



## **CONDITIONAL USE / CHANGE IN NON-CONFORMING USE CRITERIA (17.04.250)**

- A. No conditional use or change in a non-conforming use will be allowed unless the Planning Commission determines the following criteria are substantially met with respect to the type of use and its dimensional features:
1. The use will not be adverse to the public health, safety or welfare.
  2. The use is not inconsistent with the City's Master Plan.
  3. Streets, pedestrian facilities, water, sewer and other public improvements in the area are adequate.
  4. The use is compatible with existing uses in the area and other allowed uses in the district and the type, bulk, height and location of any buildings or structures is compatible with other buildings, structures and the character of the area.
  5. The use will not have an adverse effect upon other property values.
  6. Adequate off-street parking will be provided for the use.
  7. The location of curb-cuts and access to the premises will not create traffic hazards.
  8. The use will not generate light, noise, odor, vibration, or other effects which would unreasonably interfere with the reasonable enjoyment of other property.
  9. Landscaping of the grounds and architecture of any buildings will be reasonably compatible with that existing in the neighborhood.
  10. Any other criteria specified by other City ordinances or regulations are met.
- B. The burden shall be upon the applicant to prove that these requirements are met.
- C. The Planning Commission may impose conditions as necessary to insure that the above criteria are met.
- D. A use approved as a “use subject to review” under prior ordinances shall be treated as a previously approved “conditional use” for purposes of this Chapter. (Ord. 4, §1, 1999)
-