




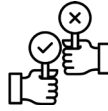


# LAND USE: CONDITIONAL (C) USE PERMIT APPLICATION PACKET

Thank you for your interest in submitting a conditional (c) use permit application. The following packet will provide general information regarding the process for seeking approval from the Town’s relevant land use authority. For questions regarding any of the information listed in this packet please contact us at **cvtown@gmail.com** or give us a call at **(435) 893-9178**.

PURPOSE AND INTENT OF PROCESS	References: 17.2.1 / 17.3.15
<ol style="list-style-type: none"> <li>1. A conditional (C) use is defined in Section 17.2.1 of the Town’s Code as “A use of land for which a conditional use permit is required pursuant to this ordinance. A conditional use means a land use that because of its unique characteristics or potential impact on Central Valley Town, surrounding neighbors, or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.</li> <li>2. Those particular land uses, which may only be compatible if certain conditions are required which mitigate/eliminate their negative impacts, are listed on Table 17.5.1 Master Land Use Table of the Town’s Code with a “C” designation.</li> <li>3. The Land Use Authority outlined in Section 17.3.3 of the Town’s Code is authorized to review and render a decision approving, approving with requirements, or denying requests to establish conditional (c) uses as outlined in Title 17 - Land Use of the Town’s Code including requests for their expansion and modification.</li> <li>4. An application shall be submitted to the Town along with the fee as outlined in the Town’s Fee Schedule.</li> </ol>	
REQUIREMENTS	References: 17.3.15
<b>(1) 8 ½” x 11” Paper Copy and (1) Electronic PDF:</b>	
<input type="checkbox"/>	Address and lot/parcel identification of the subject property.
<input type="checkbox"/>	Current zoning designation, zoning district boundary, and the present use of the subject property.
<input type="checkbox"/>	Complete description of the proposed conditional use.
<input type="checkbox"/>	A site plan depicting the following: <ol style="list-style-type: none"> <li>1. Applicant’s name;</li> <li>2. Subject property’s address;</li> <li>3. Subject property’s boundaries and dimensions;</li> <li>4. Subject property’s layout of existing and proposed buildings and structures, parking, landscaping, utilities and easements;</li> <li>5. Adjoining property lines and uses within one hundred feet (100’) of the subject property; and</li> <li>6. Any other information determined to be necessary by the Reviewing Body as outlined in Section 17.3.3 of the Town’s Code.</li> </ol>
<input type="checkbox"/>	Traffic study or other impact analysis reports, including but not limited to: utilities, school, soil and water, existing conditions, line-of-site and building massing, etc., if required by the Land Use Authority.
<input type="checkbox"/>	A statement by the applicant demonstrating how the proposed use meets or would meet the approved standards of Section 17.3.15 of the Town’s Code.
<input type="checkbox"/>	A statement indicating whether the applicant will require any variances in connection with the proposed conditional (c) use. <b>Note:</b> If the conditional (c) use would require a variance,

the applicant shall also submit a variance application concurrently with the proposed conditional use application.

REVIEW PROCESS: C USES		References: 17.3.15	
 <p><b>APPLICATION RECEIVED / DETERMINATION OF COMPLETE APPLICATION</b> Application is pre-screened by Town to ensure submittal requirements are met and fees are paid. <i>Note: If deemed incomplete, a list of missing information to submit will be provided to the applicant.</i></p>	 <p><b>REVIEW BY REVIEWING BODY</b> Application is sent to Reviewing Body outlined in Section 17.3.3 for review. <i>Note: Applicant will receive a written copy of comments.</i></p>	 <p><b>REVIEW BY RECOMMENDING BODY</b> Public notice is given and the application and Reviewing Body comments are forwarded to the Recommending Body for review. The Recommending Body then review/recommends to the Land Use Authority approval, approval with modifications, or denial.</p>	 <p><b>REVIEW/DECISION BY LAND USE AUTHORITY</b> Public notice is given. The Land Use Authority holds a public meeting to review the Recommending Body's recommendation before making a final decision.</p>
IMPORTANT NOTES		References: 17.3.15	
<ol style="list-style-type: none"> <li>1. The Land Use Authority shall limit any conditions of approval to those needed to reasonably ensure the conditional (c) use complies with approval standards.</li> <li>2. Following the issuance of a conditional (c) use permit, the town shall inspect such conditional use to ensure the use is undertaken and completed in compliance with the conditional use permit. The Town shall maintain a record of all conditional use permits.</li> <li>3. The Land Use Authority may:               <ol style="list-style-type: none"> <li>a. Issue a conditional use permit for a use located within a zoning district that would allow, through regulations, the particular conditional use.</li> <li>b. Impose conditions as necessary to prevent or minimize the adverse effects upon other property(ies) or improvements in the vicinity of the proposed conditional use, the Town as a whole, or public facilities and services. These conditions may include but shall not be limited to conditions concerning use, construction, character, location, landscaping, screening, parking, hours of operation, and other matters relating to the purposes and objectives of Title 17 - Land Use of the Town's Code. The Land Use Authority shall expressly set forth such conditions in the motion authorizing the conditional use permit.</li> <li>c. Approve, approve with conditions, or deny a conditional use permit. But shall approve whenever the Land Use Authority can impose reasonable conditions to mitigate the reasonably anticipated detrimental impacts or effects of the proposed use in accordance with applicable standards. Only when insufficient reasonable conditions exist that the Land Use Authority could impose may the Land Use Authority deny the request.</li> </ol> </li> </ol>			

