

# **CONDITIONAL USE PERMIT**

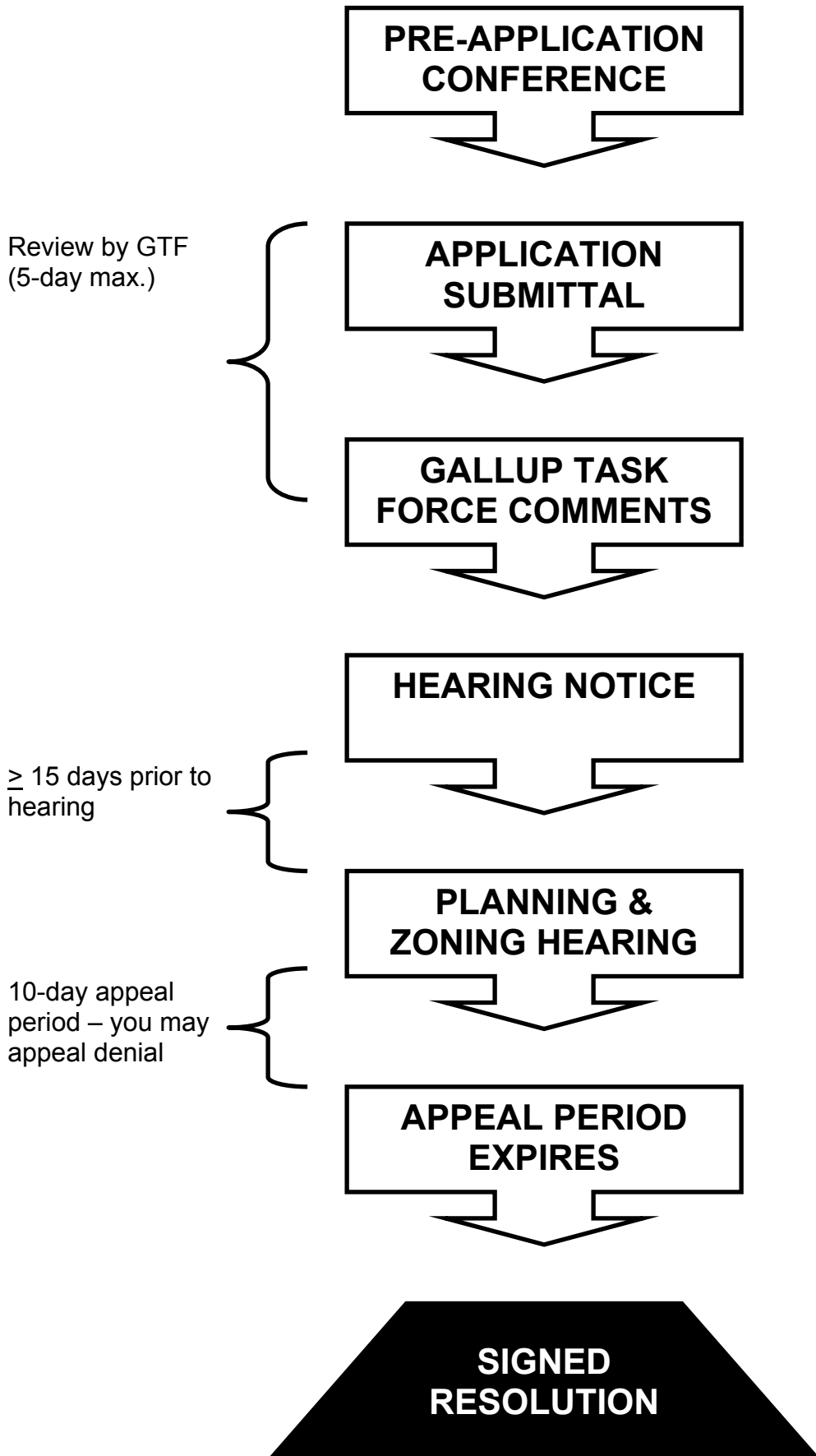


**OR**

**Land Uses that Might be Permitted, with  
Conditions, After a Public Review**



# THE CONDITIONAL USE PERMIT PROCESS





## INSTRUCTIONS FOR OBTAINING A CONDITIONAL USE PERMIT

### **INTRODUCTION: CONDITIONAL USE PERMITS**

The Conditional Use Permit typically is site-specific permission for a given land use, on a location that has been deemed “appropriate” within a zoning district or group of districts, on the condition of meeting specific requirements at that location. In our community there are grounds for granting a conditional use as well as for turning it down.

### **GROUNDINGS FOR GRANTING A CONDITIONAL USE PERMIT (§ 10--5-B-d-iii-2)**

1. The use will not have a significant adverse effect on the character and value of adjacent properties or the surrounding neighborhood.
2. The use will not create a hazard, a public nuisance or be injurious to individuals or to the public.
3. The use will not generate undue traffic congestion.
4. The use will not cause noise which is excessive for the particular area.
5. The use will not have a significant adverse effect on the natural environment and attractiveness of an area.
6. The use will not be contrary to the public interest.
7. The applicant will be able to meet any particular requirements specified for such a use in the Land Development Standards and any additional conditions that the board may impose.
8. The applicant will be able to meet all requirements imposed by applicable state and federal laws and regulations.
9. The use is consistent with the policies and recommendations of the adopted city master plan.

### **HOW DOES THE CONDITIONAL USE PERMIT PROCESS WORK?**

**First:** Meet with the Director of Planning & Development. Only property owners (and/or their Agent) may make a request. Share the merits of your proposed conditional use.

