



CITY OF LEAD
CONDITIONAL USE PERMIT
FEE: \$200.00

Applicant: _____ Phone: _____

Address: _____

A Conditional Use Permit is requested for the purpose of:

Is Applicant the owner of the property under consideration? _____ Yes _____ No

THE FOLLOWING ITEMS MUST BE INCLUDED AND BECOME A PERMANENT PART OF THIS APPLICATION FOR CONDITIONAL USE:

- 1) **WRITTEN STATEMENT OF HOW THIS MEETS THE STANDARDS OF APPROVAL**
Address in this written statement, the intensity of uses; amount of traffic generated; hours of operation; how this use relates to the use of enjoyment of other property in the immediate vicinity; how establishment of this conditional use will not impede the normal and orderly development/improvement of surrounding vacant property for the uses predominant in the area; that adequate utilities, access roads, drainage, and other necessary facilities have or will be provided; as well as any other information you feel would be valuable to the *Planning and Zoning Commission* in making their decision.
- 2) **COMPLETE SITE PLAN** showing major details for the development; including location of buildings and structures, useable open space, off-street parking areas, means of ingress and egress, screening and existing and proposed signage.
- 3) **WRITTEN APPROVAL FOR CONDITIONAL USE FORM ADJOINING PROPERTY OWNERS**
- 4) **COPY OF APPROVED SIGN PERMIT APPLICATION IF SIGN(S) WILL BE USED.**

Application made this _____ day of _____, 20_____.

This matter will be duly advertised and posted per the current ordinance for consideration by the Lead Planning and Zoning Commission at its regular meeting to be held Tuesday, the _____ day of _____, 20_____.

Applicant

City Building Inspector

ACTION TAKEN

Date and Place of Hearing: _____

Action for Planning Commission:

Request Approved: _____ Request Denied: _____

Date: _____ Signature:-Chairman: _____

Action for City Commission:

Request Approved: _____ Request Denied: _____

Date: _____ Signature-Mayor: _____

**CITY OF LEAD ORDINANCE
CHAPTER 153: CONDITIONAL USE PERMITS**

Section:

- [153.01](#) Permit required
- [153.02](#) Application
- [153.03](#) Standards for conditional use
- [153.04](#) Report to Lead City Commission
- [153.05](#) Public hearing
- [153.06](#) Expiration of conditional use permit

§ 153.01 PERMIT REQUIRED.

(A) It shall be unlawful to engage in any land use covenant within a zoned district which is otherwise excluded from the particular district without first having obtained a permit therefor as hereinafter provided.

(B) Variances will no longer be granted to allow for any like use.

(Ord. 866-93, passed 11-15-1993) Penalty, see § [10.99](#)

§ 153.02 APPLICATION.

(A) An application for a conditional use permit shall be filed with the City Building Inspector on a prescribed form.

(B) An application for approval may be filed by any person having an interest in the property for which the conditional use permit is requested.

(C) The following information shall be included:

(1) A complete site plan showing the major details for the development, including, location of buildings and structures, useable open space, off-street parking areas, off-street loading areas, means of ingress/egress, screening and existing and proposed signs; and

(2) A written statement indicating how the application meets the standards for approval. The written statement shall include information relating to the intensity of uses, amount of traffic generated, hours of operation and other information that the Board deems necessary. The Planning Commission shall consider all applications for conditional use permits at their regular scheduled meetings and in accordance with the standards provided below.

(Ord. 866-93, passed 11-15-1993)

§ 153.03 STANDARDS FOR CONDITIONAL USE.

(A) The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor diminish and impair property values within the immediate vicinity.

(B) The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for the uses predominant in the area.

(C) The adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

(D) For any conditional use, lot and performance standards shall be the same as similar type uses located in specific districts.

(E) To defray the administration costs of processing requests for conditional use permits, a fee is set by resolution.

(F) Any use permitted under the terms of any conditional use permit shall be established and conducted in conformity with the terms of the permit and of any conditions designated in connection therewith,

(Ord. 866-93, passed 11-15-1993)

§ 153.04 REPORT TO LEAD CITY COMMISSION.

For each application for a conditional use permit, the Planning Commission shall report to the Lead City Commission its findings and recommendations, including the stipulation that additional conditions will be complied with when they are deemed necessary for the protection of the public interest.

(Ord. 866-93, passed 11-15-1993)

§ 153.05 PUBLIC HEARING.

(A) Upon receipt in proper form of the application and other requested material, the Planning Commission shall hold at least one public hearing and shall make a decision upon the proposal to grant or deny the conditional use permit.

(B) Not less than seven days in advance of the hearing, notice of the time and place of the hearing shall be published in the official newspaper of the city.

(C) The notice shall also be posted on the property for which the conditional use application has been filed.

(Ord. 866-93, passed 11-15-1993)

§ 153.06 EXPIRATION OF CONDITIONAL USE PERMIT.

(A) If the use permitted under the terms of a conditional use permit has not been started within six months of the date of issuance thereof, the permit shall be cancelled by the Building Inspector.

(B) Written notice thereof, shall be given to the person(s) affected, together with notice that further use or work as described in the cancelled permit shall not proceed unless a new conditional use permit has been obtained.

(Ord. 866-93, passed 11-15-1993)