 12-6pm on a weekend
 - Meetings cannot be held on the following dates:
 - Evenings of City public meetings (City Council, Public Works Commission, or Planning Commission meetings only). Typical meeting dates include:
 - City Council – First and third Monday of each month
 - Planning Commission – Second and fourth Tuesday of each month
 - Sustainability & Infrastructure Commission – Second Wednesday of each monthPlease check the city's website at www.cityofsanmateo.org/60/Commissions-Boards and www.cityofsanmateo.org/55/City-Council for an up-to-date calendar.
 - Legal holidays, common religious holidays, or during the week of Thanksgiving and December 15th-January 1st, or local, State and Federal Election days
3. **Virtual Meeting Platform, Link, and Dial-in Phone Number:**
 - Meeting should be held via Zoom. Please check with the project planner if you wish to use another platform.
 - Create the following, which will be printed on the neighborhood notice postcards and placard(s).
 - A web link/URL to a publicly-accessible virtual conference meeting room. The City recommends providing an email for members of the public to request the URL in an email or calendar invitation.
 - A dial-in phone number with access code.
4. **Draft meeting notice:** Prepare the draft meeting notice that includes the following information:

- A factual description of the proposed planning application. See attached sample notice and please be as detailed as possible in describing the scope of the project.
- Reduced legible copies (8.5" x 11" or 11" x 17") of both the proposed site plan and existing and proposed building elevations for all four building sides. A website link to the full plan set may be included in the notice in lieu of the plan sheets where the mailing list exceeds 1,000 individuals.
- Applicant and/or property owner's name and contact information, including a phone number and/or email address.
- Virtual meeting information as described above

5. Planning Division approval of meeting notice:

- Email the draft meeting notice and plans to Planning@cityofsanmateo.org to obtain staff approval of the draft notice and meeting date/time.
- The City must provide a written confirmation stating the draft notice is approved.

Note: Staff approval must be completed before making copies of the proposed notice/plans. Please allow time for revisions and additional review if necessary. If you do not obtain an approval before making copies, it will be the applicant's responsibility to redo the notice at the applicant's own expense.

6. Prepare meeting notice: Make copies of the approved meeting notice and plans, and complete the following:

1. Apply all the mailing addresses on envelopes
2. Place stamps on the envelopes
3. Place the applicant's return address on the envelopes.
4. Insert the copies of the notice and plans in envelopes. (Please do not copy the stamped draft notice - use a clean unstamped original)
5. Seal the envelopes.

7. Deliver notices: Mail the envelopes at the Post Office or a USPS mailbox to ensure that all envelopes comply with the requirement to be postmarked at least 10 calendar days before the Neighborhood Informational Meeting.

What to do at the Virtual Neighborhood Informational Meeting <small>*City staff will not be present</small>	
1	The proposed site plan, building elevations, and landscaping concept plans shall be presented at the meeting. Detailed structural, framing, and plumbing plans are not necessary.
2	Record a list of who attends the meeting and their address and contact information. Submit with your Planning Application.
3	Record a list of the comments made at the meeting, and any written correspondence submitted at or before/after the meeting related to the proposed project. Submit with your Planning Application.
Note	<i>All neighborhood informational meetings must comply with the requirements listed above. Any deviations from these criteria may require that the meeting notices be mailed a second time and a second meeting be held in accordance with the above.</i>

Upon completion of the pre-application neighborhood meeting, the applicant must submit the planning application no later than 60 calendar days after the meeting.

Sample Meeting Notice

NOTICE OF VIRTUAL INFORMATIONAL NEIGHBORHOOD MEETING

RELATED TO A PROPOSED TEMPORARY USE PERMIT AT

ADDRESS

You are invited to attend a virtual neighborhood meeting with (insert name of property owners) to discuss a Temporary Use Permit (TUP) for (insert description of the proposed TUP) at (insert property address(es)). Reduced copies of the proposed site plan have been included for your reference.

The virtual meeting will be held on (day, date, time) online at: www.zoom.us/join

Meeting ID: #### ###### ##### Passcode: #####

- Or -

Enter the meeting by phone by dialing: (###) ####-####

Meeting ID: #### ###### ##### Passcode: #####

Please note that you are not required to be visible to others to participate in the meeting.

Please be sure that the mute button is not on should you want to participate.

