# MILLARD COUNTY
# APPLICATION – C-1 Conditional Use Permit

CASE NUMBER

*(This box for office use only)*
Date proposal received:
Fee collected: $
Proposal Determined to be Complete:

**Conditional Use Permit:** The approval granted by a Land Use Authority to establish a Conditional Use, which may provide for reasonable conditions to establish such use.

A property owner(s), as identified on the assessment rolls of Millard County, may submit a Conditional Use Application. An agent of the property owner(s) may submit a Conditional Use, provided such application is accompanied by a property owner(s) affidavit of authorization, identifying the agent as being duly authorized to represent the owner(s) in all matters related to the Conditional Use. All persons with a fee interest in the subject property shall be required to join in and sign the Conditional Use.

| AGENT INFORMATION | |
|---|---|
| Name | Phone |
| Address | Other Phone |
| | Fax |
| City, State, Zip | e-mail |

*(Additional names and addresses should be listed on a separate paper and attached)*

| OWNER INFORMATION | |
|---|---|
| Name | Phone |
| Address | Other Phone |
| | Fax |
| City, State, Zip | e-mail |

*(Additional names and addresses should be listed on a separate paper and attached)*

| PROJECT DESCRIPTION |
|---|
| Description of Proposed Project: |
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**MILLARD COUNTY PLANNING AND ZONING**
**71 South 200 West ▪ P. O. BOX 854 ▪ Delta, UT 84624**
Phone 435-864-1400 ▪ Fax 435 864-1404 ▪ e-mail sdekker@co.millard.ut.us

| PROPERTY and VICINITY DESCRIPTION | | |
|---|---|---|
| Parcel Number | Property Size (in acres) | Zoning District |
| Acct Number | Number Parcels | Section Township Range |
| Street Address of Property or General Location | | |

Upon compliance with certain procedures as set forth in Title 10, Chapter 8 of the *Millard County Zoning Ordinance*, a permit with conditions for the requested use may be issued. The following check list, when completed, will assure the petitioner that the required steps have been taken, and provide the Millard County Planning Commission with qualifying information. However, partial completion or total omission of any requirement listed below may cause the application to be rejected. Please provide:

| √ | SUBMITTAL REQUIREMENTS | |
|---|---|---|
| | **Application** | One original application which must contain an original signature of the owner and/or applicant (agent), or both if different. |
| | **Site Plan** | One (1 for P-1 Permit) or Fourteen (14 for P-2 & C-1 Permits) copies of the site plan drawn to scale and of sufficient size to portray the necessary detail but **no larger** than 11" x 17". The site plan must show a detailed location, site and building plans drawn to scale and all explanatory material shall accompany the completed application forms for a CUP. As applicable, the site and building plans and all other explanatory material shall include and identify the following:<br><br>1. Location Of Building(s) On Property: The location and dimension of the property and all proposed uses and buildings, all existing buildings or other structures located on the property, and existing buildings and structures located within one hundred feet (100') of the property. Existing property lines and existing fence lines shall be shown.<br><br>2. Existing Natural Features: The location and dimension of all existing natural features including, but not limited to, wetlands, drainage ways, floodplains, and water bodies.<br><br>3. Site Grade And Proposed Finished Grade: Existing site grade, and the proposed finished grade, shown at a contour interval as required by the zoning administrator.<br><br>4 Setbacks And Exterior Dimensions: The proposed setbacks and exterior dimensions of all proposed buildings and structures.<br><br>5. Location Of Streets: The location of all roads and streets adjoining the site, or proposed to serve the site, and including any permits as required by Millard County or the Utah department of transportation, as applicable.<br><br>6. Ingress, Egress And Parking: The location and dimension of all proposed ingress and egress points, off street parking, and loading areas, including the total number of parking and loading spaces.<br><br>7. Right Of Way Easements: All public and private rights of way and easements located on, or adjacent to the property, proposed to be continued, created, relocated, or abandoned shall be shown.<br><br>8. Additional Information: Located on the site plan sheet(s), or on separate sheets, as may be proposed by the applicant or required by the zoning administrator for readability, the following information shall be provided:<br><br>a. The location and sizes of all existing and proposed water, sewer, storm drainage, power, gas, and telephone lines, and facilities. |


