



# Conditional Use Permit Process Guide

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## Sec. 16-21-620 Conditional Use Purpose:

The purpose of conditional use review is to recognize that some uses may or may not be appropriate in a particular zone depending upon the circumstances of the individual case, and to allow review of such cases so that the Town is assured that these uses are compatible with their locations and surrounding land uses and will further the purposes of the Community Plan and this Chapter.

As part of this process, the Planning Commission may recommend, and the Town Council may approve conditions that are meant to address issues or concerns with the proposed Conditional Use.

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## Permit Overview:

- \$800 + Costs attributable to the review by consultant time are billed at actual hourly rates. Cost assessed after first hour.
- Conditional Use Permits are typically required for those uses which are specifically not allowed in a particular zone district, but which may be deemed appropriate and compatible after review by the Town.
- Conditional Use Permits may be granted with conditions, for a set amount of time, and may be revocable.
- Conditional Use Permits are typically submitted by the owner, their agent, or others that have a legitimate interest in the property.
- Conditional Use Permits are first submitted to the Planning Director for review and then brought before the Planning Commission and Town Council for review during a noticed public hearing.

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## Application Contents:

- Complete application form:  
<https://www.minturn.org/sites/minturnco/files/uploads/specialusepermit2018.pdf>
- Written description of proposed Conditional Use (what are you applying for?) and:
  - The location where the Conditional Use would occur.
  - A description of how the proposed use will be compatible with the surrounding properties, and any operational details needed to understand the use, hours of operation, potential impacts and how any impacts will be minimized

- A site plan showing the subject property where the use will occur in relation to surrounding properties. Depending on the type and scale of the use, the Planning Director may require details such as the location of parking, site topography, or grading and drainage on the site plan.
- Preliminary building plans, if applicable.

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#### Necessary Steps:

- Conduct a pre-application meeting with the Planning Director.
  - Submit application and fee. The Planning Director will take up to 10 days to determine if application is complete.
  - After the Planning Director determines that the application is complete, and after Planning Director and Staff have reviewed the application, the Town will work with the Applicant to post notice of a public hearing. Minimum notice is typically 10 days prior to a hearing. Public notice requirements are found here:  
[https://library.municode.com/co/minturn/codes/charter\\_and\\_municipal\\_code?nodeId=MUNICIPAL\\_CODE\\_CH16ZO\\_ART21ADPR\\_DIV4MIPR\\_S16-21-610PUNO](https://library.municode.com/co/minturn/codes/charter_and_municipal_code?nodeId=MUNICIPAL_CODE_CH16ZO_ART21ADPR_DIV4MIPR_S16-21-610PUNO)
  - At a public hearing the Planning Commission will consider these factors:
    - The relationship and impact of the use on the community development objectives of the Town.
    - The effect of the use on distribution of population, transportation, utilities, school, park and recreational facilities, and other public facilities.
    - The effect upon traffic.
    - The effect upon the character of the area, including the scale and bulk of the proposed use in relation to surrounding uses.
    - That the proposed location of the use is in accordance with the purposes of the Town.
    - That the proposed location will not be detrimental to public health and safety.
  - The Planning Commission will either recommend approval, approval with conditions, or denial of the Conditional Use request. The Planning Commission's recommendation is then forwarded to the Town Council.
  - The Town Council will hold a similar hearing to consider the proposal and the same factors as the Planning Commission and will then take formal action to Approve, Approve with Conditions, or Deny the Conditional Use Permit.
  - Planning Commission meetings are held the 2<sup>nd</sup> and 4<sup>th</sup> Wednesdays of each month, while the Town Council meetings are held the 1<sup>st</sup> and 3<sup>rd</sup> Wednesdays of each month. Meetings are held at Town Hall located at 302 Pine Street, Minturn, CO 81645.
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