



Special Use Permit Application Guide & Checklist

Economic & Community Development Department
101 W. 8th Street
Glenwood Springs, CO 81601
(970) 384-6411

PURPOSE

Special use permit review procedures allow the City to evaluate proposed development and land uses that have unique or widely varying operating characteristics or unusual features. The review process is intended to ensure compatibility with surrounding areas and that adequate mitigation is provided for anticipated impacts.

REVIEW PROCESS

All Special Use Permits require an application and public hearing before the Planning and Zoning Commission. In reviewing a proposed special use permit application, the Planning Commission considers whether:

- a. The use will be compatible with the surrounding area;
- b. The impacts of the use on surrounding areas have been adequately minimized;
- c. The use will be consistent with the general purpose and intent of this Code;
- d. The use will comply with all applicable standards of this Code;
- e. The use is in conformance with the Comprehensive Plan and other City plans and policies; and
- f. The use minimizes adverse impacts to the health, safety, and welfare of the inhabitants of the surrounding areas and the city.

Additional criteria for specific uses are listed in Section 070.030.030. Note: for uses involving marijuana establishments refer to the Marijuana Special Review Use Application Guide and Checklist.

- 1. Pre-application Conference.** Contact one of the planners in the Community Development Department prior to submitting your Special Use Permit application. We will discuss the review procedures, application requirements, application deadlines, and the City's goals, policies, and development standards as they relate to your proposed project.

At least 10 days prior to your scheduled conference, please submit one electronic copy of the following items:

- a. A completed Planning Application. The application is available [here](#), or on the City's website at www.cogs.us. It is in "Forms, Permits & Applications" on the Community Development Department page.

- b. A written description of the proposed project.
- c. Conceptual drawings showing the location, layout, and primary elements of the proposal.
- d. Proposed uses, location of uses, and densities.

If your project involves more than one development action for the same property, your applications can be reviewed concurrently. For example, if your proposed project involves a Site/Architectural Plan Review, variances, and special use permit, you could have them processed and decided concurrently. Community Development Department planners will discuss the concurrent review process and application requirements with you during your pre-application conference.

- 2. Prepare Your Application.** During the pre-application conference you will receive a checklist of information that we will need to process your request. This information constitutes your application and may include any, or all the information found on page 7 of this guide.

Please be aware that city staff and the Planning and Zoning Commission will evaluate your application based on how well it demonstrates compliance with the Municipal Code, Special Review performance standards, and the City's goals, policies, and plans, as well as the Engineering Standards if your project involves grading/excavation or building construction.

You may review the Municipal Code on the City's website at www.cogs.us. The Engineering Standards are located [here](#), or on the Engineering home page. Other approved plans also can be found on the City's website under the individual department pages. Community Development staff will help guide you to plans and policies that may be applicable to your project.

- 3. Submit Your Application.** Submit an electronic copy of your completed application to the Community Development Department at least 6 weeks prior to the date that you want your item heard before the Planning and Zoning Commission. Within 5 business days of your submission, Community Development Department staff will review your application to determine whether it is complete. If it is incomplete, we will contact you with a list of the information needed to complete your application. You are encouraged to submit your application well in advance of the deadline to allow you time to supply any missing information. Submissions of missing information after the deadline will result in your application being delayed to a future Planning and Zoning Commission agenda.
- 4. Provide Additional Copies.** After Community Development Department staff deems it complete, you will be asked to supply a final, complete electronic set of your application materials as well as paper copies for distribution to the City's reviewing departments and outside agencies. The number of paper copies can vary depending upon the scope of your

application. The paper format of your submission may vary. If your application includes any full-sized plan sheets, we may request submission on 11" x 17" or 24" x 36" size paper.