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|---|---|---|
| | | b. The design and cross section of all new roads and streets proposed.<br><br>9. Building Plans: Building plans as required by the county's building codes, as adopted. (at the building permit application stage)<br><br>10. Site And Building Signage Plans: Information and plans shall be provided identifying all proposed site and building signage identifying the design, height, size, materials, and colors of all site and building signs.<br><br>11. Site And Building Lighting Plans: Plans shall be provided identifying all proposed site and building lighting identifying the type, design, location, intensity, height, and direction of all site and building lighting.<br><br>12. Waste Collection: The location and dimensions of all proposed solid waste collection areas and storage areas, including the proposed methods of screening.<br><br>13. Erosion Control Plans: Plans identifying proposed temporary and permanent erosion control measures.<br><br>14. Construction Plan: Plan identifying the phases of construction, a construction schedule, and a list of all permits necessary for the proposed use(s), as applicable.<br><br>15. Other Information For Review: Other information, as may be required by the zoning administrator, commission, or council, necessary to review the conditional use application. |
| | **Fees** | A non-refundable administrative fee in the amount of $165.00 must accompany this application. If it is determined that your project meets the definition of a Large Scale Project, the fee amount is determined based on the scope of your project and the expenses that will be incurred in processing your application, including the required two Public Hearings. |
| | **Plat Map(s)** | County Recorder's property plat (s) showing all the subject property clearly marked and all adjoining properties within 300 feet of the subject property. This can be obtained from the County Recorder's office in Fillmore. |
| | **Legal Description** | A legal description can generally be obtained from the deed, tax notice, or the County Recorder's office. Please attach an accurate and complete legal description on a suitably titled addendum sheet. |
| | **Names & Addresses** | A list of the names <u>and the mailing addresses</u> for owners of property within 300 feet from the outer boundaries of the subject property. Addresses may be obtained at the County Recorder's office in Fillmore. In addition, provide names and addresses of anyone or any entity having a material interest in the subject property, such as co-owners, mortgage companies, banks, etc. |
| | **Permission** | Written permission from any lien holders, mortgage companies, property owners (if different than the applicant) or anyone having a material interest in the property. |
| | **Project Description** | On a separate attached sheet of paper, please describe the project in detail. Describe how the project will be in harmony with the *General Plan* of the County for this area, and how the change will be in the best interest of the County. Include information such as size of the project, roads to be used, term of the project, number of people employed, etc. Attach additional pages as needed. |
| | **Basis for Issuance of CUP** | 10-8-3: PROCEDURES AND REVIEW STANDARDS:<br>(The procedures for the review of a conditional C-1 use application and a conditional sign application are identified by chapter 5 of the administrative manual.)<br><br>The commission for conditional C-1 use applications and all conditional sign applications shall review the application and shall determine:<br><br>1. The proposed use is a conditional use within the zoning district as identified in section 10-25-1 of this title, appendix A, table of uses. |


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|---|---|---|
| | | 2. The proposed sign is a conditional sign within the zoning district as identified in chapter 9 of this title.<br>3. The proposed use or sign complies with all requirements of the zoning district, including all minimum area, setbacks, height, and all other requirements as applicable.<br>4. The proposed use or sign will be conducted in compliance with the requirements of this title, all other applicable land use ordinances, and all applicable federal, state, or local requirements and regulations.<br>5. The property on which the use or sign is proposed is of adequate size to permit the conduct of the use or sign in a manner that will not be detrimental to adjoining and surrounding properties.<br>6. The proposed use or sign with all site plan and building requirements, as provided and required by this title, all other applicable land use ordinances, and all applicable federal, state, or local requirements and regulations.<br>7. The proposed use or sign complies with all applicable dedication requirements of the county and provides the necessary infrastructure, as required.<br>8. Such use or sign will not, under the conditions required, be detrimental to the health, general welfare and safety of persons or injurious to property or improvements of the immediate area or the county as a whole. (Ord. 12-12-04, 12-4-2012) (Ord. 02-12-09, 129-2002, eff. 1-1-2003) |
| | **Permits Required** | List all permits that are required for this type of project, by applicable state and federal agencies. |
| | **Valuation** | State the total valuation of the project. |
| | **Other Information** | Provide any other information that you feel would be helpful to the Planning Commission in their consideration of this application. |
| | **Signatures** | Obtain the approval and signatures of the following agencies in the space provided: Millard County Sheriff; Millard County Road Department or Utah Department of transportation (whichever is the applicable access to the property); Central Utah Regional Board of Health; Millard County Fire District; Millard County Building Department |


