

14.02.102 Specific Use Permits

- (a) Standards. No application for a specific use permit shall be granted by the city council unless the council finds all of the following conditions are present:
- (1) That the establishment, maintenance or operation of the use will not be materially detrimental to or endanger the public health, safety, morals or general welfare;
 - (2) That the uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by the establishment, maintenance or operation of the use;
 - (3) That the establishment of the use will not significantly impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;
 - (4) That adequate utilities, access roads, drainage and other necessary site improvements have been or are being provided;
 - (5) That adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets; and
 - (6) That the use shall conform to all applicable area, yard, height, lot coverage, building size and exterior requirements and parking space regulations of the district in which it is located.
- (b) Conditions and guarantees. Prior to the granting of any specific use permit, the city council may stipulate conditions and restrictions upon the establishment, location, construction, maintenance and operation of the conditional use as deemed necessary to protect the public health, safety and general welfare of the community and to secure compliance with the standards and requirements specified in subsection (a) above. In all cases in which specific use permits are granted, the city council shall require any evidence and written guarantees as it may deem necessary, as proof that the conditions stipulated in connection therewith are being and will be complied with.
- (c) Effect of denial of application. No application for a specific use permit which has been denied wholly or in part by the city council shall be resubmitted for a period of 90 days from the date of the denial.

(Ordinance 240 adopted 3/15/94; 2007 Code, sec. 155.41)