



## **Article IV. Zoning Determination**

### **17.01.410 Purpose and initiation.**

In order to ensure that the zoning regulations will permit similar uses in each zone, the planning commission and/or the city council, upon its own initiative or upon written request shall determine whether a use, not specifically listed as a permitted or conditional use, shall be deemed a permitted use or a conditional use, in one or more zones, on the basis of similarity to uses specifically listed. The procedures of this article shall not be substituted for the amendment procedure as a means of adding new uses to the list of permitted or conditional uses. (1992 zoning ord. (part))

### **17.01.420 Application.**

Application for determination of similar uses shall be made in writing to the planning director and shall include a detailed description of the proposed use and such other information as may be required by the planning director to facilitate the determination. (1992 zoning ord. (part))

### **17.01.430 Investigation and report.**

Within thirty calendar days of the filing of the request for determination, the planning director shall prepare a report. The planning director shall make such investigations of the application as necessary to compare the nature and characteristics of the proposed use with those uses specifically listed and shall make a report of the findings to the planning commission. The planning commission shall review said report and forward its recommendation to the city council for their action. (1992 zoning ord. (part))

### **17.01.440 Findings.**

- A. In permitting or classifying an unlisted use, all of the following findings must be made:
1. The use furthers the objectives of the zone; and
  2. The subject use and its operations are compatible with the uses permitted in the zone; and
  3. The subject use is similar to one or more uses permitted in the zone; and
  4. The subject use will not cause substantial injury to the property in the zone within which it is proposed to be located or in any abutting zone. (1992 zoning ord. (part))

### **17.01.450 Determination.**

The planning commission shall review the director's report and forward a recommendation on the city council for their determination. The city council shall hear the item at their next regularly scheduled meeting and render said decision in writing. (1992 zoning ord. (part))