

CHAPTER 18.51
CONDITIONAL AND UNMENTIONED USES

Sections:

- 18.51.010 Conditional Uses
- 18.51.020 Unmentioned Uses

18.51.010 Conditional Uses: Conditional uses shall only be permitted after a public hearing before the Planning Commission finding that:

- A. The use furthers the intent of the zone in which it will be located and conforms to the general plan.
- B. The use will not create undesirable traffic congestion or parking problems.
- C. The use will not be detrimental to surrounding properties or their uses because of appearances, noise, use, or other undesirable features.
- D. The use will meet all standards and regulations for the zone in which it is to be located.
- E. The use will not create undesirable environmental problems:
 - 1. The Commission can make special requirements in conjunction with its decision following a public hearing if they are necessary to more closely fulfill the intent of the zone in which a development is permitted.
 - 2. Conditions, if any, which may be imposed on any proposed project requiring a conditional use permit, shall be endorsed on the conditional use permit and failure to comply therewith shall be grounds for revocation of the conditional use permit. Revocation of the conditional use permit shall be final after thirty (30) days written notice of the violation is given by certified mail to the owner and/or occupant of the land or improvements for which the conditional use permit was issued, if in the mean time, the violation is not corrected.
 - 3. If no development has taken place on the proposal or if no building permits or subdivision applications have been issued or received within a twenty-four (24) month time limit from the date of issuance, the conditional use permit shall become null and void.
 - 4. The decision of the Commission in approving or conditionally approving a conditional use permit shall stipulate whether the conditional use permit is issued to a person or whether the permit shall run with the land. Person shall be defined as an individual, corporation, company, firm, association, partnership, or joint stock company, a state, and all political subdivisions of a state or any agency or any instrumentality thereof having an ownership interest in the land as an owner, renter, or lessee. A use permitted as a conditional use is subject to the limits in the permit and conveys no greater rights than expressly permitted. A request for a revision to a conditional use permit shall be processed as an application for a new conditional use permit. (Ord. 2144, 12/9/03; Ord. 1388, 1989; Ord. 1261, 1987; Ord. 852, 1977; Ord. 786, 1976)

18.51.020 Unmentioned Uses: Unmentioned uses which are not deemed similar to permitted uses by the Zoning Administrator shall be permitted only by a public hearing before the Planning Commission and their finding that:

- A. The use is similar in nature to the uses permitted in the zone and is dissimilar to those prohibited.
- B. The use furthers the intent of the zone in which it will be located and conforms to the general plan.

- C. The use will not create undesirable traffic or parking conditions.
- D. The use will not be detrimental to surrounding properties or their uses.
- E. The use will meet all standards and regulations for the zone in which it is to be located.
- F. The use will not create undesirable environmental problems.

The Commission may make special requirements following its hearing and review if they are necessary to more closely fulfill the intent of the district in which a use is permitted.
(Ord. 2144, 12/9/03; Ord. 786, 1976)