



Conditional Use Process

Submit a completed land use application and pay the filing fee 21 days prior to the Planning Commission meeting. A development review committee (DRC) meeting may be set up with the City Engineer, City Planner, and other interested agencies.

BASIS FOR ISSUANCE OF A CONDITIONAL USE

The Planning Commission shall not authorize a Conditional Use Permit unless evidence is presented to establish:

- A. That the proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood and the community; and
- B. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity; and
- C. That the proposed use will comply with the regulations and conditions specified in this title for such use; and
- D. That the proposed use will conform to the intent of the city master plan.

CONDITIONAL USE CONCEPT REVIEW

Herriman provides a conditional use concept site plan review process. Conceptual review will only be accomplished on major or significant projects and will be provided when the applicant submits the conditional use application (including all applicable information). At this stage, the applicant can submit a site plan of the proposed project. The application and all applicable information necessary for concept review are required to be submitted 21 days prior to the Planning Commission meeting.

The conditional use conceptual process allows the following: 1) the public to be involved with the proposed project; 2) provides information to the applicant for the preliminary and final approval process; and, 3) prevents the applicant from incurring engineering costs without direction from the Planning Commission.

A majority of projects can skip the concept stage and move directly to the preliminary conditional use permit stage. The applicant may decide if a conceptual review is needed.

ITEMS FOR CONCEPT SUBMITTAL

- [] **Submit one 8 ½” x 11” site plan and an electronic file** (sent by email to planning@herriman.org)
- [] **Completed Application Form**
- [] **Document verifying proof of ownership:** the current property owner must be the applicant, but may designate an authorized agent to act in his behalf. Proof of ownership should include a Warranty Deed, Trust Deed, or a Quit Claim Deed.

CONDITIONAL USE PRELIMINARY PLAN PROCESS

At the preliminary stage, copies of the site plans are submitted to various agencies for their review and comment.

The preliminary conditional use process determines conditions the Planning Commission may place on the proposed conditional use.

Before submitting the application for preliminary conditional use approval, the applicant has the option of submitting a site plan to the City Planner. If site plans are submitted, staff will review the plan to be sure that the project is consistent with the Planning Commission conditions determined at conceptual review.

If the Planning Commission requires a final review, the City Planner will decide when the final conditional use will be placed on the Planning Commission agenda. Work with staff until the plan is complete and concerns or issues are resolved.

After receiving approval by the Planning Commission, submit engineered drawings and pay the review fee to the City for review by the City Engineer. The City Staff will review the submittal to determine if all conditions have been met. The engineering review may take up to 15 days for review and red lines; there may be several red lines during this process.

In regards to engineering, the applicant’s engineer instead of the applicant or agent should communicate with the City Engineer during the planning development process. This idea saves time and expense for the City Engineer.

REQUIREMENTS FOR CONDITIONAL USE PRELIMINARY SUBMITTAL

If the project is bypassing conceptual review and being submitted for preliminary review the applicant will need to submit the following: completed application form and document verifying proof of ownership. The preliminary conditional use application including the information below will need to be submitted 21 days before the Planning Commission public meeting.

- [] **3 site plans:** Site plans are to be on a minimum sheet size of 18” x 24”, at a scale which suitability fits the paper (a scale recommended at; 1” = 20’, 1” = 30’, etc.).
Submit one 8 ½” x 11” site plan and an electronic file (sent by email to

planning@herriman.org)

The following should be included on the site plan:

- ✓ North point, scale and date of drawing.
 - ✓ Property lines with dimensions, and adjoining streets, right-of-ways, easements, waterways, etc.
 - ✓ Location of curbs, gutters, sidewalks, driveways, loading facilities, entry and exits, parking, etc.
 - ✓ List calculations for required and proposed parking.
 - ✓ Landscaping areas as required by ordinance.
 - ✓ Location and dimensions of all existing and proposed structures, including signs.
 - ✓ Notes of explanation shall include total square footage of all structures by use.
 - ✓ Decks, porches, or other parts which extend past normal outline of building.
 - ✓ Fencing or block walls showing proposed height and materials used.
 - ✓ Location and height of any overhead power, communication and transmission lines and all utility easements that may affect subject property.
 - ✓ Proposed use of the building(s) shown on the plot plan.
 - ✓ Location of exterior existing and proposed lighting standards and devices.
- [] **2 copies of site plan showing existing and proposed contours:** site plans are to be on a minimum sheet size of 18" x 24", at a scale which suitability fits the paper (a scale is recommended at; 1" = 20', 1" = 30', etc.). Contours should be at 2' intervals.
- [] **2 building elevations:** building elevations are to be on a minimum sheet size of 18" x 24", at a scale which suitability fits the paper (a scale is recommended at; 1" = 20', 1" = 30', etc.). Architectural scale is suggested at 1/8" = 1'.
- [] **1 Colored Site Plan:** The site plan should be on a minimum sheet size of 18" x 24", at a scale which suitability fits the paper (a scale is recommended at; 1" = 20', 1" = 30', etc.).
- [] **1 Colored Building Elevation:** building elevations should be on a minimum sheet size of 18" x 24", at a scale which suitability fits the paper (a scale is recommended at; 1" = 20', 1" = 30', etc.). Architectural scale is suggested at 1/8" = 1'.
- [] **Material Board, if applicable:** A material board is required for new development unless the City Planner waives this requirement. The material board should include colored samples of exterior materials of proposed buildings and structures, including the roof, wall, trim, and any other exterior material features that may be significant.

CONDITIONAL USE FINAL APPROVAL PROCESS

If final review is required by the Planning Commission, complete the required conditions; Staff will review the submittal and place the applicant on the Planning Commission meeting for approval. After the Planning Commission approves the final plan, and all additional requirements

are shown on the plan, staff will need 2 copies of each plan. Staff will stamp approval on the plans. A final conditional use letter will be mailed to the applicant.

APPLICATION FEES

[] **Conditional use permit application fees include:**

Residential use	\$250.00 + \$15.00 per dwelling unit
Commercial – Industrial	\$1000.00 + \$100.00 per acre 1-20 acres; \$30.00 per acre 21-50 acres; \$10.00 per acre 51+ acres
Public and quasi-public use	\$250.00 + \$20.00 per acre
Conditional use amendment	\$150.00 + \$10.00 per residential unit added, or \$100.00 per acre for each acre added.

PUBLIC MEETING

The Planning Commission meets the first and third Thursday of the month. The Planning Commission public meeting begins at 7:00 p.m. at 13011 S. Pioneer Street, Herriman, Utah 84096. The property owner or your appointed representative must be present at the public meeting.

A conditional use approval expires 24 months from the date the Planning Commission approval is given if the applicant does not obtain a building permit and commence construction or does not obtain a business license.

APPEAL

The final decision of the Planning Commission may be appealed by letter to the Appeals Authority within 10 days after the date of the notice from the Planning Commission. The decision of the Appeals Authority shall be final. Please state in the letter the reason(s) for the appeal.