

320 6th Avenue
PO Box 468
Ouray, Colorado 81427



970.325.7211
Fax 970.325.7212
www.cityofouray.com

CONDITIONAL USE PERMIT SUBMITTAL REQUIREMENTS

COMMUNITY DEVELOPMENT SERVICES

Definition

Conditional uses (§7-5-F, Ouray Municipal Code) are land uses generally compatible with the permitted uses in a zoning district, but that require site-specific review of their location, design, intensity, density, configuration, and operating characteristics, and that may require the imposition of appropriate conditions, in order to ensure compatibility of the use at a particular location and mitigate its potentially adverse impacts.

Procedure

A Conditional Use Permit is decided upon by the Planning Commission following a public hearing. Following determination of a complete application, staff will conduct a review and recommend a decision to the Commission which may include conditions to mitigate any potential impacts. Taking into account public notice time frames, the permit is typically heard at the next regularly scheduled Planning Commission meeting held on the second Tuesday of each month. To ensure there is enough time for review and public noticing, an application should be submitted a minimum of 30 days in advance of the scheduled Planning Commission meeting.

Public notice that the Planning Commission will conduct a hearing to consider the application shall be posted at City Hall fifteen (15) days prior to the hearing and published not less than twelve (12) days prior to the hearing. A sign shall be posted by City Staff in a conspicuous place on said premises not less than five (5) days before said hearing. The Applicant shall send notice of the hearing, by certified mail, to all property owners within three hundred (300) feet of the property, at the address in the Ouray County Assessor's records that is the subject of the application no less than fifteen (15) days prior to the hearing. Language within the letter shall be provided by the City.

An appeal of a Conditional Use Permit decision by the Planning Commission may be made to District Court within 28 days of the decision.

Note: All Conditional Use Permits require a cost-free preapplication conference prior to submittal. The fee for a Conditional Use Permit application is \$200 due at the time of submittal.

Submittal Requirements:

The submittal checklist below identifies elements and information necessary for the City to accept an application at the counter, additional information may be required following review:

- A completed Master Land-Use Application, including all required signatures, (one copy);
- Applicable fees. Checks shall be for the exact amount made out to the "City of Ouray";
- Project submittal requirement checklist, (one copy);
- Preapplication summary, (one copy);
- Site plans, (three copies);
- Pdf copies of all documents provided either on a cd or flash drive;
- Written project narrative (three copies) detailing the proposal, stating why a Conditional Use Permit is requested and addressing each of the following explaining how the proposal meets each criteria (§7-5-F-1-f):
 1. The use will not be contrary to the public health, safety, or welfare;
 2. The use is consistent with the purposes, goals, objectives and standards of the City's Master Plan;
 3. The use complies with all other applicable requirements of the zone district in which it is proposed to be located;
 4. The location, size, design, and operating characteristics of the proposed conditional use minimizes adverse effects, including visual impacts, impact on pedestrian and vehicular circulation, parking, trash, service delivery, noise, light, vibrations and odor on surrounding properties;
 5. The use is compatible with existing uses in the area and other allowed uses in the zoning district;
 6. The use is consistent with the purpose of the zoning district in which it is proposed to be located; and
 7. The use will not have an adverse effect upon other property values or the use of adjacent properties.

The burden is on the Applicant to show that these criteria have been met. If the Planning Commission determines that such criteria have not been met, the application shall be denied. The application may be approved upon conditions or limitations which the Commission determines are necessary in order to insure that the applicable criteria are met.

Note: Failure to provide listed submittal items will result in a project not being accepted or delays, please ensure all items are addressed prior to application submittal. The information on this checklist is not meant to be all-inclusive and additional materials may be required.



