

APPENDIX D

CONDITIONAL USE PERMIT REQUIREMENTS

1355.09 STANDARDS AND REQUIREMENTS FOR ALL CONDITIONAL USES.

In review of a conditional use permit application, the Planning Commission shall consider whether there is adequate evidence that the proposed conditional use is consistent with the following standards:

- (a) The proposed conditional use shall be in harmony with the existing or intended character of the neighborhood and shall not change the essential character of the neighborhood.
- (b) The proposed conditional use shall not adversely affect the use of adjacent property.
- (c) The proposed conditional use shall not adversely affect the health, safety, or welfare of persons residing or working in the neighborhood.
- (d) The proposed conditional use shall be served adequately by public facilities and services such as, but not limited to, roads, pedestrian and bike facilities, police and fire protection, storm water facilities, water, sanitary sewer, or schools.
- (e) The proposed conditional use shall be in accord with the general and specific objectives, and the purpose and intent of this Zoning Ordinance and the Comprehensive Plan and any other plans and ordinances of the City.
- (f) The proposed use shall be found to be consistent with a use specifically stated as a conditional use in the district in which it is proposed to be located.
(Ord. 96-82 AC. Passed 9-16-96.)

APPENDIX E

SUPPLEMENTAL REQUIREMENTS FOR CONDITIONAL USE PERMITS

1355.10 SUPPLEMENTARY REQUIREMENTS FOR CONDITIONAL USES.

In addition to the other requirements of this chapter, the following conditional uses shall meet additional requirements. The Planning Commission may vary any requirements it determines to be an unnecessary hardship on the property owner and in the best interest of the City:

(d) **DRIVE-IN ESTABLISHMENT**

The following regulations, in addition to those stated at 1355.09, shall apply to conditional use permits for a drive-in establishment.

- (1) Loudspeakers shall be located and designed, with volume and hours of operation controlled, in a manner to minimize noise impacts on nearby residential uses.
- (2) Lanes required for vehicle access to and waiting for use of a drive through or drive up facility shall be designed to have sufficient length to accommodate the peak number of vehicles projected to use the facility at any one time, to provide escape/abort lanes for vehicles desiring to leave the stacking lanes or to avoid disabled vehicles, and to minimize impacts on the use of other required parking or drives or on the use of abutting streets and hazards to pedestrians. The applicant shall provide a traffic study which documents to the satisfaction of the Planning Commission the projected vehicular use of the proposed facilities and evidence of compliance with the provisions of this Zoning Ordinance.
- (3) The Planning Commission may impose restrictions on the hours of operation in order to reduce inappropriate impacts on abutting uses and on street traffic and to ensure compatibility with normal vehicular activity in the district.
- (4) The applicant shall so design the site plan or otherwise provide assurances as to reduce the impacts of lighting, litter, noise, and exhaust resulting from the facility, especially impacts on nearby residential uses.