

TOWN OF SPRING LAKE

CONDITIONAL USE PERMIT INFORMATION GUIDE

Land Use and Development Review & Administration Manual

Form CUP-1
Version 1.0

Purpose

This guide provides general information regarding the Conditional Use Permit (CUP) application process administered by the Town of Spring Lake.

A Conditional Use Permit is required for certain uses that the Municipal Code allows only after Town review. The Town reviews the proposed use to determine whether any reasonably anticipated detrimental effects can be addressed through reasonable conditions of approval, as provided by the Municipal Code.

This guide is informational only. It does not replace the requirements of the Spring Lake Municipal Code or applicable law.

1. When is a Conditional Use Permit Required?

A Conditional Use Permit is required whenever the Spring Lake Municipal Code identifies a proposed land use or activity as a conditional use within the applicable zoning district.

Applicants should contact the Town if they are uncertain whether a proposed use requires:

- no land use approval;
- a permitted use approval;
- a Conditional Use Permit;
- another land use approval; or
- multiple approvals.

Some projects may require additional Town approvals, building permits, or approvals from outside agencies.

2. Purpose of a Conditional Use Permit

Conditional Use Permits provide a process for reviewing uses that are generally determined to be appropriate in the designated location, with conditions of approval used to mitigate reasonably anticipated detrimental effects.

The Conditional Use Permit process allows the Town to evaluate the proposed use against the applicable Municipal Code requirements and to determine whether reasonable conditions can mitigate reasonably anticipated detrimental effects.

3. Before You Apply

Applicants are encouraged to review applicable zoning regulations and CUP requirements, discuss the proposal with the Town Recorder or Deputy Recorder, identify additional approvals, and prepare complete application materials before formal submission.

4. Application Materials

A complete application generally consists of:

- A-1 Land Use and Development Application Cover Sheet
- A-3 Applicant Submission Checklist
- A-4 Owner Authorization (when applicable)
- CUP-2 Conditional Use Permit Application Requirements
- Required site plans and supporting documents
- Applicable studies or reports
- Applicable fees
- Additional information reasonably necessary to evaluate compliance.

5. General Review Process

Application submitted.

Administrative completeness review.

Administrative routing.

Additional Town, professional, or agency review, when needed.

Public notice and hearing (when required).

Decision.

Notice of Decision.

Ongoing compliance.

6. Review Standards

Applications are evaluated using the Municipal Code, applicable law, the official administrative record, and adopted findings.

7. Conditions of Approval

Under §10-3-6 of the Municipal Code, a Conditional Use Permit shall be approved if reasonable conditions can be imposed to mitigate reasonably anticipated detrimental effects. Conditions shall be based upon identifiable impacts reasonably anticipated from the proposed use and may address matters such as access, traffic, parking, lighting, noise, screening, hours of operation, and public safety.

8. Decisions

The Planning Commission, acting as the Designated Land Use Authority for Conditional Use Permits, shall take the action authorized by the Municipal Code and applicable law. Under §10-3-6, a Conditional Use Permit shall be approved if reasonable conditions can be imposed to mitigate reasonably anticipated detrimental effects. A matter may be continued or deferred for additional information or procedural action when authorized by law.

9. Appeals

Appeals, when authorized, shall be filed in accordance with the Spring Lake Municipal Code.

10. Questions

Questions should be directed to the Town Recorder or Deputy Recorder. Questions requiring professional planning review may be referred to Development Staff.

Related Documents

The CUP-Series works with the A-Series and B-Series as applicable. Related documents include:

A-1 – Land Use and Development Application Cover Sheet;
A-3 – Applicant Submission Checklist;
A-4 – Owner Authorization (if applicable);
CUP-2 – Conditional Use Permit Application;
CUP-3 – Conditional Use Permit Application Requirements;
CUP-4 – Conditional Use Permit Administrative Review Checklist;
CUP-5 – Conditional Use Permit Deliberation Record;
CUP-6 – Conditional Use Permit Official Decision Record; and
CUP-7 – Conditional Use Permit Notice of Decision & Continuing Compliance Record