

Section 1602 Conditional Use Permit.

A conditional use permit shall be required for all uses listed as conditional uses in the District regulations or elsewhere in this Ordinance. A Conditional Use Permit may be revoked upon failure in compliance with conditions precedent to the original approval of the permit.

1. Application. Application for a Conditional Use Permit shall be made by the property owner or certified agent thereof to the Planning commission.
2. Accompanying documents. Detailed site plans drawn to scale and other drawings necessary to assist the Planning commission in arriving at an appropriate decision.
3. Fee. The fee for any Conditional Use Permit shall be twenty dollars (\$20.00) unless otherwise specified in this Ordinance, no part of which shall be refunded.
4. Public Hearing. No public hearing need be held; however, a hearing may be held when the Planning commission shall deem such a hearing to be necessary and in the public interest.
 - A. The Planning Commission may hold the hearing.
 - B. The Planning Commission shall have a record of the hearing, together with a report of findings and recommendations relative thereto, for its consideration of the proposed conditional uses.
 - C. Such hearing if deemed necessary, shall be held not more than thirty (30) days from the date of application. The particular time and place shall be established by the Planning Commission.
 - D. The Planning commission shall publish a notice of hearing in a newspaper of general circulation in the County not less than ten (10) days prior to date of said hearing. Failure of property owners to receive notice of said hearing shall in no way affect the validity of action taken.
5. Determination. The Planning Commission may permit a conditional use to be located within any zone District in which the particular conditional use is permitted by Section 1608 of this Article. In authorizing any conditional use, the Planning Commission shall impose such requirements and conditions as required by law and any additional conditions as may be necessary for the protection of adjacent properties and the public welfare.

The Planning Commission shall establish policies regarding landscaping, fencing, lighting, ingress-egress, the height of buildings, etc., to insure consistency in the issuance of Conditional Use Permits.

The Planning Commission shall not authorize a conditional Use Permit unless the evidence presented is such as to establish:

- A. That the proposed use of the particular location is necessary or desirable to provide a service or facility which will contribute to the general well being of the neighborhood and the community; and,

B. That the proposed use will comply with regulations and conditions specified in this Ordinance for such use, and,

C. That the proposed use will conform to the intent of the Daggett County Master Plan;

D. That such use will not under the circumstances of the particular case and conditions imposed, be detrimental to the health, safety, and welfare of persons, not injurious to property and improvements in the community, but will be compatible with and complementary to the existing surroundings uses, buildings, and structures when considering the following zones:

(1) Residential and Rural Zones

- a. Will the proposed use generate enough traffic to be detrimental to the immediate neighborhood?
- b. Will the proposed development overload the carrying capacity for which local streets were designed?
- c. Will internal traffic circulation adversely affect adjacent residential properties?
- d. Will the proposed sign(s) adversely affect the development itself or the overall aesthetics or the general area?
- e. Will the proposed landscaping be sufficient to enhance the aesthetic acceptability of the development?

(2) Commercial Zones

- a. Will traffic ingress and egress adversely affect the general traffic patterns in the area?
- b. Will building location create a pedestrian traffic hazard by causing blind approaches for pedestrians?
 - c. Will building design be compatible with or complementary to already established adjacent structures?
- d. If the development is adjacent to a residential zone or use, will the building location, lighting, parking, or traffic circulation adversely affect the adjacent residential use or zone?

(3) Manufacturing Zones

- a. Will heavy vehicle traffic adversely affect adjacent residential or commercial properties?
- b. If the proposed use emits tolerable pollution of any type, will the prevailing breezes and winds direct the pollutant toward residential or commercial properties in the immediate area?
 - c. Will landscaping add aesthetic acceptance to the proposed development?
- d. Will proposed signs be in good taste and not create adverse effects on adjacent residential or commercial properties?