The purpose of this meeting is to get preliminary comments from the neighborhood regarding the proposed project. All property owners and residential and commercial tenants within 500 feet of the project site have been mailed this notice. After this meeting, the applicant will submit a planning application with the City of San Mateo. Once the planning application has been submitted to the City, you will receive another notice from the City requesting final comments on the proposed project prior to the final action on the planning application.

Prior to the formal submittal of a planning application, all comments should be directed to the applicant. Please contact (insert name of primary application contact, either the property owners or applicant) at (insert contact email and phone number) if you have any questions or comments or wish to arrange for an alternative meeting time or location to discuss the project.



TUP Application Form

Applicant Information:

Name: _____
Mailing Address: _____
City, State, Zip: _____
Daytime Phone: _____
Email: _____

Property Owner Information (If different than applicant):

Name: _____
Mailing Address: _____
City, State, Zip: _____
Daytime Phone: _____
Email: _____

Please provide the above information for each additional property owner or applicant, if applicable, on a separate sheet of paper.

Project and Property Information

Project Address(es): _____
Assessor Parcel Number(s): _____
Brief TUP Description:

Questions? Contact: City of San Mateo - Planning Division
Phone: (650) 522-7212 · Email: Planning@cityofsanmateo.org
www.cityofsanmateo.org/939/planning/



Property Owner Authorization

I certify that as the property owner, I authorize the filing of this planning application. I understand that pursuant to the City of San Mateo Municipal Code, conditions of project approval are binding upon both the applicant and the property owner(s). I agree to implement the Planning Application Conditions of Approval subject only to the right to object at public hearing on this application.

Property Owner's Statement

I hereby certify that I am the owner of record of the property described in the above Project Location and that I approve of the requested action herein. I have read the above Deposits and Maximum Job Cost/Charges and understand that the Planning charges reflect the actual staff time spent and other costs associated with the processing of this application(s). I understand that my initial deposit is an estimate of these charges and not a fee, and I agree to abide by the billing policy stated below. I also understand that overdue invoices are subject to San Mateo Municipal Code Section 3.64.020 Penalties and Interest.

Property Owner's Signature

Date

Print Property Owner's Name

Property Owner's Signature

Date

Print Property Owner's Name

I certify that I am authorized by the property owner(s) to file this Planning Application and submit, herewith, this authorization. I understand that pursuant to the City of San Mateo Municipal Code, conditions of project approval are binding upon both the applicant and the property owner(s). I agree to implement the Planning Application Conditions of Approval subject only to the right to object at public hearing on this application.

Authorized Agent's Signature

Date



Planning Application Deposit Schedule

A full list of all City fees is included in the City's Comprehensive Fee Schedule: www.cityofsanmateo.org/1030/Comprehensive-Fee-Schedule

PLANNING APPLICATION DEPOSIT/FEE TYPE	REQUIRED DEPOSIT ¹	✓
Planning Application(s) – Zoning Administrator Decision (Single-Family only or Certificate of Public Convenience and Necessity – Alcoholic Beverages)	\$4,000	
Planning Application – SPAR for Fence Exception	\$2,000	
Planning Application(s) – Zoning Administrator Decision (other than Single-Family, PCNs, or SPAR Fence Exceptions)	\$6,000	
Preliminary Application(s) (Pre-Application) for Large Projects	\$25,000	
Planning Application(s) – Planning Commission Decision – if no Formal Pre-Application was required	\$10,000	
Planning Application(s) – Planning Commission Decision – if a Formal Pre-Application was required	\$50,000	
Planning Application(s) – Planning Commission & City Council Decision	\$100,000	
Modifications of Approved Planning Applications – Zoning Administrator Decision	\$3,000	
Modifications of Approved Planning Applications – Planning Commission Decision	\$10,000	
Annual Review of Development Agreement	\$4,500	
Special Use Permit – Day Care Facilities	\$2,000 (<i>flat fee</i>)	
Design review by Consulting Architect (required for projects with 6+ units, 10,000+ SF of non-residential, or other projects including some single-family projects as determined by City Resolution)	\$5,000	
Other: _____	_____	
ENVIRONMENTAL CLEARANCE (CEQA) PROCESSING		
Categorical or Statutory Exemption (Excluding Single Family and PCNs)	\$500	
Initial Study and Negative Declaration	\$5,000 + Consultant Cost	
Initial Study and Environmental Impact Report (EIR)	\$10,000 + Consultant Cost	
Mandated Federal, State, County Fees (e.g. Fish & Game CEQA Fee, Fish & Game Code 711.4, Negative Declaration, EIR)	As required by State or County Fee Schedule	
OTHER SERVICES		
Mailing Labels required for Neighborhood Informational Meeting Notices	\$500 (<i>flat fee</i>)	
Staff Time	\$291.50 per hour	
Monitoring of Required Mitigation Measure	Determined per project	
Investigation [Fee for properties with code violations before or after PA approval.]	Determined per project	
Retrieval of off-site planning application records.	\$182.20	
Research requiring extensive staff time.	Staff time: \$291.50 per hour	
Post Planning Application Project Consultation	Staff time: \$291.50 per hour	
Landscape Unit In-Lieu Fees	\$357.07 per landscape unit	
Appeal of Planning Application Decision	\$550 (<i>flat fee</i>)	
Other: _____	_____	



