

Section 405.670 **Generally.**

[Ord. No. 03-56 §1, 8-25-2003; Ord. No. 11-03 §1, 3-28-2011; Ord. No. 11-20 §3, 8-8-2011]

- A. The City Council of the City of Republic may, by special **use** permit following a public hearing advertised as provided in Section **405.980** of the Code of the City of Republic, authorize the location of any of the following buildings or uses **unless in any district except as herein qualified, from which they are** otherwise prohibited by this Chapter; **provided however, that appropriate conditions and safeguards shall be imposed to protect the public welfare and to conserve and protect property and property values in the neighborhood**
1. **Buildings and land uses permitted by a Special Use Permit must conform to the following criteria and ensure the building or use in the proposed location:**
 - a. **Will not endanger the public's health or safety;**
 - b. **Will be in conformity with the Comprehensive Plan and other plans adopted by the City Council; and**
 - c. **Will be in harmony with the area in which it is located.**

Section 405.675 Uses Permitted.

1. Any public building erected and used by any department of the City, County, State or Federal Government **in any zoning district.**
2. Commercial amusement or recreational development for temporary or seasonal periods **in any zoning district.**
3. Cemetery or mausoleum on a site of twenty (20) acres or more; provided that any mausoleum shall be located at least two hundred (200) feet from any street or lot line **in any zoning district.**
4. Hospitals and institutions, except institutions for criminals and for persons who are mentally ill or have contagious diseases **in any commercial or manufacturing zoning district;** provided however, that such buildings may occupy not over twenty-five percent (25%) of the total area of the lot or tract and will not have any serious depreciating effect upon the value of the surrounding property; and provided further, that the buildings shall be set back from all yard lines heretofore established an additional distance of not less than two (2) feet for every foot of building height, and that adequate off-street parking space will be provided.
5. Greenhouses and plant nurseries **including the growing and cultivating of plants and trees, which may include wholesale or retail sales of plants, trees, and related nursery items as an accessory activity, in any zoning district.**
6. Radio or television broadcasting tower or station over fifty (50) feet in height **in any zoning district.**
7. (Reserved)
8. Guyed or lattice telecommunication towers located in "AG" or "C-2" Districts, when complying with the regulations in Section **405.170(B)(8).**

9. Monopole telecommunications towers located in any district, when complying with the regulations in Section **405.170(B)(8)**.
10. Group day-care homes in any **single-family** residential district with the permit to have a five-year limit and the permit may be renewed following the process set forth in Section **405.680**. [Ord. No. 15-01 §1, 1-26-2015]
11. Commercial office uses located in any residential district which are associated with low traffic volumes, ~~such as accounting, architecture, drafting, engineering, law and associated professional consulting services as approved by the Planning and Zoning Commission and City Council.~~
12. Neighborhood markets, and convenience stores ~~and gasoline/fuel stations~~ located in residential districts.
13. (Reserved)
14. ~~The sale of merchandise by traveling vendors, under tents or other temporary facilities, located in "C-1", "C-2", "M-1" or "M-2" Districts. Temporary facilities shall not be permitted beyond a three (3) month period per year unless permitted as a permanent structure. Temporary Vendor Sites in agricultural, commercial, and manufacturing zoning districts, which allow for the retail sale by multiple traveling or temporary vendors, under tents, canopies, or in mobile vending vehicles, which may include farmers markets or similar type seasonal sales and may not operate more than three (3) consecutive days in any seven (7) day period; such permits have a five-year limit with the permit renewal following the process set forth in Section 405.680.~~
14. Permanent Vendor Sites in agricultural, commercial, and manufacturing zoning districts, which allow for the retail sale by multiple traveling or temporary vendors, under tents, canopies, or in mobile vending vehicles, which may include food truck parks; such sites must meet the parking, surfacing, and landscaping requirements for commercial development.
15. Veterinary facility or similar establishment located in the AG, C-2, C-3, M-1, or M-2 ~~"C-2", "M-1" or "M-2"~~ Districts for the treatment and boarding of all animals, large and small.
16. ~~The temporary use of land for purposes associated with the support of active public improvements projects. The use of the land must comply with all applicable State and Federal regulations regarding environmental quality and protection. Each special use permit for this purpose shall be considered on a case-by-case basis and considerations in reviewing and approving the application for a special use permit shall include, but not be limited to:~~
 - a. ~~Intensity of the use relative to the surrounding land uses, especially in terms of noise, dust, odor, etc.~~
 - b. ~~Volume and type of traffic generated by the use.~~
 - c. ~~Potential impacts on water, air, and soil quality.~~
 - d. ~~Whether more appropriate alternative sites exist.~~
 - e. ~~The length of time requested for the special use of the land.~~

~~f.— Potential impacts on public services including water supply, wastewater treatment, fire protection, law enforcement, etc.~~

~~If Council determines to issue a special use permit for temporary use of land under this paragraph, the permit term will generally expire sixty (60) days after the completion date of the contracted for services and/or uses as set forth in the plans or the contract presented to the City during the review process. If the documents provided to the City do not state an end date for the contracted for services and/or uses then Council may establish the length of term for the special use permit. Upon approving a special use permit, Council may grant staff the discretion to extend the permit twice for a period of no greater than ninety (90) days each. Any extension beyond those described above shall be subject to Council approval.~~

16. Boat, vehicle, and self-storage facilities located in a C-2, C-3, M-1, or M-2 Zoning District.

Section 405.680 Permit.

[CC 1999 §26-62; Ord. No. 03-80 §1, 11-24-2003]

Before the issuance of any special permit for any of the above buildings or uses, the application therefore shall be submitted to the City Planning and Zoning Commission for study and report regarding the effect of such proposed building or use upon the character of the neighborhood and upon traffic conditions, public utility facilities and other matters pertaining to the public health, public safety or general welfare. A processing fee as provided for in the fee schedule found in Section 805.050, shall be paid to the City upon receipt of an application for a special use permit. No action shall be taken upon any application for a proposed building or use above referred to until and unless the report of the Commission has been filed, but such report shall be made within sixty (60) days after the matter has been referred to it. If the Planning and Zoning Commission recommends against the issuance of the special permit, then it may be issued only by an affirmative three-fourths ($\frac{3}{4}$) vote of the City Council.