



**CLEARFIELD CITY CONDITIONAL USE PERMIT CHECKLIST
FOR A HOME DAYCARE OR PRE-SCHOOL**
Community Development Department, 55 South State (801) 525-2780

PROJECT NAME: _____ **DATE:** _____

APPLICANT: _____ **CURRENT ZONING:** _____

DESCRIPTION OF REQUEST: _____

REQUIRED INFORMATION:

Please answer the following questions.

	YES	NO	COMMENTS:
Is the use listed as a conditional use in the zone? <i>(If "NO", application cannot be processed.)</i>	<input type="checkbox"/>	<input type="checkbox"/>	_____

REQUIRED SUBMITTAL MATERIALS:

This checklist is intended to assist the Applicant in the preparation and submittal of a complete application. It is not all-inclusive, and additional information may be required depending on the nature of the application.

Please submit the following items and check the corresponding box to indicate they have been included with this application. Certain items may not be applicable and may be waived by the Planning and Zoning Administrator. If you have questions regarding any of these materials or how to obtain them, please contact the Planning and Zoning Division at (801) 525-2785.

	YES	NO	COMMENTS:
List of names and addresses for public notice <i>(Contact Davis County Recorder's Office @ 801-451-3225 to obtain addresses.)</i>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Stamped, addressed envelopes for public hearing	<input type="checkbox"/>	<input type="checkbox"/>	_____
Vicinity map ¹	<input type="checkbox"/>	<input type="checkbox"/>	_____
Vehicular and pedestrian access and circulation ²	<input type="checkbox"/>	<input type="checkbox"/>	_____
Application Fee	<input type="checkbox"/>	<input type="checkbox"/>	_____

¹ Vicinity map can be a parcel map pulled from the David County website.

² Vehicular access can be shown on a map or in the discussion of a narrative – for example a letter given to the parents for pick-up/drop-off directions.

PUBLIC HEARING NOTIFICATION LIST

A Conditional Use Permit application requires that all property owners within three hundred feet (300') of the subject property are notified via regular U.S. Mail of the date and time the Application will be considered before the Planning Commission. (Contact Davis County Recorder's office for the list of property owners @ 801-451-3225)

The Notice will be prepared by the City and must be mailed at least ten (10) calendar days before the hearing. The Applicant is responsible to provide a list of the names and addresses of all property owners to be notified (as listed on the current Davis County assessment rolls), as well as stamped, addressed envelopes for each property owner to be notified. The return address on the envelopes shall be for the Clearfield City Community Development Department located at 55 S. State St., Clearfield, UT 84015.

Please review the following information regarding Conditional Use Permits from the City's Land Use Ordinance:

11-4-2: CONDITIONAL USE PERMIT PROCEDURES:

A. Permit Required: A Conditional Use Permit shall be required for all uses listed as conditional uses in the zone regulations or

elsewhere in this Title. A Conditional Use Permit may be revoked upon failure to comply with conditions precedent to the original approval of the permit.

B. Application: Application for a Conditional Use Permit shall be made in writing on forms prepared by the Community Development Department by the property owner or certified agent. Upon receipt of a complete application, the Planning and Zoning Administrator shall schedule the application for consideration by the Planning Commission. The Development Services Manager shall not place any application on the Planning Commission agenda until all items required by this Title have been submitted or are omitted for good cause.

C. Information and Items Required: Detailed site, location, landscaping, and building plans shall accompany an application for a Conditional Use Permit, as appropriate. Information sufficient to demonstrate that the general and specific requirements of this Title will be met by the construction and operation of the proposed building, structure or use shall be submitted with the application.

D. Fee: The application for a Conditional Use Permit shall be accompanied by the appropriate fee, as specified from time to time by the City Council. (Ord. 84-06B, 9-11-1984)

11-4-3: REVIEW PROCEDURE:

A. Planning Commission Review: The Planning Commission shall review all Conditional Use Permit applications. The Planning Commission shall approve, disapprove or approve subject to compliance with such modifications or conditions as may be deemed necessary to carry out the purposes of this Chapter.

B. Public Hearing; Notice: A public hearing shall be held by the Planning Commission to review applications for a Conditional Use Permit. In addition to meeting all legal requirements for notification of a public hearing, all pertinent information regarding the Conditional Use Permit application shall be mailed to all property owners adjacent to the subject property.

C. General Standards for Conditional Uses: No conditional use may be approved unless the proposed use complies with the applicable provisions of this Code, State and Federal law, and the following standards, which apply to all conditional uses:

1. Equivalent to Permitted Use: Any detrimental impacts or effects from the proposed use on any of the following shall not exceed those which could reasonably be expected to arise from a use that is permitted in the zone:

- a. The health, safety, and welfare of the City and its present and future inhabitants and businesses;
- b. The prosperity of the City and its present and future inhabitants and businesses;
- c. The peace and good order, comfort, convenience and aesthetics of the City and its present and future inhabitants and businesses;
- d. The tax base;
- e. Economy in governmental expenditures;
- f. The State's agricultural and other industries;
- g. The urban and nonurban development;
- h. Access to sunlight for solar energy devices; or
- i. Property values.

2. Impact Burden: Any cost of mitigating or eliminating detrimental impacts or effects in excess of those which could be reasonably expected to arise from a permitted use shall become a charge against the development so as not to constitute a burden on the municipality, surrounding neighbors, or adjacent land uses.

