



Special Use Permits

Mancos Development Services: From Concept to Construction

Getting Started

A special use is a use that may or may not be appropriate in a given location depending upon the circumstances and the conditions imposed upon the approval of the use. Conditions shall be designed to reasonably mitigate adverse impacts of the use upon surrounding properties. Special use permits may be approved for the uses indicated in the use regulations of the zoning district of the property for which the special use permit is requested.

Special Use Permit Guidelines

- ✓ Review and approval of a special use permit is done by the Planning Commission and the Board of Trustees. A public hearing is required at both the Planning and Zoning Commission and the Board of Trustees.
- ✓ Prior to the filing of a special use permit application, the applicant shall meet with the Zoning Administrator or his designated agent to acquaint himself with the requirements of the Town. At this preapplication conference, the application contents, referral agencies, review procedures, use and area standards and the general character of the development may be discussed.
- ✓ Special use permits may only be granted in a zoning district which has specifically allowed them.
- ✓ Any change or expansion of a special use shall require a new special use permit, pursuant to the terms of the Mancos Municipal Code. Uses existing on the effective date of the initial ordinance codified herein that are allowed as a special use shall be deemed to already have received a special use permit, except that any expansion or change in such uses shall require a new special use permit.
- ✓ The maximum density allowed by a special use permit shall be no greater than that permitted in the underlying zone district.

Special Use Submittal Requirements

To request a special use permit, fill out six (6) copies of the Special Use Permit Application, a title certificate from a licensed title company or attorney listing the name of the property owners and all liens, easements and judgments of record affecting the subject property, as well as the following:

- ✓ A filing fee to cover the cost of review, in accordance with the fee schedule adopted by resolution of the Board of Trustees;
- ✓ The street address and legal description of the property affected; and
- ✓ Any and all plans, information, operating data and expert evaluation necessary to clearly explain the location, function and characteristics of any building or use proposed.

Review of Special Use Permit Applications

The Zoning Administrator shall distribute the special use application immediately upon receipt to appropriate referral agencies, which may include the following:

- (1) Zoning Administrator: one (1) copy.
- (2) Public Works Director: one (1) copy.
- (3) Electric power association: one (1) copy.
- (4) School District: one (1) copy.
- (5) Fire Protection District: one (1) copy.
- (6) Town Clerk: one (1) copy for the public record.

Public Hearing, Notice and Decision

Before taking action on any proposed special use, the Board of Trustees shall submit the same to the Planning Commission for its recommendation and report.

- ✓ The Planning Commission shall hold a public hearing on any application for special use permit prior to making its recommendation to the Board of Trustees.
- ✓ The Town shall publish notice of the public hearing to be given by one (1) publication in a newspaper of general circulation in the Town without the necessity of notifying property owners by mail. Such notice shall state the time and place of such hearing and the nature of the subject to be considered, which time shall not be earlier than fifteen (15) days from the date of publication.
- ✓ The applicant shall post a sign provided by the Town Clerk in a prominent location on the subject property, providing notice of the public hearing at least fifteen (15) days prior to the hearing. Such notice shall state the time and place of such hearing and the nature of the subject to be considered, the name, address and phone number of the applicant and a map showing the land area affected.
- ✓ A public hearing shall be held by the Board of Trustees before approving a special use permit and shall follow the same notice procedures above.
- ✓ The Town may, in the interest of the public welfare and to assure compliance with this Code, establish conditions of operation, location, arrangement and construction of any use for which a permit is authorized. In authorizing the location of any use listed as a special use, the Town may impose such development standards and safeguards as the conditions and location indicate important to the welfare and protection of adjacent property from noise, vibration, dust, dirt, smoke, fumes, gas, odor, explosion, glare, traffic circulation or other undesirable or hazardous conditions.
- ✓ A file containing all documents relevant to the application and disposition of such special use permits shall be maintained by the Town Clerk.