

SECTION 21

CONDITIONAL USE PERMITS

1. A CONDITIONAL USE PERMIT ALLOWS A NON-CONFORMING USE IN A ZONING AREA. IT PROVIDES FLEXIBILITY IN A ZONING AREA.
2. APPROVAL DOES NOT CHANGE ZONING DESIGNATION.
3. EXAMPLES OF CONDITIONAL USES INCLUDE:
 - A. A RETAIL STORE WISHING TO OPEN IN A RESIDENTIAL ZONE, OR
 - B. A HEALTH CENTER OR CARE CENTER IN A RESIDENTIAL ZONE, OR
 - C. A CHURCHES, SCHOOLS, OR PUBLIC BUILDINGS IN A RESIDENTIAL ZONE
4. CONDITIONAL USES REQUIRE A PUBLIC HEARING AND MUST BE APPROVED BY BOTH THE PLANNING AND ZONING COMMISSION AND TOWN COUNCIL.
5. FOLLOWING A HEARING, THE COMMISSION OR TOWN COUNCIL SHALL RECORD THE DECISION IN WRITING AND SHALL RECITE THE FINDINGS UPON WHICH THE DECISION IS BASED. THE COMMISSION OR TOWN COUNCIL MAY APPROVE AND/OR MODIFY A CONDITIONAL USE PERMIT APPLICATION IN WHOLE OR IN PART, WITH CONDITIONS, ONLY IF ALL OF THE FOLLOWING FINDINGS ARE MADE:
 - A. THE PROPOSED USE IS CONDITIONALLY PERMITTED WITHIN THE ZONING ORDINANCE AND WOULD NOT IMPAIR THE INTEGRITY AND CHARACTER OF, THE INTENDED PURPOSE OF THE SUBJECT ZONING DISTRICT AND COMPLIES WITH ALL OF THE APPLICABLE PROVISIONS OF THIS ORDINANCE;
 - B. THE PROPOSED USE IS CONSISTANT WITH THE GENERAL PLAN;
 - C. THE APPROVAL OF THE CONDITIONAL USE PERMIT FOR THE PROPOSED USE IS IN COMPLIANCE WITH THE REQUIREMENTS OF STATE, FEDERAL AND LOCAL ENVIRONMENTAL REGULATIONS;
 - D. THERE WILL BE NO POTENTIAL SIGNIFICANT NEGATIVE EFFECTS UPON ENVIRONMENTAL QUALITY AND NATURAL RESOURCES THAT COULD NOT BE PROPERLY MITIGATED AND MONITORED;
 - E. THE DESIGN, LOCATION, SIZE AND OPERATING CHARACTERISTICS OF THE PROPOSED USE ARE COMPATIBLE WITH THE EXISTING AND FUTURE LAND USES WITH THE GENERAL AREA IN WHICH THE PROPOSED USE IS TO BE LOCATED AND WILL NOT CREATE SIGNIFICANT NOISE, TRAFFIC, OR OTHER CONDITIONS OR SITUATION THAT MAY BE OBJECTIONABLE OR DETRIMENTAL TO OTHER PERMITTED USES IN THE VICINITY OR ADVERSE TO THE PUBLIC INTEREST, HEALTH, SAFETY, CONVENIENCE, OR WELFARE TO THE TOWN;
 - F. THE SUBJECT SITE IS PHYSICALLY SUITABLE FOR THE TYPE AND DENSITY/INTENSITY OF THE USE BEING PROPOSED; AND
 - G. THERE ARE ADEQUATE PROVISIONS FOR PUBLIC ACCESS, WATER, SANITATION, AND PUBLIC UTILITIES AND SERVICES TO ENSURE THAT THE PROPOSED USE WOULD NOT BE DETRIMENTAL TO PUBLIC HEALTH AND SAFETY.
6. ANY COMPLAINT WILL NEED TO BE SUBMITTED IN WRITING AND SIGNED FOR THE PLANNING COMMISSION TO REVIEW.
7. APPEALS ARE HEARD BY THE TOWN COUNCIL.

ELSINORE TOWN CORPORATION

35 W. Main St. – Box 408
ELSINORE, UTAH 84724
PHONE: (435) 527-3306 FAX: (435) 527-3306

CONDITIONAL USE PERMIT

ADDRESS OF SUBJECT
PROPERTY: _____

APPLICANT'S
NAME: _____

PHONE
NUMBER: _____

A conditional use permit will be required before a business license maybe issued. If you are operating a business in Elsinore then you need to have a business license.

Please include the following information:

A complete description of the type of business proposed.

I acknowledge that if I do not abide by the conditions and standards of the zoning laws my business license will be revoked.

Signature: _____ **Date:** _____

For Zoning approval only:

Comments/Conditions: _____

Zoning approval by: _____

Date: _____