3. Conform to the Objectives of the General Plan: The proposed conditional use shall not limit the effectiveness of land use controls, imperil the success of the General Plan for the community, promote blight or injure property values.

D. Determination: A Conditional Use Permit shall be approved if conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with the standards set forth herein. If the reasonably anticipated detrimental impacts or effects of the proposed conditional use cannot be substantially mitigated or eliminated by the proposal or the imposition of conditions to achieve compliance with the standards set forth herein, the Conditional Use Permit may be denied.

11-4-4: CONDITIONS AND REQUIREMENTS:

Applications for a Conditional Use Permit shall conform to the requirements set forth in this Title. In addition, the Planning Commission may establish conditions as outlined herein to meet the concerns of safety for persons and neighborhood needs, performance and administration. More specifically, the Planning Commission may require:

A. Landscaping: Landscaping to ensure consistency with the intended characteristics of the zone.

B. Setbacks: Increased setback and side yard distances from lot lines to ensure the public safety and to ensure consistency with the

intended characteristics of the zone.

C. Screening: The screening of yards or other areas as protection from obnoxious land uses and activities.

D. Removal of Inconsistent Characteristics: The removal of structures, debris or plant life inconsistent with the intended characteristics of the zone.

E. Nuisance Relocation or Fencing: The relocation, covering or fencing of irrigation ditches, drainage channels and similar potential attractive nuisances as determined by the Planning Commission.

F. Sight Distance Safety: The relocation of proposed or existing structures as necessary to provide for future streets shown on the City's General Plan, adequate sight distances for general safety, or similar problems.

G. Facility Construction: Construction of water mains, sewer mains and drainage facilities serving the proposed use, in sizes necessary to protect existing utility users in the zone and to provide for an orderly development of land.

H. Truck Loading and Unloading Facilities: The location, arrangement and dimensions of truck loading and unloading facilities.

I. Outdoor Advertising: The number, location, color, size, height, lighting and landscaping of outdoor advertising signs and structures in relation to the creation of traffic hazards and appearance and harmony with adjacent development.

J. Screen Plantings: The location, height and materials of walls, fences, hedges and screen plantings to ensure harmony with adjacent development or to conceal storage areas, utility installations or other unsightly development.

K. Ground Cover: The planting of ground cover or installation of other surfacing to prevent dust and erosion or contamination of the soil or groundwater.

L. Retention of Trees: The retention of existing healthy trees and vegetation.

M. Curb and Gutter Construction: Construction of curbs, gutters, drainage culverts, sidewalks, streets, fire hydrants and street lighting which serve the property in question and which may compensate in part or in whole for possible adverse impacts to the zone from the proposed conditional use.

N. Restructuring of Land: Restructuring of the land and planting of the same as directed by the Planning Commission when the conditional use involves cutting and/or filling the land and where such land would be adversely affected if not restructured.

O. Time Limits: Time limits on the validity of the Conditional Use Permit, and identification of times for regular review and monitoring, as determined necessary, to ensure the use continues to operate in compliance with all conditions and requirements of approval.

P. Bond: A bond or other valuable assurance in favor of the local jurisdiction in an amount to be determined by the City Council. The amount of said bond or other valuable assurance shall not exceed the amount calculated by the developer's engineer and approved by the City Engineer as necessary to assure compliance with all conditions.

Q. Plans of Development: Specific long- and short-range plans of development.

R. EPA and OSHA Standards: Certification and/or standards obtained and furnished by the applicant indicating that the proposed conditional use will meet and comply with standards set by the Environmental Protection Agency, by the Occupational Safety and Health Administration and by other applicable State and Federal agencies.

S. Special Site Conditions: Limitations and/or restrictions on the use and/or location of uses due to special site conditions, including, but not limited to, geologically hazardous areas; flood plains; fault zones; landslide areas; and sensitive areas due to soil capabilities, wildlife and plant life.

T. Population; Land Intensity: Population density and intensity of land uses may be limited where land capability and/or vicinity relationships make it appropriate to do so to protect health, safety and welfare.

U. Recreational Facilities: Provisions for or construction of recreational facilities necessary to satisfy needs of the conditional use.

V. Floor Elevation and Grading Plans: Finished floor elevations and grading plans to prevent or minimize water damage from flood levels as determined by hydrology studies.

W. Hours of Operation: The regulation of operating hours for activities affecting normal schedules and functions.

X. Mitigation of Possible Nuisance Factors: Measures directed at minimizing or eliminating possible nuisance factors including, but not limited to noise, vibrations, smoke, dust, dirt, debris, plant materials, odors, gases, noxious matter, heat, glare, electromagnetic disturbances, and radiation.

Y. Buildings, Structures, and Other Facilities: Mass, size, number, location, design, exterior features, materials, and colors of buildings, structures and other facilities.

Z. Site Circulation: Site circulation patterns for vehicular, pedestrian and other traffic.

AA. Parking, Loading and Waste Areas: Design, location and amount of off-street parking, loading areas, and solid waste disposal and collection areas.

BB. Other Reasonable Conditions: Such other conditions determined reasonable and necessary by the City to allow the operation of the proposed conditional use, at the proposed location in compliance with the requirements of this Code.