Planning Application Deposit & Processing Costs Form

PLANNING APPLICATION DEPOSITS AND PROCESSING COSTS

1. City Council Resolution directs that Planning charges reflect the actual costs of staff time spent on each project and all direct costs (including but not limited to noticing, copying charges, and consultant staff time) associated with the application. Staff time is charged at the rate of \$291.50 per hour (through 6/30/2024) for all planning applications. The applicant is responsible for paying 100% of the costs of all staff/consultant time and all costs incurred pursuant to any appeal.
Upon submittal of your project, a deposit in the amount indicated in the City Fee Schedule is required for each application type and environmental review track at the time of the submittal. If the total deposit is not expended when the final decision is made on your project, the balance will be refunded to you. If 70% or more of the initial deposit is expended during processing, you will receive an invoice for an additional deposit. All outstanding invoices must be paid prior to any public hearing or issuance of any permits. Prior to submitting a new application, you are required to pay all past due fees.
2. The applicant shall pay the actual cost of any consultant services required to process a planning application. Consultants are used by staff for the preparation of environmental documents, project design review, traffic studies, parking studies or historic resource analysis.
3. SMMC 3.64.020 Penalties and Interest. Any fee imposed by this chapter shall be due and payable within thirty days after the bill is mailed by the City. The fees shall be delinquent if not paid within said thirty days. Any person who fails to remit any fee within the time required shall pay a penalty of ten percent of the amount due, per month to a maximum of three months, plus interest at the rate of 1-1/2 percent per month, or fraction thereof, computed from the delinquent date of the fee until and including the date of payment.
4. Under extenuating circumstances, the Community Development Director has the authority to set a deposit amount below the amount indicated in the fee schedule. Refer to adopted Comprehensive Fee Schedule.

PROPERTY LOCATION

Project Address(es):

Assessor Parcel Number(s):

PROPERTY OWNER'S CONTACT INFORMATION FOR FUTURE INVOICES

Name:

Mailing Address:

City:

State:

Zip:

Email:

Phone:

PROPERTY OWNER'S SIGNED STATEMENT

I hereby certify that I am the owner of record of the property described in the above Project Location and that I approve of the requested action herein. I have read the above Deposits and Maximum Job Cost/Charges and understand that the Planning charges reflect the actual staff time spent and other costs associated with the processing of this application(s). I understand that my initial deposit is an estimate of these charges and not a fee, and I agree to abide by the billing policy stated above. I also understand that overdue invoices are subject to San Mateo Municipal Code section 3.64.020 Penalties and Interest.

Property Owner's Signature

Date

Print Property Owner's Name

Property Owner's Signature

Date

Print Property Owner's Name



Statement of Completion of Required Neighborhood Informational Meeting Notice and Meeting Process

Note: Form is required for all Planning Applications, except for Preliminary Planning Applications

Date of Neighborhood Informational Meeting: _____

Date of Mailed Notification: _____

In accordance with City requirements, I have completed the required Neighborhood Informational Meeting Notice and meeting process as required in the City Planning Division document titled "Neighborhood Informational Meeting Notice Instructions" for the proposed project located at:

I hereby certify under penalty of perjury, that the forgoing is true and correct.

Applicant's Signature	Date
Print Applicant's Name	