- d. Request additional information as needed to determine the potential for compliance with the requirements of Section 17.3.15 of the Town's Code.
- 4. The Land Use Authority shall also ensure the following specific requirements are met:
  - a. The conditional use application complies with all applicable provisions of the Town's ordinances, including Title 17 - Land Use.
  - b. The proposed use is consistent with all applicable provisions of the Town's ordinances, including Title 17 - Land Use.
  - c. The proposed use meets applicable federal and state requirements such as:
    - i. Obtaining any necessary state or federal permits or licenses;
    - ii. Meeting applicable federal and state ADA requirements;
    - iii. Meeting stated adopted building and fire safety codes; and
    - iv. Obtaining state health department approval.
  - d. Structures associated with the proposed land use are compatible with surrounding structures in terms of use, scale, mass and circulation patterns.
  - e. The proposed land use is not detrimental to the public health, safety and welfare, and necessary public infrastructure needed will be provided or is in place. Any potentially or known detrimental impacts of the proposed land use shall be mitigated through the imposition of reasonable conditions placed on the proposed land use.
  - f. Within and adjoining the site, environmental impacts and mitigations are considered including impacts to aquifers, slopes and flood potential have been mitigated and are appropriate to the topography of the site.
  - g. Vehicle and pedestrian traffic conditions are not adversely affected by the proposed land use including ingress and egress from the site, the existence or need for dedicated turn lanes, pedestrian access and capacity of existing streets.
  - h. The location and design of off-street parking is included and the proposed land use is in compliance with off-street parking requirements required by Title 17 - Land Use of the Town's Code.
  - i. Sufficient emergency vehicle access to service the proposed land use is demonstrated and confirmed.
  - j. Sufficient easements, encroachments or rights-of-way needed will be provided by the application or confirmed to be in place.
  - k. Sufficient utility connectivity and capacity are demonstrated and confirmed, including garbage collection/disposal.
  - l. Exterior lighting complies with adopting light standards and mitigates impacts.
  - m. Fencing, screening and landscaping to separate the proposed land use from adjoining land uses to mitigate potential conflicts in uses is considered and if required, complies with the adopted standards as required by Title 17 - Land Use of the Town's Code.
  - n. Proposed signage complies with adopted standards as required by Title 17 - Land Use of the Town's Code.
  - o. The proposed use obtains a development agreement when deemed necessary by the Town.
  - p. The proposed use obtains applicable building permits for renovations or new construction.
  - q. The proposed use obtains any applicable local licenses, including business license, and/or the applicant's prior past performances are considered when applicable.
  - r. The proposed use obtains a geotechnical study if deemed necessary by the Town.
  - s. The proposed use addresses applicable storm water management issues.

- t. The proposed use addresses any concerns regarding proposed hours of operations.
  - u. The proposed use obtains any necessary variances, or determinations of existing nonconforming uses or noncomplying structures.
5. When an applicant proposes a use that requires a conditional use permit on property where a substantially similar nonconforming use legally exists, the Land Use Authority may approve the conditional use permit subject to the following requirements:
- a. A determination that the proposed conditional use is substantially similar to the previously permitted nonconforming use. In making such determination, the Land Use Authority shall consider the nature, characteristics and impacts of the existing and proposed uses, and compatibility and compliance of the proposed use with the factors previously outlined in this section;
  - b. The allowance of nonconformance with respect to building setbacks, building height, landscaping, and parking space requirements; and
  - c. The ability to meet all current building, construction, engineering, fire, health and safety standards as a condition of approval.
6. A conditional use permit shall not relieve an applicant from obtaining any other authorizations or permits required under Title 17 - Land Use or any other title of the Town's code. Unless otherwise specified by the Land Use Authority and subject to the provisions relating to amendment, revocation, or expiration of a conditional use permit, a conditional use permit shall be of indefinite duration and shall run with the land.
7. The procedure for amending any conditional use permit shall be the same as the original procedure set forth in Section 17.3.15 of the Town's Code.
8. The Town may revoke or suspend a conditional use permit as outlined in Section 17.3.15 of the Town's Code.
9. A conditional use permit approval issued by the Town shall expire if any of the following occur:
- a. The applicant does not implement the granted permit within one (1) year of the issued approval date.
  - b. The conditional use of land or structure ceases for any reason for a period of more than one (1) year.
10. The Land Use Authority's denial of a conditional use permit application shall preclude another person from filing another application covering substantially the same subject or property, or any portion there, for one (1) year from the date of the disapproval unless the Land Use Authority determines a substantial change in circumstances occurred to merit consideration of the application or the application is for a change to a different conditional use. This section shall not limit the Town Council, Planning Commission, or other authorized Town Staff from initiating a conditional use permit request any time.

