



# **CONDITIONAL USE**

**Community Development Department  
8101 Ralston Road  
Arvada, Colorado 80002**

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## CONDITIONAL USE APPROVAL

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Conditional uses are permitted uses that are appropriate in the respective zoning district only when all conditions are met. For example, a day care may be desirable in a residential area but controls over parking, circulation, setbacks and landscaping may be needed to mitigate negative impacts on the surrounding residences.

Applicants are required to schedule and attend a pre-application meeting before filing a conditional use Permit application. At the pre-application meeting, the community Development Department will determine whether a site plan review will also be required as part of the review of the proposed conditional use. If the community Development director determines that a site plan review is required, the applicant shall file a site plan review application for simultaneous review with the Conditional use Permit application.

A neighborhood meeting is required prior to the submittal of a formal application. The applicant will be required to conduct a neighborhood meeting with surrounding landowners, homeowner association(s) and other members of the public that may be affected by the proposed use of the property. The meeting should be scheduled during a weekday evening to enable working residents to attend. The applicant will prepare written notices and mailed out at least twelve (12) calendar days prior to the meeting day.

Applications for a Conditional Use permit shall be submitted to the community Development Department. Staff will review the application for completeness and distribute the application to other department and referral agencies reviewers. Based on the results of those review, the Community Development Department will schedule a public hearing and provide a report to the Planning Commission.

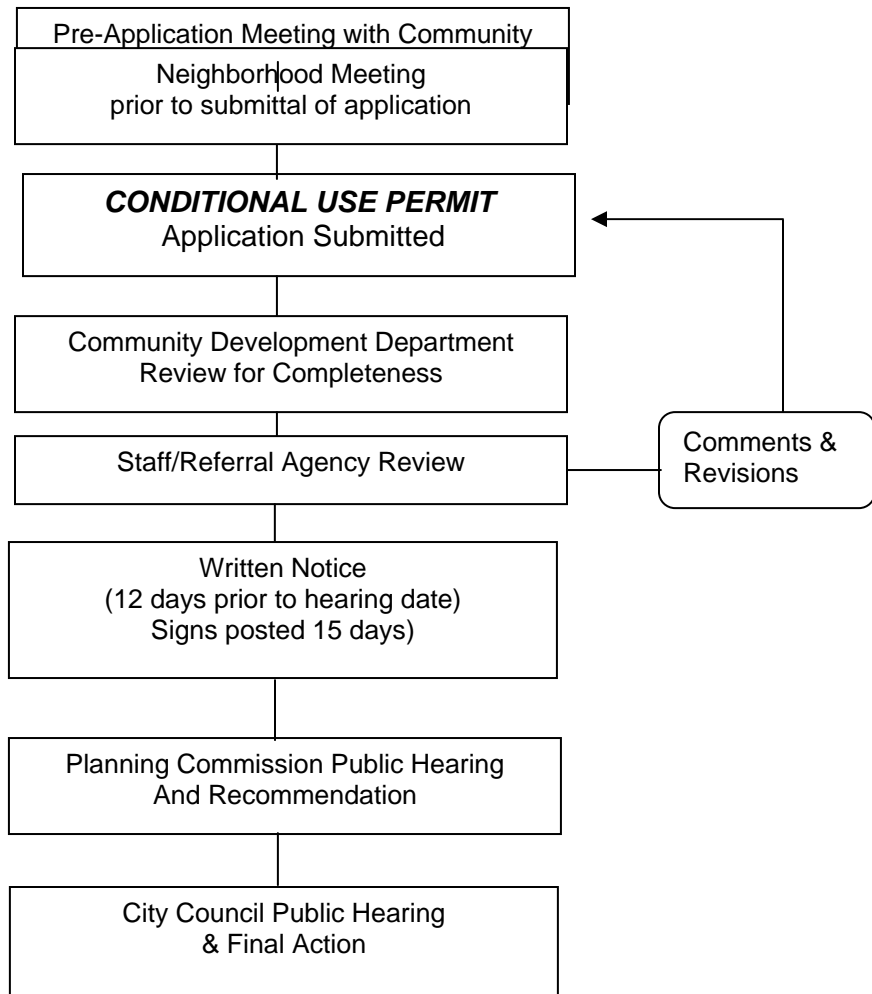
The applicant is responsible for the written notification and the posting and maintenance of the sign prior to the public hearing(s) before the Planning Commission and City Council. The applicant is responsible for preparing the written notice, and for mailing the notice at the applicant's expense. All written notice will be mailed at least twelve (12) days prior to the public hearing(s). Notices shall be prepared in accordance to the written notice form provided by the City. Notice will be mailed to all owners of property that share a boundary with the property that is subject of the application, or that are located directly across a street, alley, or public right-of-way. Written notice will also be mailed out to any home owners association and other neighborhood associations with a known interest to the property, or to others who have requested to be notified. The Community Development Director may also expand or contract the notification area.

The City will provide the posting notice to the applicant. The notice must be posted on the subject property, at least 15 days prior to the public hearing. The applicant shall be responsible for checking the posted signs each day of the posting period and for keeping a log. If a sign has been removed, destroyed, or has fallen, the sign shall be replaced by the applicant within 48 hours or by the close of the next business day, whichever period is longer.

The Planning Commission will hold a public hearing on the proposed application and make a recommendation to the City Council based on the approval criteria. After receiving the recommendation of the Planning Commission, the City Council will consider the Conditional Use permit application at a public hearing, and at the close of the public hearing, the City Council shall act to approve, approved with conditions, or deny the proposed Conditional Use Permit.

NOTE: A listing of the applicable sections of the Land Development code is provided for your review; please refer to these sections for more details: *Section 3.14 Conditional Use Permits, Section 3.1.6 Neighborhood Meetings, Section 3.3 General notice & Public Hearing Requirements, and Section 3.15 Site Plan Reviews.*

## CONDITIONAL USE



## **CONDITIONAL USE PERMIT APPLICATION CHECKLIST**

The checklist below is intended to summarize the requirements of Article 3 of the Land Development code. Please refer to the code for specific details. Please note that the City's referral policy requires you to provide us with pre-packaged referral packets as part of your submittal. Prior to officially submitting an application, the Project Planner assigned will prepare a checklist identifying what information is to be provided to each agency. Incomplete applications will not be processed.

### **Application Items:**

- A. Application Form and Processing Fees
- B. Legal Description, Current Proof of Ownership, Title Commitment and Covenants (if applicable)
- C. Project Narrative – specific details of the proposed project
- D. Statistical Fact Sheet
- E. Water Rights Questionnaire
- F. Reports and Studies – For further detail and clarification refer to the City Land Development Code. (Note: Additional studies may also be required.)
  - 1. Site Plan
  - 2. Other items as required by staff

### **Review Process Information:**

- A. A Neighborhood Meeting will be required before submittal of a formal application is made unless waived by the community Development director. You must coordinate the scheduling of this meeting with the Community Development Department. Written notice must be given at least 12 days prior to the meeting date.
- B. Revised submittals after initial review. Depending on the nature of the proposed project, one or more sets of revised plans may be required during the review period.
- C. Public Notice Items (Required written notice at least 12 days prior to and posted notice at least 15 days prior to the Planning Commission and City Council public hearings). Prior to the public hearing, please provide materials board, color land plans and any other presentation materials you may wish to present.