- 5. Complete Public Notices.** Your application requires that you formally notify the public of the time, date and purpose of your hearing before the Planning and Zoning Commission. You are required to post your property with a placard, submit a legal notice for publication in the local newspaper, and mail your notice to property owners within 300 feet of the outside boundary of your development parcel. Staff will review these requirements and will provide you with a packet of information that includes the deadlines for completing each form of public notice. This is a time-sensitive process. Deficient public noticing may delay your hearing.
- 6. Agency Referral and Review.** During the 6-week period between your application submittal and your hearing, staff will distribute copies of your application to our "reviewing agencies" which consists of various City departments, City boards and commissions, and outside agencies such as the Colorado Department of Transportation, and gas and telephone companies. Community Development Department staff relies on these agencies to review your application and comment on any issues or concerns that they may have relating to your project. You will receive copies of agency comments and will have an opportunity to respond, if need be. In some instances, agency comments may cause you to redesign your project. Staff will include these comments in the packet of information that is distributed to the Planning and Zoning Commission.
- 7. City Department/Applicant Development Review Committee Meeting.** Generally, three weeks prior to your public hearing you will meet with City Departments, and planning staff to review and discuss their preliminary comments about your project. Following this meeting, you may be required to revise your plans to respond to specific requests or suggestions made by staff. If significant, substantive changes are necessary you will be required to submit a new application in which case your hearing will be postponed
- 8. Staff Review & Report.** Toward the end of the 6-week review of your application materials, Community Development Department staff will prepare a report for the Planning and Zoning Commission meeting that analyzes how your project meets the Municipal Code, the City's goals, policies, and plans, and any other pertinent information. The report will include a staff recommendation of approval, denial, or continuance of your application. If staff recommends approval, usually there also will be a list of recommended conditions. Staff will complete the report no later than the Friday afternoon prior to the hearing. You will receive a copy, usually via email. Make sure that you read the report and review the listed conditions, if there are any. Staff will also distribute the report, a complete copy of your application, and agency comments to the Planning and Zoning Commission for its review.
- 9. Requesting a Continuance.** If, after reading the staff report, you wish to continue your application to the next month's Planning and Zoning Commission meeting to correct

deficiencies or clear up issues in the application, you will need to submit a letter to Community Development Department staff requesting continuance of your hearing. If you do this, you will not need to appear at the meeting or redo your public noticing, and no comments will be made by the City or public regarding your application at the hearing.

10. Planning and Zoning Commission Hearing. Staff will provide you with a copy of the meeting agenda no later than the Friday before your hearing. Applications are scheduled on the agenda based on the order in which they are received. You or your representative are required to attend your public hearing.

11. Post-approval-Special Use Permit Issuance. After you have satisfied any applicable conditions of your project's approval, Community Development Department staff will work with the City's Legal Department to prepare your Special Use Permit. You will receive the draft permit for your review and signature after which your staff planner will collect the required city signatures. Once the document is fully executed, you will receive a copy for your records.

12. Post-approval Plan Modifications. Please make sure that your plans reflect how you intend to use or develop your property. After your application has been approved, if you want to make significant changes you may be required to formally amend your application which involves additional hearings before the Planning & Zoning Commission.

PUBLIC MEETING PROCEDURES

The public hearing format is as follows:

1. Staff Presentation. Staff will provide the Commission with a summary of your project and an analysis of how it meets or differs from the Municipal Code and other city plans and standards.
2. Questions of staff by the Planning and Zoning Commission.
3. Applicant Presentation. This is your opportunity to present any additional information about your project to the Commission. You can mention points where you disagree with staff, present anything important that you felt that planning staff left out, present any new information that you have, or present any other information directly pertinent to the application. Out of respect for the Commission and other applicants, please keep presentations very brief. If you have no additional important information to add to staff's presentation, you may state this.
4. Questions of the applicant by the Commission.
5. Public Comment. The Commission Chair will open the meeting to public comment.
6. Applicant response to public comment. After hearing from all members of the public, the Chair will close the public portion of the meeting and allow you the opportunity to refute or address any statements provided. At this time, the Commission may also ask staff for clarification of any points of fact.

