



**CITY OF CARLSBAD**  
*Licensing and Permits Department*  
PO Box 1569, Carlsbad, NM 88221  
Phone (575) 887-1191  
Fax (575) 885-9871

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## **CONDITIONAL USE PERMIT APPLICATION**

(INCLUDING HOME OCCUPATIONS)

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### PROCESS FOR ACCEPTANCE AND REVIEW OF PLANNING AND ZONING COMMISSION MATTERS

1. The Planning and Zoning Commission's regularly scheduled meetings are on the **FIRST MONDAY OF THE MONTH**. Applicant should obtain an Application Packet for the particular type of request (Zone Change, Subdivision, Variance, Annexation, Conditional Use, etc.) from the City of Carlsbad, Licensing and Permits Office.
2. **Applicant must submit a completed Application to the Licensing and Permits Office on, or before, the FIRST FRIDAY OF THE MONTH prior to the desired Commission meeting.**  
The minimum application packet submittal is one (1) copy of the Application with original signatures and all required supporting documents. A letter of explanation or clarification may also be provided. The required non-refundable application fee is due with submittal of the application.  
  
The desired maximum size for all documents is 11"x17". **However, if the applicant wishes to support his or her application with larger size documents, an original and fifteen (15) copies need to be provided.** Separate arrangements for copying these large documents may be possible, but will incur additional costs.
3. The Licensing and Permits Office will give the Application an initial cursory review. If deficiencies or questions are noted, the Applicant will be advised and provided an opportunity to supplement the application. If the Applicant fails to complete and resubmit the application prior to the above deadline, the matter will not be heard until the next subsequent Commission meeting. The original application fee will be retained and will suffice for the specific original application for a period of 90-days from the date of the original application.
4. Applications appearing complete will be set for full evaluation by City Staff prior to the Commission meeting. The purpose of this evaluation is to develop and provide a full briefing report for the Commission. Applicants will be advised of deficiencies noted during this review and will be afforded opportunity to supplement their application during their presentation to the Commission, if they so desire.
5. The Planning and Zoning Commission will vote to approve or deny the request. Applicant or his/her representative must be present to address any questions that Planning and Zoning Commissioners may have. Appeals of Planning and Zoning Commission decisions will be heard by the City Council pursuant to Sec. 56-150(c).
6. The applicant shall mail notice of the Planning and Zoning Commission hearing, via certified mail, to all property owners within one-hundred feet (100') of the subject site. **Evidence of such notification shall be provided with the application.** In addition, the applicant shall post a sign, provided by the City, at the property at least 5 days prior to the public hearing.



Receipt Date Stamp

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**Sec. 56-150(f)**

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Application Date: \_\_\_\_\_

Fee Paid (\$50.00): \_\_\_\_\_

**APPLICANT INFORMATION:**

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NAME ADDRESS

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CITY STATE ZIP PHONE EMAIL

**PROPERTY OWNER INFORMATION (IF DIFFERENT FROM APPLICANT\*):**

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NAME ADDRESS

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CITY STATE ZIP PHONE EMAIL

\* If the applicant is not the property owner, a signed affidavit from the property owner, consenting to submittal of the application, must be included with the application.

**LEGAL DESCRIPTION AND/OR STREET ADDRESS OF PROPERTY (FOR WHICH CONDITIONAL USE IS REQUESTED):**

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ADDRESS LOT BLOCK SUBDIVISION

**ZONING OF PROPERTY:** \_\_\_\_\_

**TYPE OF CONDITIONAL USE REQUESTED (IF HOME OCCUPATION, INDICATE TYPE):** \_\_\_\_\_

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**JUSTIFICATION FOR REQUEST AND SITE PLAN:** (Describe the proposed use and any conditions on the property or within the neighborhood that may affect the use i.e. parking, building locations, neighborhood character, etc. Include a site plan, drawn to scale or with accurate dimensions, showing property lines, fences and/or walls, setbacks, building and structure locations and parking areas. Attach a separate sheet if necessary.)

**FOR OFFICIAL USE ONLY:**

**Required prior to P & Z:**

Complete Application Including:

- Site Plan     Fee     Notification     Letter of Explanation
- Sign Posting Agreement     Sign Posted
- ABM     Staff Comments     Application Packet

P & Z Action:     Approved                       Denied                       Other                      Date: \_\_\_\_\_

Date: \_\_\_\_\_

Dear Property Owner,

This letter serves as legal notification of a pending action before the City of Carlsbad Planning and Zoning Commission in accordance with Code of Ordinances Sec. 56-140(i). You are being notified because you are a property owner within one-hundred feet (100') of the subject site.

Applicant: \_\_\_\_\_  
Name Address Phone

Subject Site Location: \_\_\_\_\_

The proposed action is a:

Zoning Change from \_\_\_\_\_ to \_\_\_\_\_ in accordance with Sec. 56-150(b).

Variance/Appeal from Sec. \_\_\_\_\_ in accordance with Sec. 56-150(c).

The purpose of the variance/appeal is:

\_\_\_\_\_  
\_\_\_\_\_

Conditional Use Permit in accordance with Sec. 56-150(f). The purpose of the permit is for a:

Home Occupation: \_\_\_\_\_

Other Use: \_\_\_\_\_

**The Planning and Zoning Commission will consider this request at a Public Hearing on: Date: \_\_\_\_\_**

**Time: 5:00pm**

**Place: City Hall Planning Room, 2<sup>nd</sup> Floor**

**101 N. Halagueno St.**

**Carlsbad, NM 88220**

The Code of Ordinances can be found on the City's website [www.cityofcarlsbadnm.com](http://www.cityofcarlsbadnm.com). For details about this request contact the applicant OR contact the City Planner at 575-234-7923 or via email at [sshumsky@cityofcarlsbadnm.com](mailto:sshumsky@cityofcarlsbadnm.com).

Sincerely,

Applicant/Agent



# NOTIFICATION SIGN POSTING AGREEMENT

Notification of Public Hearings before the City of Carlsbad Planning and Zoning Commission is required pursuant to Sec. 56-140(i).

- Signs shall be posted a minimum of 5 days prior to and shall be removed a maximum of 5 days after the public hearing.
- If the sign is not posted as required, the application will be delayed and will not be considered at the public hearing as scheduled.
- The sign shall be posted at the street side property line with a secure stake provided by the applicant.

I have read and understand these requirements. I understand where the sign is to be located and my obligation to post the sign prior to the public hearing and remove it afterwards.

\_\_\_\_\_  
APPLICANT SIGNATURE

\_\_\_\_\_  
DATE

Sign issued by: \_\_\_\_\_  
Staff Member