

SECTION 24.19 ADMINISTRATION

24.19.200 SIMILAR USE DETERMINATION

24.19.210 PURPOSE AND INITIATION

In order to ensure that the Zoning Regulations will permit all similar uses in each zone, the Planning Commission, 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. New uses (not considered "similar") may only be added through the text amendment procedure.

24.19.220 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.

24.19.230 INVESTIGATION AND REPORT

Within thirty (30) 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.

24.19.240 FINDINGS

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.

24.19.250 DETERMINATION

At their next regularly scheduled meeting, the Planning Commission shall review the Director's report and shall make a determination whether the use is "similar" and should be a permitted use, a conditional use, or denied, and record such in their official minutes. A list of "similar uses", as determined by the Planning Commission from time to time, shall be kept as an addendum to the particular zone involved in the Zoning Code. Periodically, when the zoning regulations are amended these "similar" uses shall be added.