7. Motion for action on the application, discussion among the Commissioners, and a decision.

Display of documents at the meeting. You may use the Council Chambers computer to display any documents or to provide the Commission and Council with a prepared presentation. We recommend that you bring your materials on a flash drive.

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SPECIAL USE PERMIT APPLICATION CHECKLIST

For office use:
 Pre-application Meeting Date: _____ Planning File #: _____
 Applicant: _____ Lead Planner: _____

During or shortly following your pre-application meeting, you will receive this checklist noting the materials that the City will need to process your special use permit application. This information constitutes your application. Failure to provide the required materials on or before the application deadline will delay your application.

Materials to be Provided by Applicant								
Submittal Requirements		Paper Copy – number and format			PDF	Notes	Required Submission (√)	Submitted by Applicant (√)
		8 ½ x11	11 x 17	24 x 36				
1	Planning Application – completed in full and signed by applicant and all property owners of record	√			√			
2	Ownership - provide proof of ownership such as Deed of Trust, Warranty Deed or Quit Claim Deed. Title commitment will not suffice	√			√			
3	Public Noticing – signed and notarized affidavit proof of public notice including mineral estate owner notification	√						
4	Project Description – narrative describing the project and addressing how the application meets the general Special Use permit approval criteria page 1 of this guide and any applicable use-specific standards listed in 070.030.030	√			√			
5	Administrative Adjustment Request – refer to Administrative Adjustment information, criteria and questionnaire page 11	√			√			

Materials to be Provided by Applicant								
Submittal Requirements		Paper Copy – number and format			PDF	Notes	Required Submission (√)	Submitted by Applicant (√)
		8 ½ x11	11 x 17	24 x 36				
6	Variance – refer to Variance criteria and questionnaire page 15							
7	Site Improvement Survey	√		√	√			
8	Utility Can & Will Serve Letters – provide letters submitted from public and/or private utility companies that will serve the proposed development	√			√			
9	Complete Plan Set including:	0	1	1	√			
	Cover Sheet							
	Site Plan							
	Preliminary Grading Plan							
	Conceptual Architectural Plans							
	Preliminary Landscape Plan							
	Sample materials board							
	Lighting Plan							
10	Engineering Reports including:	2	0	0	√			
	Preliminary Traffic Impact Analysis or Letter – the level of documentation required depends on the location of the property and the type of development proposed							
	Preliminary Soils & Geotechnical Report							
	Drainage Letter or Study – level of information required depends on the project location, size and type of development. Refer to Engineering Standards							

Materials to be Provided by Applicant

Submittal Requirements		Paper Copy – number and format			PDF	Notes	Required Submission (√)	Submitted by Applicant (√)
		8 ½ x11	11 x 17	24 x 36				
11	Fee	\$ _____				Cash, check or credit card. Check payable to the City of Glenwood Springs		
12	Other Materials (list other materials that will be required)							

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Administrative Adjustment

OVERVIEW

An Administrative Adjustment allows the Community Development Director, Planning and Zoning Commission and/or City Council to review and approve minor modifications or deviations from the dimensional or numeric standards of Title 070-the Development Code. The process is intended to provide greater flexibility when necessary, without requiring a formal zoning amendment or variance. Administrative adjustment can be considered for the following Code standards:

Allowable Administrative Adjustments	
Code Standard	Allowable Administrative Adjustment (maximum percentage)
Site Standards	
Lot area, minimum	15
Lot coverage, maximum	15
Block length, maximum	15
Lot Dimensional Standards	
Front setback, minimum	15
Side setback, minimum	15
Rear setback, minimum	15
Encroachment into setback pursuant to Table 020.20, Authorized Exceptions to Setback Standards, maximum	15
Building Standards	
Building height, maximum (excludes wireless communication facilities)	15
Accessory building height, maximum (excludes wireless communication facilities)	15
Separation between buildings, minimum	15
Projection into height requirement pursuant Table 020.21, Authorized Exceptions to Maximum Height Standards, maximum	15
Development Standards	
Number of required parking spaces, maximum or minimum	15
Lighting height, maximum	15
Sign height, maximum	15
Fence or wall height, maximum	15 (one foot maximum)
Minimum landscaping requirements	15

