

Sec. 30-104. - Special use permits.

- (a) *Purpose.* Subject to the provisions of this section, the city council may, by ordinance on its own motion or on application, grant a special use permit for any special use specifically identified in the zoning district in which the special use is proposed. The city council may impose appropriate conditions and safeguards for the issuance of the special use permit, such as a limitation of the duration of the special use, a limitation of the parties who may carry out such use, and limitations upon or requirements for the size or design of buildings and other improvements on the property. In cases where a special use permit application is submitted for a property in the H district, the historic preservation commission shall make a recommendation to the city council in lieu of approving or denying a certificate of appropriateness for any work covered by the special use permit.
- (b) *Application for special use permit.* Application for a special use permit shall be submitted to the city manager using a form provided by the city and contain all necessary information as determined by the city manager. The special use permit fee shall be per the city's fee schedule. Such application shall be processed in the same manner as provided in section 30-32 relating to application for a zoning district change.
- (1) In reviewing an application for a special use permit, the city council shall determine whether or not the proposed special use will:
- a. Substantially increase traffic hazards or congestion;
 - b. Substantially increase fire hazards;
 - c. Adversely affect the character of the neighborhood;
 - d. Adversely affect the general welfare of the community; and
 - e. Overtax public utilities.
- (2) If the council's finding is negative as to all of the criteria in subsection (b)(1) of this section, the application may be granted; if affirmative as to any of the aforementioned criteria, then such special use permit shall be denied.
- (3) Any use for which a special use permit is granted shall otherwise comply with all of the regulations set forth in this chapter for the zoning district in which such use is located.

(Code 1990, § 30-401; Ord. No. 5012, art. 7, 10-2-2017)
