



**Boulder County
Land Use Department
Publications**

Special Use Review

Land Use Department
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Monday — Friday 8 a.m. to 4:30 p.m.
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Special Use Review

A Pre-application Conference with a planner is required prior to making any application for a Land Use review process. A pre-application conference may be scheduled by calling the Land Use Department at 303-441-3930.

Special Use Review is required for those uses listed in Article 4 of the Boulder County Land Use Code which specifically require this review process or which surpass certain triggers for the zoning district in which they are proposed to be located. The purpose of Special Use Review is to determine the compatibility of the use with the site and surrounding properties, and to determine the adequacy of services.

Special Review Process

A Pre-application Conference with a planner is required prior to making any application for a Land Use review process. A pre-application conference may be scheduled by calling the Land Use Department at 303-441-3930.

The Special Use Review process takes approximately four to six-months from the time of application through review by the Board of County Commissioners. Hearings before both the Planning Commission and the Board of County Commissioners are required, and other meetings before advisory boards may be convened. In addition to these public hearings, the proposal will be reviewed by various County Departments, other public agencies, and adjacent property owners.

Some property owners meet with their neighbors to discuss a Special Use proposal prior to making application. This often fosters an understanding of the needs of all parties prior to the hearing process, reducing the potential for conflict and allowing for changes in the proposal in response to those needs.

Issues Addressed Through Special Use Review

The following issues are frequently discussed during the Special Use Review process. Please note that this is not a complete list of all issues that may arise.

Intensity of Use

- How many vehicles will be coming and going from the site?
- How many people will be on the site at any given time?
- What are the hours of operation?
- Will the use generate noise, light, or odors?
- What size of buildings will be necessary for the use?

Services

- Will the use be served by a well and septic system or public water and sewer?
- What level of emergency service will the use require?
- Can emergency personnel get to the site?

Mitigation of Impacts

- What measures would be taken to reduce the impact of the use?
- How have the concerns of adjoining property owners been addressed?
- Is there a landscape plan?
- If new buildings are included, is the design compatible with surrounding areas?

Fees

A non-refundable deposit of \$1,450.00 is required at the time of application for a Special Use Review. It is not uncommon for the final cost of processing a Special Use to exceed this amount. Please discuss fees and billing with the planner during your Pre-application Conference

General Explanation

A use permitted by special review may be established in a zoning district only upon approval of the Board of County Commissioners, after review by the Planning Commission, and subject to the conditions set forth in an approval of the use by the Board of County Commissioners.

Special Use Reviews typically include developments or uses that may potentially have a significant impact on the property, its resources, and the surrounding areas. These uses are developments such as a Fire Station, Accessory Dwelling, Telecommunications Facility, and Day Care Center (see the zoning designation for specific uses and more information). Special uses also include uses that generate traffic volumes in excess of 150 average daily trips per lot, uses that have an occupant load greater than or equal to 100 persons per lot, uses that have a wastewater flow greater than or equal to 2,000 gallons per day per lot, uses that have a total floor area greater than 25,000 square feet (35,000 sq. ft. in a community service area), or uses that have a second principal use that does not increase density (where allowed).

Some uses have maximum development limits prescribed in the Land Use Code including those in the Community and Lodging Use classifications.

The applicant(s) must first contact the Land Use Department to make an appointment for a Pre-application Conference with a Planner to discuss the proposal prior to its submittal. A pre-application conference with the Transportation Department may also be required. Contact the Transportation Department to make an appointment to discuss additional submittal requirements for the transportation and engineering portion of your application. Please refer to the Transportation Department Publication titled *Transportation Review of Development Proposals* for more information regarding possible additional submittal requirements.

The review process begins when the Land Use Department receives a complete application. After the application has been received, and prior to the initial hearing, the application will be referred out for review by various County Departments, public agencies (as necessary) and adjacent property owners. The Special Use Review process includes a 35-day referral period. Staff review of Special Use applications occur in the last week of the month after the referral deadline. At the staff review meeting, the staff determines if the application is sufficiently complete and if issues are sufficiently resolved for the application to proceed to a public hearing with the Planning Commission. The Planning Commission typically meets every third Wednesday of the month.

A hearing before the Board of County Commissioners will be scheduled as soon as is practical after the decision of the Planning Commission. A Special Use Review process can typically take four to six months to complete.

For a detailed account of the following requirements, see Articles 3 and 4-600 of the Boulder County Land Use Code.