

CONDITIONAL USE PERMIT PROCEDURES

1. Discuss the proposed use with City Planning staff member(s).
2. The staff member will supply you with an application form that must be completed in duplicate and signed by the owner(s) or owner's attorney of the subject property. The staff member will assign a specific date the application must be returned to the City Office which allows for ample time to comply with the requirements by City Code for proper publication and notification of property owner's notices. This is usually approximately sixteen (16) days prior to a regular or called meeting of the Planning Commission.
3. A fee of **\$330.00** (non-refundable) is required to process the application. A site plan, drawn to scale, which shows the boundaries of the property involved in the request, and existing and/or proposed buildings, and other supportive documents or descriptive data helpful to better understand the request is required with the application. If necessary, submit one map and/or drawing with the application (maximum size 11 x 17) to further support your request.
4. All persons which are the recorded title owners of land within three hundred (300) feet of any point along the perimeter of the land shall be notified in writing of the request for a Conditional Use Permit. The letter of notification shall be mailed to recipients no later than ten (10) days prior to the Planning Commission's public hearing. Adjacent landowners shall have ten days from the date of notification to notify the City Administrator of any protests which they may have concerning the application. A certified list must be prepared, by the applicant, of the names and addresses of those persons who own property within a 300' radius of the subject property. This list may be obtained by contacting the County Surveyor's Office for the names of the property owners and then the County Assessor's Office for the addresses. This list must accompany the application, or no action will be taken on your request.
5. The City will post a "Conditional Use Action Pending" in the front yard of the property under consideration for a conditional use permit at least ten (10) days prior to the public hearings of the Planning Commission and City Council.
6. For both new and renewal applications, you will be provided with a copy of the agenda for the Planning Commission meeting at which your request will be considered. It is recommended that the applicant or a representative attend the Planning Commission meeting and City Council meeting to answer any questions. Without someone being there to speak on your behalf, your request may be deferred to the next meeting. The Planning Commission action is in the form of a recommendation to the City Council. The City Council will make the official decision.

ARTICLE 14. CONDITIONAL USES PERMITTED BY SPECIAL REVIEW

SECTION 1401 GENERAL POWERS

The City Council may by conditional use permit after a Public Hearing and referral to a recommendation from the Planning Commission, authorize and permit conditional uses that are designated in the district use regulations if it is found that the location and characteristics of the use will not be detrimental to the health, safety, morals, and general welfare of the area.

Allowable conditional uses may be permitted, enlarged, or altered upon application for a conditional use permit in accordance with the rules and procedures of this Ordinance. The City Council may grant or deny a conditional use permit in accordance with the intent and purpose of this Ordinance. In granting a conditional use permit, the City Council will authorize limitations and shall prescribe and impose appropriate conditions, safeguards, and a specified time limit for the performance of the conditional use permit.

Any conditional use permit granted pursuant to the provisions for this Article 14 shall run with the land subject only to satisfactory compliance with the conditions, safeguards and specified time limit required under the conditional use permit, as established by the Mayor and City Council. A conditional use permit shall not terminate merely because the conditional use permit applicant sells, transfers, conveys or assigns, voluntarily or involuntarily, its interest in the property subject to the conditional use permit. However, if the project granted by a Conditional Use Permit is not started within one (1) year of issuance, the use of the property changes or a Conditional Use Permit is granted on the basis of a conditional purchase agreement that expires, the Conditional Use Permit shall be terminated.

SECTION 1402 APPLICATION REQUIREMENTS

A request for a conditional use permit may be initiated by a property owner or his attorney by filing an application with the City Administrator upon forms prescribed for the purpose. The application shall be accompanied by drawings or a site plan and other such plans and data showing the dimensions, arrangements, description data, and other materials constituting a record essential to an understanding of the proposed use in relation to the provisions set forth herein. The applicant shall submit, and the application must be accompanied with a non-refundable application fee. Said fee shall be set and determined from time to time as deemed necessary by the Mayor and City Council by resolution and shall be appended to the Municipal Code as part of an appendix for permit, license, and application fees.

Written notices shall be given to all owners of land within three hundred (300) feet of the property. Such landowners shall have ten days from the date of notification to notify the City Administrator of any protests which they may have concerning the application.

A "Conditional Use Action Pending" sign will be posted on the front yard of the property

under consideration for a conditional use permit at least ten (10) days prior to the public hearings of the Planning Commission and City Council.

SECTION 1403 RULES GOVERNING EXCEPTIONS

The Planning Commission shall put its findings and recommendations in writing which state the extent of compliance with the specific rules governing individual exceptions and the extent that satisfactory provision and arrangement have been made concerning the following, where applicable, and submit them to the City Council:

SECTION 1403.01 ACCESS ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe;

SECTION 1403.02 PARKING off-street parking and loading areas where required, with particular attention to the items in (1) above and the noise, glare, odor or economic effects of the exception on adjoining properties and properties generally in the district;

SECTION 1403.03 SERVICE refuse and service areas, with particular reference to the items in (1) and (2) above;

SECTION 1403.04 UTILITIES, with reference to location, availability, and compatibility;

SECTION 1403.05 SCREENING and buffering with reference to type, dimensions, and character;

SECTION 1403.06 SIGNS, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect and compatibility and harmony with properties in the district;

SECTION 1403.07 YARDS required yards and other open space;

SECTION 1403.08 COMPATIBILITY general compatibility with adjacent properties and other property in the district.

SECTION 1403.09 UNLESS SPECIFICALLY WAIVED by the City Council, all rules, regulations, and requirements of each respective zoning district shall apply.

SECTION 1404 CITY COUNCIL PUBLIC HEARING, CONSIDERATION AND PROCEDURE

Before issuance of any conditional use permit, the City Council will consider the application for the conditional use permit together with the recommendations of the

Planning Commission at a public hearing held within thirty (30) days or a reasonable time after the filing of the application and after prior notice of the time, place, and purpose of the hearing has been given by publication in a legal paper of general circulation in the City of Blair, one time at least ten (10) days prior to such hearing. The concurring vote of three fourths of the members of the City Council shall be necessary to grant a conditional use permit.

SECTION 1405 EXPIRATION OF CONDITIONAL USE PERMITS

No order of the City Council granting a conditional use permit shall be valid for a period longer than twelve months from the date of such order, unless the City Council specifically grants a longer period of time upon the recommendation of the City Planning Commission.