CITY OF OURAY
Community Development
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FOR STAFF USE ONLY	
Permit Number:	_____
Receipt Number:	_____

MASTER LAND USE APPLICATION

COMMUNITY DEVELOPMENT SERVICES

- | | | | |
|--|--------------|--|--------------|
| <input type="checkbox"/> Site Development Permit | \$200 | <input type="checkbox"/> Final Plat | \$300 |
| <input type="checkbox"/> Conditional Use Permit | \$200 | <input type="checkbox"/> Lot Split | \$300 |
| <input type="checkbox"/> Variance Request | \$500 | <input type="checkbox"/> Minor Subdivision | \$250 |
| <input type="checkbox"/> Rezone | \$200 | <input type="checkbox"/> Replat/Plat Amendment | \$300 |
| <input type="checkbox"/> Sketch Plan | \$200 | <input type="checkbox"/> Mobile Home/RV Park | \$300 |
| <input type="checkbox"/> Preliminary Plat | \$400 | <input type="checkbox"/> Other _____ | |

Project Title: _____

Site Address: _____

Parcel Number(s): _____

Applicant: _____

Address: _____

City/State/Zip: _____

Phone: _____ E-mail: _____

Property Owner(s): _____

Address: _____

City/State/Zip: _____

Phone: _____ E-mail: _____

Contact (if different than applicant): _____

Address: _____

City/State/Zip: _____

Phone: _____ E-mail: _____

Proposed Use: _____

Existing Use: _____

Proposed Site Area (Combined square footage): _____

Existing Building Sq. ft.: _____ Proposed Building Sq. ft.: _____

of Existing Lots: _____ # of Proposed Lots: _____

SUBMITTAL REQUIREMENTS FOR ALL ACTIONS: (In the event an action checklist is available, follow the checklist for submittal requirements)

- Completed Land Use Application (one copy)
- Appropriate fees
- Detailed site plan (24" x 36") (three copies)
- Project narrative (three copies)
- Any other required information (three copies)
- Evidence of ownership or written notarized consent of legal owner(s) (one copy)
- All provided information in pdf's on compact discs or thumb drive

****INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED****

The Applicant is responsible for actual, reasonable costs incurred by the City, which may include legal fees, postage, notice and publishing costs, map costs, other professional service consultants or review agencies which charge for their review, together with wages and associated payroll costs for contract employees. The Applicant will receive an invoice monthly as such costs are incurred. Each invoice shall be due 30 days after its date. Such invoice sent prior to the next formal decision by the City must be paid prior to that decision. Invoices not paid prior to that decision shall be cause to deny the application or table the decision until the fees are paid. Bills not paid by the due date shall accrue interest at the rate of 1-½% per month or part thereof. No plat shall be recorded, improvements accepted, lien released, building permit issued, tap approved, or other approval action taken until all fees then due are paid to the City. Such fees may be certified to the County Treasurer for collection as delinquent charges.

Applicant's Signature: _____	Date: _____
<i>(Required)</i>	
Owner's Signature: _____	Date: _____
<i>(Required)</i>	
Agent's Signature: _____	Date: _____

(If you are acting as an owner's agent, you must provide proof of agency.)

By affixing my signature hereto, I certify under penalty of perjury that the information furnished herein is true and correct to the best of my knowledge and that I am the owner of the premises where the work is to be performed or am acting as the owner's authorized agent. I further agree to hold harmless the City of Ouray as to any claim (including costs, expenses and attorney's fees incurred in the investigation of such claim) which may be made by any person, including the undersigned, and filed against the City of Ouray, but only where such claim arises out of the reliance of the City, including its officers and employees, upon the accuracy of the information provided to the City as a part of this application.

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City of Ouray Authorization of Agent Form

This form is required if someone other than the owner of a property will be acting as the Authorized Agent for a building project.

Property Information:

Project Address: _____
Parcel Number(s): _____

Contact Information:

Owner's Name(s): _____
Mailing Address: _____
Phone: _____ Email Address: _____

Authorized Agent's Name: _____
Mailing Address: _____
Phone: _____ Email Address: _____

I/we the undersigned owner/s of the above described real property located in the City of Ouray, Colorado hereby authorize:

(Print name of authorized agent)

To act in my/our behalf in applying for permits from the City of Ouray as required by existing City of Ouray regulations pertaining to zoning, building, encroachments, excavation, and utilities.

Signature: _____ (Property owner of record)	Date: _____
Signature: _____ (Property owner of record)	Date: _____
Signature: _____ (Property owner of record)	Date: _____