

Chapter 17.68CONDITIONAL USE PERMITSSections:

- 17.68.010 Purpose.
- 17.68.020 Application and fee.
- 17.68.030 Public hearing.
- 17.68.040 Required findings.
- 17.68.045 Consistency with hazardous waste management plan.
- 17.68.050 Commission actions.
- 17.68.060 Conditions of approval.
- 17.68.070 Violation of conditions.
- 17.68.080 Notice of decision.
- 17.68.090 Effective date and appeal.
- 17.68.100 Expiration.

17.68.010 Purpose. The purpose of the conditional use permit is to afford the commission the opportunity to review proposed uses, structures, or facilities which could have an adverse effect upon the surrounding area and to place such reasonable conditions upon these uses and developments as to make them more compatible with their surroundings. These conditions may supercede the development standards required elsewhere, but will not permit uses not otherwise permitted.

A conditional use permit shall be required for any use within a zone district which is designated as a conditional use by the district regulations or for such other uses which, by their scope, scale, or nature, would not specifically be permitted uses within any designated zone district, but which would be recognized as uses that would be beneficial to the community as a whole. (Ord. 963 §39(part), 1995; Ord. 822 §1(part), 1989)

17.68.020 Application and fee. When it is determined that a conditional use permit is required, application shall be made upon forms prescribed by the commission and shall be accompanied by such exhibits, maps or documents deemed necessary to provide the commission with complete information regarding the request. At the time the application is submitted, a fee, established by written resolution of the city council, shall be paid. No part of the required fee shall be refundable unless the application is withdrawn prior to the publication of the notice of public hearing. (Ord. 963 §39(part), 1995; Ord. 822 §1(part), 1989)

17.68.030 Public hearing. Upon receipt of the required application and fee, the commission shall set a hearing date which shall be advertised as provided in Chapter 17.74 of these regulations. (Ord. 963 §39(part), 1995; Ord. 822 §1(part), 1989)

17.68.040 Required findings. The commission shall find that the proposed use shall not be detrimental to persons or properties in the immediate vicinity nor to the city in general. If it fails to make these findings, the request shall be denied. (Ord. 963 §39(part), 1995; Ord. 822 §1(part), 1989)

17.68.045 Consistency with hazardous waste management plan. Any decision on a proposed zoning amendment shall be consistent with the portions of the county of Los Angeles hazardous waste management plan as approved November 30, 1989, relating to siting of and siting criteria for hazardous waste facilities. (Ord. 963 §39(part), 1995; Ord. 888-U §2, 1990; Ord. 887 §2, 1990)

17.68.050 Commission actions. The commission may grant, conditionally grant, or deny a conditional use permit based on the required findings, on evidence presented by the staff report, the public hearing, or upon its own study and knowledge of the situation. (Ord. 963 §39(part), 1995; Ord. 822 §1(part), 1989)

17.68.060 Conditions of approval. The commission may attach such reasonable conditions of approval as it deems are necessary to insure that the proposed use will be compatible with the surrounding area and with the goals of the city. Such conditions may include, but are not limited to, setbacks, building height, parking, landscaping, and architecture. All conditions shall be binding upon the applicants, their successors and assigns and shall run with the land; shall limit and control the issuance and validity of certificate of occupancy, and shall restrict and limit the construction, location, use and maintenance of all land and structures within the parcel, lot or development. (Ord. 963 §39(part), 1995; Ord. 822 §1(part), 1989)

17.68.070 Violation of conditions. Should any violation of conditions of approval occur, the planning commission may after appropriate public notice, reopen the public hearing on the conditional use permit and may impose additional conditions to rectify any violations or may, if such is shown to be warranted, revoke the conditional use permit for cause. (Ord. 963 §39(part), 1995; Ord. 822 §1(part), 1989)

17.68.080 Notice of decision. Not later than ten days following the commission's decision to grant or deny the conditional use permit, the applicant shall be notified in writing of the commission's decision. (Ord. 963 §39(part), 1995; Ord. 822 §1(part), 1989)

17.68.090 Effective date and appeal. If approved, the conditional use permit shall become effective within fourteen days following the commission's approval. The applicant or any other person aggrieved by the commission's decision may appeal to the city council in accordance with Chapter 17.74 of these regulations. (Ord. 963 §39(part), 1995; Ord. 822 §1(part), 1989)

17.68.100 Expiration. Unless otherwise specified, the conditional use permit, if not utilized within twelve months from the effective date, shall be deemed null and void. The abandonment or nonuse of a conditional use permit for three consecutive months or for six months during any calendar year, shall terminate the conditional use permit. (Ord. 963 §39(part), 1995; Ord. 822 §1(part), 1989)

Chapter 17.70

VARIANCES

Sections:

- 17.70.010 Purpose.
- 17.70.020 Conditions.
- 17.70.030 Variance prohibited.
- 17.70.040 Required findings.
- 17.70.045 Consistency with hazardous waste management plan.
- 17.70.050 Application and fee.
- 17.70.060 Public hearing.
- 17.70.070 Commission action.
- 17.70.080 Conditions of approval.
- 17.70.090 Notice of decision.
- 17.70.100 Effective date and appeal.
- 17.70.110 Continuation of existing variances.

17.70.010 Purpose. Variances from the terms of the zoning regulations shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the provisions of these regulations deprives such property of privileges enjoyed by other property in the vicinity and under the identical zoning classi-