



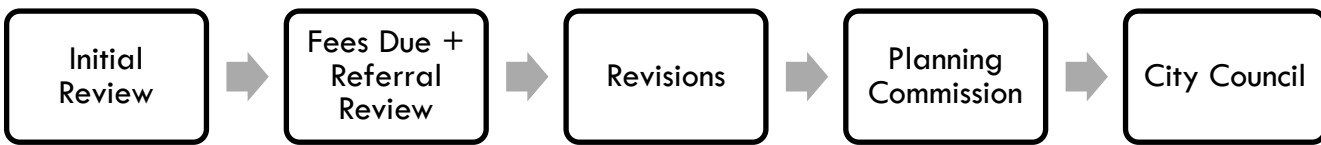
# Special Use Permit Development Guide

General procedure for development is included in the Community Development Application packet. This guide is intended to supplement the general application with items specific to a special use permit.

Certain uses in the Evans Municipal Code require a special use permit, in order to allow for those uses to be approved, subject to specific conditions and a case-specific review. This process ensures the use is appropriate in a specific location and is compatible or at a minimum, mitigatable. If conditions of a special use permit require site modifications, a separate site plan review application may be required prior to commencement of the use. The special use permit and site plan may be processed consecutively or concurrently. Applicants are advised that this packet is not a complete summary of the City’s Municipal Code. See the following Code Sections for more information:

- 18.03.020. General procedure.
- 18.03.080. Special Use Permit.
- 18.05. Residential Development
- 18.06. Nonresidential Development

## SPECIAL USE PERMIT REVIEW PROCESS



*Special Use Permit* expected process duration is 4 months from a complete submission.

*Pre-Application Meeting Required.* A special use permit requires a complimentary pre-application meeting. See the Planning Division contact information below to request a meeting.

*Review.* After staff review, receipt of any comments from referral agencies, and any necessary resubmittals, the Planning Commission will make recommendation to City Council at a public hearing. The City Council will review and decide the case at a public hearing. The Special Use Permit grants the approved land use right upon recordation of the SUP map. Planning Commission meets the 4th Tuesday and City Council meets the 1st and 3rd Tuesdays of each month.

*Resubmittals.* Six (6) months will be granted to applicants to resubmit applications determined to be in need of revision. If an applicant requires more time to revise the application, an extension shall be requested and an extension fee shall be paid. The Director may approve an extension not to exceed an additional six (6) months for a total period not to exceed twelve (12) months upon a finding of excusable neglect. Any application in need of revision that remains inactive for more than six (6) months from the date the revision was requested, and for which no extension is requested, shall be void and any related fees are forfeited.

*Effect of Decision.* Approval of a site plan shall authorize the applicant to apply for a building permit and other applicable development or construction permits.

*Conditions of approval.* A site plan may be revoked or suspended by the Director upon a finding that the conditions of approval have not been met, or that the use has otherwise violated the provisions of this Title.

*Amendments.* Minor changes to an approved special use permit may be approved by the Director upon select findings. Any other changes to the use shall require an amendment to the special use permit as a new application.

REVIEW CRITERIA

Review, recommendations and decisions for a proposed rezoning shall be based on the following criteria:

1. The use is identified as requiring a special use permit in Table 18-2-1, Land Use Table in Section 18.02.030.
2. The application is consistent with the Master Plan such that the long-range plans for the surrounding area are not negatively impacted by the proposed use.
3. The application is compatible with the area in terms of operating characteristics such as hours of operation, visible and audible impacts, traffic patterns, intensity of use, and other potential impacts on adjacent property.

## Special Use Permit Submittal Checklist

✓	Item (label electronic submittal documents with the number prefix as shown) All documents shall be submitted in “.pdf” format, unless otherwise stated.
	01 COMMUNITY DEVELOPMENT APPLICATION FORM
	02 OWNERSHIP INFORMATION - Provide the property deed along with any applicable incorporation or organizational documentation of approved signatories. Note, a “deed of trust” is not a property deed.
	03 LEGAL DESCRIPTION - Provide the legal description of the property in “.docx” format.
	04 PROJECT NARRATIVE - The narrative shall address the following: 1. Describe existing and proposed use of the property. 2. Address all Review Criteria [page 2]. 3. Indicate if a Site Plan or other City application is required to permit the project.
	05 CONCEPTUAL SITE PLAN – In order to review performance criteria for the particular uses when applied to the site or building. This map will not be recorded.
	06 WATER INFORMATION - Include information regarding existing water taps, well, and rights associated with the property and how water will be provided to support future development.
	07 SOILS REPORT - Soil types and limitations at the site. (The US Department of Agriculture has soil profile information for Weld County, including Evans, at <a href="https://websoilsurvey.nrcs.usda.gov/app/">https://websoilsurvey.nrcs.usda.gov/app/</a> )
	08 UTILITY PROVIDERS SUMMARY describing the proposed utilities and companies to serve the site.
	09 MINERAL RIGHTS NOTICE – If developing on undeveloped land, applicant shall provide notice to all mineral rights owners pursuant to C.R.S. § 24-65.5-103 and provide proof of notice to the City.
	10 CHARGE BACK AGREEMENT - executed
	CHARGE BACK DEPOSIT: \$500
	APPLICATION FEE: \$500