



# AB5852:

Conditional Use Permit  
Applicability Code Amendment

April 20, 2021

# Process

## Comprehensive Plan Amendment Process



## Code Amendment Process



# Overview

- Amendment proposed for docket last fall
- MICC 19.06.110(A)(5) relates to changes to CUPs after they are granted
- The proposed amendment adds a subsection (c), clarifying that a CUP is only applicable to the property for which it is granted and can only be expanded through a new CUP application
- Ordinance No. 21C-06 amends MICC 19.06.110(A)(5)



# MICC 19.06.110(A)(5)(c)

*c. Applicability.* A conditional use permit shall be applicable only to the property for which it was granted, as defined by the legal description of the property boundaries submitted with the conditional use permit application (“Permitted Property”). The use(s) permitted under a conditional use permit shall not extend beyond the Permitted Property to adjoining property or property added to the Permitted Property unless the conditionally approved use(s) are already allowed on the adjoining or added property or a new conditional use permit is granted for the adjoining or added property.



# Planning Commission Recommendation

- The Commission revised the proposed amendment to provide further clarity and remove any potential ambiguity in implementation
- PC recommends approval of the code amendment as revised



# Next Steps

- Motion to schedule 2<sup>nd</sup> reading for May 4
- If approved May 4, the amendment will be effective 5 days after publication