The Administrative Adjustment process cannot be applied to proposed modifications or deviations that result in the following:

1. An increase in the overall project density;
2. A change in permitted uses or mix of uses;
3. A deviation from the Use-specific Standards in 070.030.030 of the Municipal Code;
4. A deviation from Sensitive Area Protection Standards in 070.040.020 of the Municipal Code;
5. A deviation from building or fire codes;

6. A deviation from the City's Engineering Standards;
7. Requirements for public roadways, utilities, or other public infrastructure or facilities; or
8. A change to a development standard where that same standard was already modified through a separate administrative adjustment or variance.

REVIEW CRITERIA

The Community Development Director, Planning and Zoning Commission, and/or City Council will evaluate your application based on whether and to what extent your adjustment:

1. Will not result in incompatible development;
2. Will not result in adverse impacts unless adequately mitigated; and
3. Is of a technical nature and is required to-
 - a. Compensate for an unusual site condition;
 - b. Eliminate a minor inadvertent failure to comply with a Code standard; or
 - c. Protect a sensitive resource, natural feature, or community asset.

INSTRUCTIONS

1. Complete the questionnaire on pages 13-14 after you have had your pre-application conference. Use one questionnaire for each adjustment you are requesting. Once completed, submit the Administrative Adjustment questionnaire(s) along with the other items on your checklist. Use separate sheets if necessary.
2. It is important to remember that the decision to approve or deny an adjustment is a discretionary action based on how well you address the review criteria. This is your opportunity to describe in detail the reason why you need to deviate from the Municipal Code.

Administrative Adjustment Criteria

Adjustment type

Explain what it is that you are proposing that does not meet the Municipal Code requirement.

Administrative Adjustment Criteria

1. Explain how your request will not result in incompatible development. _____

2. Explain how the adjustment will not result in, or how you have mitigated any adverse impacts. _____

3. Explain how the adjustment is necessary to compensate for an unusual site condition.

4. Explain how the adjustment is necessary to eliminate a minor inadvertent failure to comply with the Municipal Code. _____

5. Explain how the adjustment is necessary to protect a sensitive resource, natural feature, or community asset. _____

Variance Criteria

If your application includes a request to deviate from a Municipal Code requirement you must address how your variance request meets **all** the criteria listed below.

Instructions

1. Use this questionnaire if your project includes variances, which are deviations from Municipal Code requirements. Examples include deviations from setback requirements, building height maximums, design standards, minimum number of off-street parking spaces, and permitted light levels.
2. Complete this questionnaire after you have had your pre-application conference. Once completed, submit this questionnaire along with the other items on the checklist. Complete one questionnaire for each variance you are requesting. Use a separate sheet if necessary.
3. It is important to remember that the decision to approve or deny a variance is a discretionary action based on how well you meet all the variance criteria. This is your opportunity to describe in detail the reason why you need to deviate from the Municipal Code. If you are unable to provide justification of how your application meets each of the criteria below, you may want to consider whether a variance is truly warranted.

Variance type

Explain what Municipal Code requirement you are requesting a variance from and what it is that you are proposing that does not meet this requirement.

Variance Criteria

1. **Explain how your property has an exceptional shape, topography, building configuration or other exceptional site condition that is not a general condition throughout the zone district.** _____

2. Explain how the strict application of the Code standards for the variance you are seeking produces undue hardship. _____

3. Explain how you did not create the hardship by your own actions. _____

4. Explain how the requested variance does not harm the public and does not impair the intent or purposes of this Code, goals, and policies, including the specific regulation in question. _____

5. Explain how the variance request demonstrates exceptional hardship not related to purposes of convenience or financial burden. _____

6. Explain how the variance request will not violate building or fire code requirements.

7. Explain how the variance is the minimum variance that will afford relief of the subject standards of the Code. _____
