

CITY OF VERMILLION CONDITIONAL USE PERMIT

PURPOSE

The Planning Commission may authorize by conditional use permit, those uses specifically designated as conditional uses in §§155.030 through 155.039. The Planning Commission shall impose the conditions as are appropriate and necessary to insure compliance with the Comprehensive Plan and protect the health, safety, and general welfare in the issuance of the conditional use permit.

APPLYING FOR A CONDITIONAL USE

Application

To obtain a conditional use permit, the applicant shall file an application, therefore, in writing on a form furnished by the city.

Fees

Upon the filing of any application for a conditional use permit with the Zoning Administrator, the applicant shall pay to the city the appropriate fee as designated by resolution of the City Council.

Information on site plan

Plans shall be drawn to scale and shall be of sufficient clarity to indicate the location, nature, and extent of the work proposed and show in detail that it will conform to the provisions of this section and all relevant laws, ordinances, rules and regulations. The Zoning Administrator may waive the submission of a site plan if it is found that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with this section.

REVIEW AND PUBLIC HEARING PROCEDURE

Administrative review

Prior to the approval of a conditional use permit, the Zoning Administrator will meet with the applicant to review the application. After review, the Zoning Administrator will make a recommendation to the Planning Commission to either approve or not approve the application. The Zoning Administrator's recommendation will include a summary of the application, and the reasons and justification for either approval or disapproval of the application.

Public Hearing

The Zoning Administrator will set the date, time and place for a public hearing to be held by the Planning Commission. The Zoning Administrator will notify the landowner by mail, and will post notices of the public hearing at the city office and on the property affected by the proposed conditional use permit no less than 7 days prior to the scheduled public hearing. No less than 10 days before the public hearing, the Zoning Administrator will publish notice of the public hearing in a legal newspaper of the city.

Planning Commission Considerations

- Any person may appear in person at the public hearing, or by agent or attorney. Minutes of the public hearing shall be recorded and kept in the records of the Planning Commission.
- Before any conditional use permit is granted, the Planning Commission shall make written findings certifying compliance with the specific rules governing individual conditional uses and that satisfactory provision and arrangement has been made
- A conditional use permit will automatically expire if the primary use for which it was granted has ceased for a period of 2 years or more; or, the primary use proposed under the conditional use permit has not been undertaken and completed according to the terms and conditions of the conditional use permit within 2 years of the approval of the conditional use permit.

PLANNING COMMISSION RULING

The Planning Commission shall make a finding that it is either empowered or not empowered by these zoning regulations to grant the requested conditional use permit, and that the conditional use permit is either consistent or inconsistent with the intent of these zoning regulations and the city's most recently adopted Comprehensive Plan. *Appeal of Planning Commission decision.* The decision rendered by the Planning Commission on a conditional use permit may be appealed to the City Council. The applicant or any other person aggrieved by the decision of the Planning Commission shall file a written appeal with the Zoning Administrator within 5 working days of the Planning Commission's decision. When an appeal is filed, the Zoning Administrator shall present the Planning Commission's decision to the City Council for review. Notice of the meeting shall be given as required by § [155.095](#)(E). The City Council shall vote to uphold, overrule or amend the decision of the Planning Commission.



PETITION FOR CONDITIONAL USE PERMIT

PETITIONER NAME: _____

ADDRESS: _____

PHONE: _____

1. PROPERTY INFORMATION (Please attach additional sheets if necessary)

Parcel Identification Number (PIN): _____

Current Zoning Designation: _____

Proposed Zoning Designation: _____

Location: _____

Legal Description: _____

Existing Land Use: _____

Proposed Land Use: _____

Adjacent Zoning:

North: _____ South: _____ East: _____ West: _____

Utilities (Yes/No): _____

If yes, which utilities: _____

2. STANDARDS FOR CONDITIONAL USE PERMIT Please address the following criteria. These standards will be addressed at the public hearing. Please attach additional sheets if necessary.

Ingress and Egress to property and proposed structures thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.

Off-street parking and loading areas where required.

Refuse and service areas, with particular reference to the property location.

Utilities, with reference to locations, availability, and compatibility.

Screening and buffering with reference to type, dimensions and character.

Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with other properties in the district.

Required yards and other open space.

General compatibility with adjoining properties and other property in the zoning district in which such use is to be located.

Signature of Petitioner

Signature of Owner (If Different)

FAILURE OF THE APPLICANT OR HIS AGENT TO APPEAR AT THE HEARING WILL CAUSE THE COMMITTEE TO DENY THIS APPLICATION.

FOR OFFICE USE ONLY

DATE: _____ / _____ / _____ FEE RECEIVED: YES NO

BUILDING OFFICIAL: _____

HEARING SCHEDULE: _____ / _____ / _____