#### **APPEAL OF DECISIONS**

Any person adversely affected by the final decision of the Land Use Authority may appeal that decision to the Appeal Authority outlined in Section 17.3.3 of the Town's Code.




#### **CONSULTATION**

If you have questions regarding the Town's application process or its regulations, please contact the Town at [cvtown@gmail.com](mailto:cvtown@gmail.com) or give us a call at **(435) 893-9178**.



# LAND USE: CONDITIONAL (C) USE PERMIT APPLICATION PACKET

## IMPORTANT INFORMATION

 <b>CONSULTATION</b> Available prior to submission. For questions, e-mail us at: <b>cvtown@gmail.com</b>	 <b>SUBMISSION</b> Submit complete application to the Town at: <b>50 W Center St, Central Valley, UT 84754</b>	 <b>REQUIRED FEES</b> <b>\$200.00</b>
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## APPLICANT INFORMATION

**Project/Plat Name:**

**Address Of Subject Property:**

**Name Of Applicant(s):**

**Phone:**

(       )

**Mailing Address:**

**E-Mail Address:**

**Applicant's Interest In Subject Property:**  
*(Note: \* Requires Owner's Consent)*

**If Other, Please Describe:**

Owner  Engineer\*  Contractor\*  Other\*

**Application Type:**

**Zoning District Of Subject  
Property:**

**Description Of Proposed  
Use:**

Conditional (C) Use

## OFFICE USE

**Received By:**

**Date Received:**

**Review/Approval Date:**

**Conditions (If Any):**

**DISCLAIMER:** PLEASE NOTE THAT ADDITIONAL INFORMATION MAY BE REQUIRED BY TOWN STAFF TO ENSURE ADEQUATE INFORMATION FOR STAFF ANALYSIS. ALL INFORMATION REQUIRED FOR STAFF ANALYSIS WILL BE COPEDED AND MADE PUBLIC, INCLUDING PROFESSIONAL ARCHITECTURAL OR ENGINEERED DRAWINGS FOR THE PURPOSE OF PUBLIC REVIEW BY ANY INTERESTED PARTIES.

**ACKNOWLEDGEMENT OF APPLICANT'S RESPONSIBILITY**

1. This is to certify that I am making an application for the described action by the Town and that I am responsible for complying with all Town requirements with regard to this request. This application will be processed under the name provided below.
2. By signing this application, I am acknowledging that I have read and understood the instructions provided for processing this application. The documents and/or information I have submitted are true and correct to the best of my knowledge. I understand that the documents provided to the Town are considered public records and may be made available to the public.
3. I understand that my application will not be processed until the application is deemed complete by the Zoning Administrator. I acknowledge that a complete application includes all of the required submittal requirements and that the provided documents must comply with all applicable requirements for the specific action being requested.
4. I understand that a staff report will be made available for my review prior to any public hearings or public meetings. This report will be on file and available at the Town's Offices and will be e-mailed to me once it has been finalized.

<b>Name Of Applicant:</b>	<b>E-Mail Address:</b>
<b>Signature:</b>	<b>Date:</b>

**LEGAL PROPERTY OWNER'S CONSENT**

**Note:** If the applicant is not the legal owner of the subject property, written consent from the property owner must be provided. Properties with a single fee title owner may show consent by filling out the information below or by providing an affidavit.

**Affirmation Of Sufficient Interest:** I hereby affirm that I am the fee title owner of the below described property or that I have written authorization from the owner to pursue the described action.

<b>Name Of Legal Property Owner:</b>	<b>Legal Description/Parcel Number:</b>
<b>Mailing Address:</b>	<b>E-Mail Address:</b>
<b>Signature:</b>	<b>Date:</b>

1. If a corporation is a fee titleholder, attach a copy of the resolution of the Board of Directors authorizing the action.
2. If a joint venture or partnership is the fee titleholder, attach a copy of the agreement authorizing action on behalf of the joint venture or partnership.
3. If a Home Owner's Association is the applicant, then the representative/president must attach a notarized letter stating they have notified the owners of the proposed application. A vote should be taken prior to submittal and a statement of the outcome provided to the Town along with the statement that the vote meets the requirements set forth in the CC&Rs.

**DISCLAIMER:** BE ADVISED THAT KNOWINGLY MAKING A FALSE, WRITTEN STATEMENT TO A GOVERNMENT ENTITY IS A CRIME UNDER UTAH STATE CODE CHAPTER 76-8, PART 5 (AS AMENDED). THE TOWN WILL REFER FOR PROSECUTION ANY KNOWINGLY FALSE REPRESENTATIONS MADE PERTAINING TO THE APPLICANT'S INTEREST IN THE PROPERTY THAT IS THE SUBJECT OF THIS APPLICATION.