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## SIGNATURES REQUIRED FOR CONDITIONAL USE APPLICATION

*Name of Applicant or Agency* *County address or brief description*

For _____, Located at: _____

☐The Millard County Sheriff's Office, 765 S Hwy 99, Suite 1, Fillmore, UT 84631, has reviewed the information regarding the above proposed non plat subdivision project. Our review concludes that the following impacts will be:

_____ _____

**Robert A. Dekker, Sheriff** Date
Phone: 435 743-5302 Fax: 435 743-6324 email: rdekker@co.millard.ut.us

☐The Millard County Road Department, 1000 W 1000 N, PO Box 187, Delta, UT 84624, or □UDOT has reviewed the information regarding the above proposed non plat subdivision project. Our review concludes that the following impacts will be:

_____ _____

**Brandon Winget, Road Superintendent** Date
Phone: 435 864-2467 Fax: 435 864-2558 email: millardcountyroad@yahoo.com
or **Keith Meinhardt, UDOT** 435 864-2196 email: kmeinhardt@utah.gov

☐The Central Utah Board of Health, 428 E Topaz, Delta, UT 84624, has reviewed the information regarding the above proposed non plat subdivision project. Our review concludes that the following impacts will be:

_____ _____

**Bradley Johnson, Health Inspector** Date
Phone: 435 864-3612 or 435 743-5723 email: bradleyjohnson@utah.gov
Fax: Same as above for both

☐The Millard County Fire Warden765 S Hwy 99, Ste. 1, Fillmore, UT 84631 has reviewed the information regarding the above proposed non plat subdivision project. Our review concludes that the following impacts will be:

_____ _____

**Landon Rowley, Fire Warden** Date
Phone 435 743-5302 Fax: 435 743-6324 email: lsrowley@utah.gov

☐The Millard County Building Department, 71 S 200 W, PO Box 854, Delta, UT 84624, has reviewed the information regarding the above proposed non plat subdivision project. Our review concludes that the following impacts will be:

_____ _____

**Derrell Owens, Building Official** Date
Phone: 435 864-1400 Fax: 435 864-1404 email: dowens@co.millard.ut.us

## AUTHORIZATION SIGNATURES

ONLY THE OWNER OF THE PROPERTY OR AN AUTHORIZED AGENT MAY FILE AN APPLICATION

I, the Owner/Agent agree to indemnify and hold harmless Millard County and its agents, officers and employees from any claim, action or proceeding against the Owner/Agent's project.

I certify, under penalty of perjury, that I am (check one):

☐ Legal property owner includes partner, trustee, grantor, or corporate officer) of the property(s) involved in this application, and that the foregoing application statements are true and correct

☐ Legal agent (attach proof of the owner's consent to the application of the property(s) involved in this application and have been authorized to file on their behalf, and that the foregoing application statements are true and correct.