**Second:** Read and fill out the conditional use permit application. Have the application handed in by the second Friday of the month so your request may be heard the following month. Please include:

1. Owner’s name and address, if different than applicant.
2. The legal description of the property involved in the request.
3. The current zoning designation of the property.
4. A written statement showing the likelihood of being able to meet the acceptable grounds for a conditional use permit.
5. A site plan drawn to scale with enough detail to show the proposed structures, provisions, and vehicular ingress and egress, off-street parking and loading areas, proposed utility and storm drainage, screening and landscape buffers.
6. Pay your processing fee of \$150.00 at this time. Checks can be made payable to the “City of Gallup”.
7. Any other information deemed necessary pertaining to your request.

**Third:** The Planning Specialist will notify adjacent property owners of the request and advertise the public hearing in the newspaper. Also, the Planning & Development Director will prepare a recommendation for the Planning & Zoning Commission whereas the property owners (and/or their agent) will be provided a copy prior to the public hearing date.

**Fourth:** The Planning & Zoning Commission conducts a public hearing on the request and makes a decision regarding the Conditional Use Permit request.

**Fifth:** Should the Planning & Zoning Commission deny your request, you have ten (10) days from the date of the public hearing to file your Notice of Appeal with the City Clerk for City Council consideration.



## INSTRUCTIONS FOR OBTAINING A CONDITIONAL USE PERMIT

### IMPORTANT POINTS TO REMEMBER:

1. A conditional use permit request has a \$150.00 processing fee, which must be paid as part of the application.
2. There is one (1) public hearing before the Planning & Zoning Commission. If you want your request to be heard, you must be present. If you or your representative(s) is / are not present, your request will not be heard.

### COMMON PROBLEMS WITH CONDITIONAL USE PERMIT REQUESTS AND HOW TO AVOID THEM:

Neighborhood Opposition: Visit and talk with your neighbors about your request. Keep them informed.

Processing Fee: Payment of the processing fee only guarantees that your request will be processed; payment does not constitute approval.

Lack of Information: If you have any questions or concerns, please express them.

Meeting deadlines: The deadline for all Planning & Zoning submissions is on the second Friday of each month for any type of request to be presented the following month. Be sure to have your request in early to ensure time for processing.

### USEFUL CONTACTS:

Planning & Development  
110 W. Aztec Ave.  
P.O. Box 1270  
Gallup, NM 87305  
505.863.1240

CB Strain - Planning & Development Director  
Roman Herrera – Development Review Coordinator  
Nikki Lee – Planning Specialist



# CITY OF GALLUP

## APPLICATION FOR A CONDITIONAL USE PERMIT

### PROPERTY OWNER INFORMATION

NAME: \_\_\_\_\_ PHONE #: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_ CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

### APPLICANT INFORMATION:

NAME: \_\_\_\_\_ PHONE #: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_ CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

### AGENT INFORMATION: (if applicable)

NAME: \_\_\_\_\_ PHONE #: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_ CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

SITE ADDRESS: \_\_\_\_\_

LEGAL DESCRIPTION: LOT: \_\_\_\_\_ BLOCK: \_\_\_\_\_ SUBDIVISION: \_\_\_\_\_

### CURRENT ZONING DISTRICT:

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> INDUSTRIAL (I)                      | <input type="checkbox"/> GENERAL COMMERCIAL (GC)                | <input type="checkbox"/> HEAVY COMMERCIAL (HC)                |
| <input type="checkbox"/> MIXED-USE CENTER (MXC)              | <input type="checkbox"/> MIXED-USE NEIGHBORHOOD (MXN)           | <input type="checkbox"/> MOBILE HOME PARK (MHP)               |
| <input type="checkbox"/> MULTI-FAMILY RESIDENTIAL LOW (MFRL) | <input type="checkbox"/> MULTI-FAMILY RESIDENTIAL MEDIUM (MFRM) | <input type="checkbox"/> MULTI-FAMILY RESIDENTIAL HIGH (MFRH) |
| <input type="checkbox"/> SINGLE FAMILY RESIDENTIAL-A (SFR-A) | <input type="checkbox"/> SINGLE FAMILY RESIDENTIAL-B (SFR-B)    | <input type="checkbox"/> SINGLE FAMILY RESIDENTIAL-C (SFR-C)  |
| <input type="checkbox"/> RURAL HOLDING ZONE (RHZ)            | <input type="checkbox"/> RURAL RESIDENTIAL (RR)                 | <input type="checkbox"/> PLANNED UNIT DEVELOPMENT (PUD)       |

DESCRIPTION OF REQUESTED USE: \_\_\_\_\_

### STATEMENT OF COMPLIANCE WITH THE REQUIREMENTS FOR A CONDITIONAL USE PERMIT (§ 10-5-B-d-iii-2):

**\*\*\*ATTACH SITE PLAN OF THE PROPOSED DEVELOPMENT / PROJECT\*\*\***

\_\_\_\_\_  
*Print Owner's Name*

\_\_\_\_\_  
*Owner's Signature*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Print Applicant's Name*

\_\_\_\_\_  
*Applicant's Signature*

\_\_\_\_\_  
*Date*

### **FOR OFFICE USE ONLY**

PRE-APP. CONFR: \_\_\_\_\_

APPLICATION FEES ACCEPTED BY: \_\_\_\_\_

AMOUNT PAID: \$ \_\_\_\_\_ METHOD OF PAYMENT: \_\_\_\_\_

HEARING DATE: \_\_\_\_\_ CASE #: \_\_\_\_\_

DATE STAMP