



City of Dacono Special Use Permit Application Form

Date: _____

Site Information

Project Name: _____

Project Address: _____

Area of the subject parcel of land stated in acres, or if less than one (1) acre, in square feet _____

Current Zoning: _____

Present and proposed land use: _____

General Information

Applicant's Name(s) _____

Street Address: _____

City, State, Zip: _____

Telephone: _____ Fax: _____ Email: _____

Owner's Name(s) *if different from applicant*: _____

Street Address: _____

City, State, Zip: _____

Telephone: _____ Fax: _____ Email: _____

Applicant/Consultant(s)

Name _____

Street Address: _____

City, State, Zip: _____

Telephone: _____ Fax: _____ Email: _____

Submittal Requirements: *3 copies of each at time of application. Additional copies will be required prior to public hearings.*

1) Complete application

2) Legal description

3) Title commitment or copy of lease for site

4) Narrative.

 A detailed description of the use for which the special use permit is sought, including but not limited to:

- ◆ General project concept and purpose of the request
- ◆ Hours of operation
- ◆ Proposed development time-line

- ◆ Narrative summary of traffic patterns and demands
- ◆ Employment levels
- ◆ Management plans with respect to the demands of the use upon public services and facilities;
- ◆ How the proposed use relates to the existing use of the subject property and the zoning and uses of adjacent properties, including statements describing areas of compatibility and conflict and the mitigation measures to be utilized
- ◆ How the proposal complies with the City's Comprehensive Plan
- ◆ Any other governmental approvals or permits required to conduct the activities for which a special use permit is sought
- ◆ Other information as may be requested by the City Planner, Planning Commission or City Council.

5) Cost Agreement & deposit. All applicable deposits must be paid at time of submittal. Additional costs related to the review and processing of an application will be charged to the applicant for reimbursement to the City of Dacono and requires a Cost Agreement be executed with the City of Dacono.

6) Traffic impact analysis. The City Planner shall determine whether a traffic impact analysis is necessary based on information presented at the pre-application conference.

7) Site plan. A site plan, which shall contain not less than the information required for site plan review as established in Article 24 of the DMC.

8) Other. Additional information may be requested by the City Planner, Planning & Zoning Commission or City Council to adequately review application.

Applicant Certification

I certify that the information and exhibits submitted are true and correct to the best of my knowledge and that in filing this application, I am acting with the knowledge, consent and authority of the owners of the property.

Applicant's Name: _____

Address: _____

Telephone: _____ Fax: _____ E-Mail _____



City of Dacono Special Use Permit Application Instructions

A Special Use application shall be submitted and processed according to the following procedures. Refer to Dacono Municipal Code Chapter 16, Article 15 for complete regulations.

Eligible applicants

A special use permit application may be filed by:

- ◆ The owner or owners of record of the property upon which the activity will be conducted
- ◆ A contract purchaser of the property upon which the activity will be conducted
- ◆ A lessee or tenant of the property upon which the activity will be conducted. Said lessee or tenant shall submit written verification to the City Planner from the owner or owners of the subject tract grants authorizing the application for the special use permit and the activated to be conducted thereby
- ◆ The authorized representative of an owner, contract purchaser, lessee or tenant.

Application Requirements

- ◆ Pre-application conference. Prior to submission of an application for a special use permit, the applicant shall schedule a pre-application conference with the City Planner.
- ◆ Submittal requirements. An application for a special use permit meeting the applicable requirements shall be submitted to the City Planner. At the pre-application conference, the City Planner may determine that one or more of the application requirements are unnecessary for the purposes of review and approval and may waive or modify any such requirements.

Public Hearing Notice & Procedures

Notices of the time, place and subject matter of the hearing shall be published once in a newspaper of general circulation in the City at least seven days prior to the hearing date of the Planning Commission and at least seven days prior to the hearing date of the City Council in accordance with D.M.C. Section 16-74. Notice of the special use permit application and of the holding of such hearing shall be posted on the property at least seven days in advance of each hearing.

The applicant shall, fifteen days or more days before the date of the Planning Commission hearing, mail by certified or registered mail, return receipt requested, notice of such hearing to all owners of legal or equitable interests in the land, and owners of adjoining property within three hundred feet of the outside boundaries of the property as shown by the application, and shall file proof of such mailing, and/or return receipts received, with the commission at the time of the hearing.

Within sixty days after filing a complete application and any required materials, notice shall be provided and the Planning Commission shall hold a public hearing unless the applicant requests or consents to a longer period of time. Upon completion of the hearing, the Planning Commission shall, after commission discussion, vote on the matter. The Planning Commission may vote to recommend either approval, approval with modifications or denial of the application. In recommending approval with conditions, the Planning Commission shall impose such conditions it determines necessary.

The Planning Commission shall provide to the City Council a recommendation on the application. The City Council shall then hold a public hearing on the application. Upon completion of the hearing, the City Council shall, after discussion, vote on the matter. The Council shall vote to approve, approve with modifications or deny the application. If the Council approves an application with modifications, the applicant shall make such modifications to the required text, maps, studies, etc., before the mayor shall sign any necessary approval blocks.

Criteria for Decisions

The applicant shall have the burden of proof to clearly establish at the public hearings that the proposed special use meets the following criteria and is otherwise in compliance with this Article:

- ◆ Consistency. The special use is deemed consistent with good planning practice in that it:

Advances the goals, objectives, and policies of the comprehensive plan;
Advances the purpose and intent of the underlying zoning district; and
Meets the requirements contained in this chapter for the specific use.

- ◆ Operational impacts. The special use will be operated in a manner that is not detrimental to other uses in the district or in adjoining or nearby districts.
- ◆ Visual impacts. The special use will be developed and operated in a manner that is both visually compatible with the permitted uses in the surrounding area and protects or enhances the public viewshed
- ◆ General welfare. The special use is deemed essential, convenient, or desirable to preserve and promote the public health, safety, and general welfare of the City of Dacono and its residents.
- ◆ Infrastructure. Adequate facilities either exist or will be provided, including but not limited to:
 - ❖ Access
 - ❖ Parking and loading
 - ❖ Emergency services
 - ❖ Utilities
 - ❖ Drainage

Permit- Effective

The special use permit shall become effective upon approval by the City Council in accordance with the procedures of this Code. In the event that an application for a special use permit is filed in conjunction with a change of zoning, the permit shall not become effective until the date of enactment of the ordinance authorizing the zoning change. In the event that some additional approval is required by some other governmental authority or agency, the permit shall not become effective until that approval is received.

Final Site Plan Required

No building permits or authorization for construction of any improvements or other development for the special use shall be issued prior to approval of the required final site plan. Application for a final site plan shall be submitted to the City Planner in accordance with Article 24 of this Chapter, and shall contain the minimum requirements established in the conditions governing the special use permit.

Amendments to Special Use Permits

No amendments, revisions or other variations to the special use permit as approved by the City Council may be made, except as follows:

- ◆ An eligible applicant under section 16-372 may submit a written request to amend or modify a special use permit. The City Planner shall review and evaluate the request for consistency in purpose and content with the nature of the proposal as originally presented at the public hearings before the Planning Commission and City Council.
- ◆ If the City Planner, in his or her sole discretion, finds the requested amendment or modification is generally consistent with the purpose and content of the special use permit application as heard by the Planning Commission and City Council, the City Planner may grant an administrative amendment. The City Planner shall advise the Planning Commission and City Council by written memorandum of any administratively approved amendment or modification to a special use permit.
- ◆ Amendments and modifications other than those approved administratively shall be reviewed and presented at public hearings under the same procedures and requirements as specified for the initial application of a special use permit.