Print Name _____ Signature _____ Date: _____

Print Name _____ Signature _____ Date: _____

Print Name _____ Signature _____ Date: _____

Print Name _____ Signature _____ Date: _____

Print Name _____ Signature _____ Date: _____

Print Name _____ Signature _____ Date: _____

***If signatory is not the owner of record, the attached "Owner/Agent Agreement" must be signed and notarized.***

***File Number***

*This space for Planning and Zoning Department use only* ↓

☐ **P-2 & C-1 Planning Commission Decision**

☐ Approved ☐ Denied

_____ _____

**Land Use Authority Signature** **Date**



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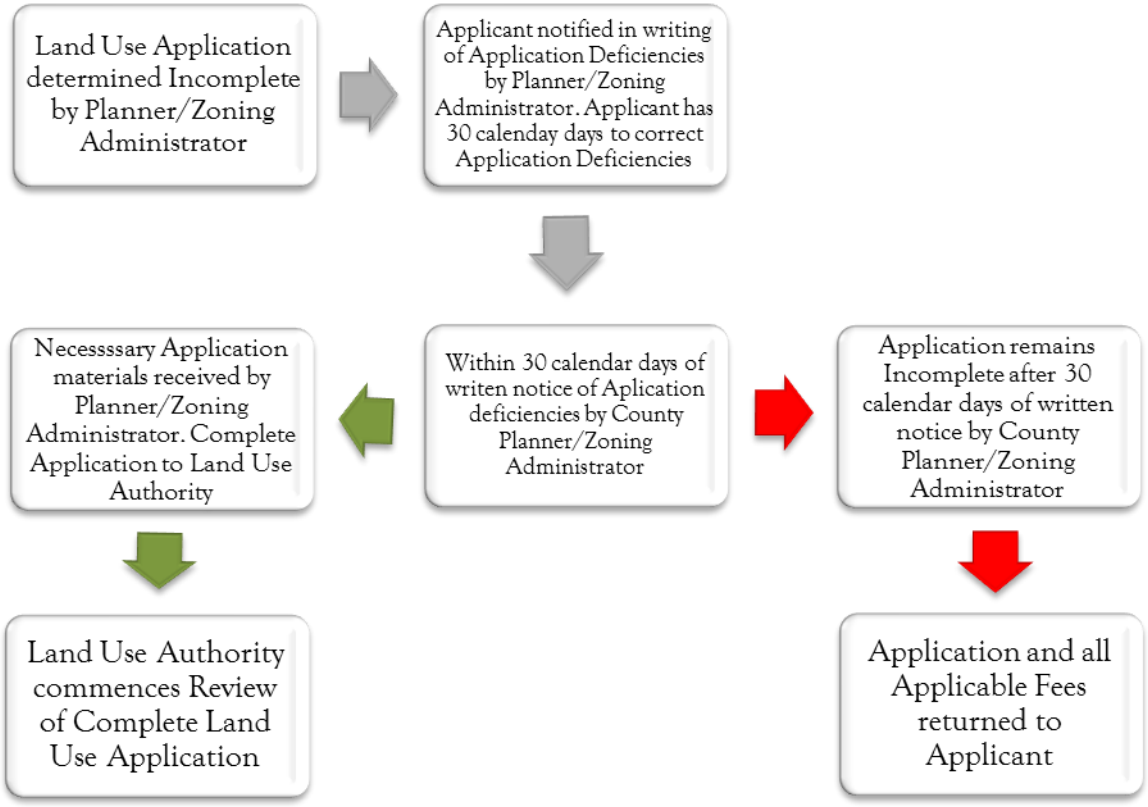
## PROCEDURES FOR DETERMINATION OF LAND USE APPLICATION COMPLETENESS BY COUNTY PLANNER/ZONING ADMINISTRATOR



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## PROCEDURES FOR THE REVIEW OF CONDITIONAL C-1 USE APPLICATIONS, AND CONDITIONAL SIGN APPLICATIONS, BY THE COMMISSION

- Conditional C-1 Use Application (or Conditional Sign Application) filed with County Planner/Zoning Administrator
- Application Reviewed by County Plannner/Zoning Administrator for Completeness (Figure 1)
- Application Determined Complete by County Planner/Zoning Administrator. (If Application Determined Incomplete, See Figure 2)
- Complete Application transmitted to Commission, as the designated Land Use Authority
- Commission considers the Application and all other information received
- Commission Approves or Denies Conditional C-1 Use Application (or Conditional Sign Application), with or without reasonable conditions, with Findings, of Compliance or Noncompliance with County's Land Use Ordinances.
- Approved Conditional C-1 Use or Conditional Sign Permit, with all reasonable conditions cearly identified, recorded in the Office of the Millard County Recorder


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## *OWNER / AGENT AGREEMENT*

The undersigned is (are) the owner(s) of record of the property identified by the Millard County Assessor's account number _____ located at _____ _____, or the owner of the Company named in this application

The undersigned hereby give(s) consent and approval to _____

to act on his/her/their behalf as his/her/their agent to proceed with an application for a conditional use permit on the property referenced herein. This agreement authorizes the agent to act on the owner's behalf for the application through _____.

*Date or specific phase*

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| | | | |
|---|---|---|---|
| _____ | | _____ | |
| ***Owner of Record*** | ***Date*** | ***Owner of Record*** | ***Date*** |
| _____ | | _____ | |
| ***Owner of Record*** | ***Date*** | ***Owner of Record*** | ***Date*** |

***STATE OF UTAH )***
***) §***
***COUNTY OF )***

*On this _____ day of _____, 20___, before me, the undersigned, a Notary Public in and for the State of Utah, duly commissioned and sworn, personally appeared:*

_____

*To me known as the individual(s) described herein and who executed the foregoing instrument, and acknowledged to me that he/she/they signed and sealed the said instrument, as his/her/their free and voluntary act and deed for the uses and purposes therein mentioned, and on oath stated the he/she/they was (were) authorized to execute said instrument.*

*WITNESS MY HAND AND OFFICIAL SEAL, HERETO AFFIXED THE DAY AND YEAR IN THIS CERTIFICATE ABOVE WRITTEN.*

_____

*Notary Public in and for the State of Utah*



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