



CONDITIONAL USE APPLICATION
PLANNING COMMISSION
CITY OF PRICEVILLE

Applicant Info:

Applicant: _____ Date: _____

- NOTE: If applicant is not the property owner, a certified authorized agent statement must be attached.

Applicant's Address: _____ Phone: _____

Property Owner: _____ Phone: _____

Location/Property Information:

Current Zoning Classification: _____

- Description of Location: _____

- Reason for Conditional Use approval: _____

Attach/Provide the Following:

- ☐ \$100 non-refundable application fee, plus mail and legal notice costs
- ☐ Necessary materials, requirements and information as found in ZO §13.05(2) Submittal Requirements

I certify that the information contained in and attached to this application is true and correct.

Applicant's Signature

Date

STATE OF ALABAMA)
COUNTY OF MORGAN)

I, _____, a Notary Public in and for said county and state, hereby certify that the name(s) as shown above, whose name(s) is signed to the foregoing application, being known to me, acknowledged before me on this day that, being informed of the contents of said instruments, executed the same voluntarily on the day the same bears date.

Given under my hand and seal this _____ day of _____, 20_____.

Notary Public
My Commission Expires _____

CONDITIONAL USE REVIEW (ZO §13.05)

The Commission hears and decides requests for approval of Conditional Uses specified in the district regulations. Conditional uses are those that pose potential impacts different or greater than those of permitted uses or have uniqueness such that their effect upon the surrounding environment cannot be determined in advance of a use being proposed in a particular location. As such, conditional uses must be reviewed in terms of existing zoning and land uses in the vicinity; whether, and to what extent the use at the proposed location is consistent with the Comprehensive Plan, the intent of this Ordinance, and any other development policies and/or regulations of the City; and whether and to what extent all steps possible have been taken by the developer to minimize adverse effects on surrounding properties and on the public health, welfare and safety in general.

§13.05.01 Procedure

1. Proposed Conditional Uses must first be submitted to the TRC for its recommendation and report. The applicant must submit a Conditional Use application at least 21 days prior to the TRC meeting at which it is to be considered. Upon receipt of a complete application and all required materials, the Building Official reviews the proposed Conditional Use and refers it to the TRC for its recommendation. The applicant must appear before the TRC during its review.
2. Submittal Requirements. Conditional Use applications must include those materials required for site plan review in §12.04 and the following:
 - a. One or more maps showing the location of the proposed use in relation to adjoining neighborhoods and business areas, including existing uses.
 - b. Location of exterior lighting and signs, including any illumination of signs.
 - c. Any noise, smoke, odors and other impacts that will be produced by the proposed development that may affect adjacent properties and associated mitigation measures.
3. Upon receipt of the TRC's recommendation, a public hearing before the Commission will be scheduled with notice provided to adjoining and adjacent landowners. Following the public hearing, the Commission will evaluate and approve, approve with conditions or disapprove the request, advising the applicant in writing of the decision, including any changes or conditions required by the Commission. The applicant must appear in person or by agent at the Commission meeting. Appeals of the Commission's decision are heard by the City Council.
4. Approval of a Conditional Use is void after 12 months if no Building Permit or a business license for the proposed use is not issued, or if the Conditional Use ceases for a continuous period in excess of six months.
 - a. The Commission may extend the time limit for a Conditional Use where a Building Permit or business license has not been issued, so long as such approval is granted prior to the original expiration date. Such extension may not exceed 12 months. Any changes to the original Conditional Use proposal shall require re-approval by the Commission, including public hearings as required for original approval.

§13.05.02 Criteria. In determining whether to approve a Conditional Use, the Commission will consider and may require conditions on the proposed use to assure the following:

1. Satisfactory ingress and egress, motorist and pedestrian safety and convenient traffic flow.
2. General compatibility with adjacent properties, neighborhood and business area, as applicable.
3. Compatibility of the bulk, density and lot coverage with that of adjoining properties.
4. Compatibility with land use, transportation and other development policies of the Master Plan.
5. Availability, location and adequacy of utilities.
6. Mitigation of any potential economic, noise, glare, and odor effects on adjoining properties.
7. Adequacy of buffering and screening of potentially adverse views and activities from surrounding properties.

If the Commission finds the proposed development is not within the spirit and intent of the district, does not meet, or is not capable of meeting, despite conditions the Commission could reasonably impose, the above criteria, the Commission may disapprove the proposed Conditional Use, providing the grounds for disapproval in writing to the applicant.

§13.05.03 Conditions. The Commission may impose such conditions for approval as it deems necessary in the particular case to protect the public interest, in relation to the issues listed above and to any other factor it deems relevant. Such approval and conditions will be attached to the property, structure, and/or use and not to a particular person. Violations of conditions attached to the Conditional Use are considered violations of this Ordinance.