

ARTICLE V

DISTRICT REGULATIONS

Section 1. Conditional Use District.

It is recognized that certain types of zoning districts would be inappropriate at particular locations in the absence of special conditions. Where the applicant for rezoning desires property to be rezoned to such a district in such situations, the conditional use district is a means by which special conditions can be imposed in the furtherance of the purpose of this Article and in accordance with the following stipulations:

- (A) The conditional use district (hereinafter referred to as CUD) will be considered only upon request of the applicant for rezoning.
- (B) If for any reason any condition imposed pursuant to these regulations is found to be illegal or invalid or if the applicant should fail to accept any condition, it is the intent of this Article that the authorization of such conditional use permit shall be null and void and of no effect and that proceedings be instituted to rezone the property to its previous zoning classification.
- (C) Within a CUD only those uses authorized in this Article (Article IV) as permitted in the zoning district with which the CUD corresponds shall be permitted, and all other requirements of the corresponding district shall be met.
- (D) Within a CUD, no use shall be permitted except pursuant to a conditional use permit authorized by the City Council which shall specify the use or uses authorized.
- (E) A conditional use permit must further specify on a site plan the location on the property of the proposed use, the number or dwelling units and/or any other structures, the location and extent of supporting facilities, such as parking lots, driveways, and access streets, location and extent of buffer areas and other special purpose areas, the timing of the development, the location and extent of rights-of-way and other areas to be dedicated for public use, and other such matters as the applicant may propose as conditions upon the requests, but not to include architectural review or controls. The site plan shall consist of ten (10) copies at a scale not smaller than 1" = 100'.
- (F) In granting a conditional use permit, the council may impose such additional reasonable and appropriate safeguards upon such permit as it may deem necessary in order that the purpose and intent of this Article are served, public welfare secured, and substantial justice done.
- (G) No permit shall be issued for any development within a CUD except in accordance with an approved conditional use permit.