

# CONDITIONAL USE PERMIT

City of Hildale  
320 East Newel Avenue  
Hildale, Utah 84737  
(435) 874-1160  
FAX (435) 874-2603

Fee: \$50

For office use only: File No: _____ Receipt : _____
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## APPLICATION & SUBMITTAL CHECKLIST

Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

Address: \_\_\_\_\_ Fax No. \_\_\_\_\_

Email: \_\_\_\_\_

Agent (If applicable): \_\_\_\_\_ Agent's Phone: \_\_\_\_\_

Agent email: \_\_\_\_\_

Address of Subject Property: \_\_\_\_\_

Tax ID of Subject Property: \_\_\_\_\_ Zone District: \_\_\_\_\_

Proposed Conditional Use: (Describe, use extra sheet if necessary) \_\_\_\_\_

### **This application shall be accompanied by the following:**

- \_\_\_\_\_ 1. A plot plan showing the following:
  - \_\_\_\_\_ Property boundaries, dimensions and existing streets.
  - \_\_\_\_\_ Location of existing and proposed building or livestock facility
  - \_\_\_\_\_ Adjoining property lines and uses within one hundred (100) feet of subject property.
- \_\_\_\_\_ 2) A reduced copy of all plans (8 1/2 x 11 if readable, or 11 x 17) if original plans are larger.
- \_\_\_\_\_ 3) Building floor plans for new construction
- \_\_\_\_\_ 4) A statement of how the applicant intends to meet the conditions for the use desired
- \_\_\_\_\_ 5) Signed and notarized Affidavit of Property owner showing evidence that the applicant has control of the property or copy of warranty deed

**NOTE: It is important that all applicable information noted above is submitted with the application. An incomplete application cannot be reviewed until it is complete. Fee is part of the application.**

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(Office Use Only)

Date Received: \_\_\_\_\_ Received by: \_\_\_\_\_

Date application deemed to be complete: \_\_\_\_\_ Completion determination made by: \_\_\_\_\_

## **APPROVAL STANDARDS** (From Section 10-7-9 of Land Use Code)

### a. Standards for a **reception center**:

- (1) Hours of operation must be compatible with adjoining uses and comply with Hildale City noise regulations.
- (2) Parking must be provided.
- (3) The use of on street parking to provide up to forty percent (40%) of the required parking may be permitted if adjoining uses are not residential uses and the street is fully improved.
- (4) The center must have an approved site plan.
- (5) If beer, wine, or other alcoholic beverages are served, the center must be licensed by the State Alcohol Control Board.

### b. Standards for an **agricultural industry**:

- (1) Adequate fencing and/or enclosures must be provided to ensure animals and fowl are confined safely and in conformance with acceptable animal husbandry standards.
- (2) Applicant must provide a plan for how manure will be handled to prevent it becoming a nuisance and must follow the plan.
- (3) Evidence must be provided on how the applicant will maintain control of flies and vermin.

### c. Standards for a **public stable**:

- (1) Adequate fencing and/or enclosures must be provided to ensure horses are confined safely and in conformance with acceptable animal husbandry standards.
- (2) Applicant must provide a plan for how manure will be handled to prevent it becoming a nuisance and must follow the plan.
- (3) Evidence must be provided on how the applicant will maintain control of flies and vermin.
- (4) Site must contain adequate off street parking for customers. All trailers must be contained on site.

### d. Standards for an **assisted living facility**:

- (1) The facility shall comply with building, safety, and health regulations applicable to similar structures.
- (2) The facility shall be licensed by the State of Utah.
- (3) A site plan shall be approved for the facility to ensure adequate parking and landscaping are installed.

### e. Standards for **greater heights and size than permitted by the Code**:

- (1) The height may not be greater than two (2) stories or 1.5 times the average height of the immediately adjacent buildings, whichever is greater.
- (2) The greater size building desired must be of compatible architecture with immediately adjacent buildings, must leave at least thirty five percent (35%) of the lot on which it is located as a pervious surface, and must be for a use permitted in the zone in which it is located.

### h. Standards for **metal buildings**:

- (1) In Residential (R-1) Zones the height and size may not be greater than permitted in the zone.
- (2) The building must meet the following design standards:

- (A) Exterior building materials shall be durable, require low maintenance, and be of the same or higher quality as surrounding developments.
- (B) Details of proposed colors and materials, including color chips, samples, and colored building elevations, shall be shown on building plans when a development project application is submitted. Colors shall be compatible with surrounding structures.
- (C) Reflective surfaces or colors which may produce excessive reflections or glare that may create a potential safety problem are prohibited.
- (D) In a commercial zone the faces of the building visible from nearby streets must include architectural relief items of non-metal materials including wood, stone, or stucco.

### **APPEALS**

Any person adversely affected by a decision regarding the transfer, issuance or denial of a conditional use permit, may appeal such decision to the Board of Adjustment by filing written notice of appeal, stating the grounds therefore within fourteen (14) days from the date of the decision. The appeal is filed with the Clerk of the Board of Adjustment located in the Planning Department. The decision of the Board of Adjustment is final unless appealed to a court of competent jurisdiction with thirty (30) days from the date of decision of the Board of Adjustment.

