

CHAPTER XX.68 CONDITIONAL USES

- xx.68.010 Purpose.**
xx.68.020 Applicability.
xx.68.025 Amendments
xx.68.030 Time Limitations.

xx.68.010 Purpose. The purpose of the Chapter is to establish the conditions under which certain uses and structures may be permitted. Proposed conditional uses may be permitted if the use is compatible with or can be conditioned to be compatible with neighboring uses in the area in which the application is sought.

xx.68.020 Applicability. Conditional use permits shall be processed as Class 2 Permits.

- A. In considering conditional use permits, the County shall have the discretionary authority to determine and recommend whether a conditional use permit should be granted, and grant conditional use permits with safeguards and limitations as are appropriate under this Title. The County may deny those applications that it finds not in harmony with the purpose and intent of adopted plans, policies and this Title. Each application is declared to ~~be, and~~ be and shall be considered as a separate and unique case.
- B. Conditions and safeguards may be prescribed which are in conformity with adopted plans and policies and this Title which are considered necessary to protect the best interest of the immediate neighborhood, surrounding area or the County as a whole. These conditions and safeguards may include, but are not limited to the following:
1. Increasing the required lot size, setback or yard dimensions;
 2. Limit the height of buildings or structures;
 3. Control the number and location of vehicular access points;
 4. Require the dedication of additional rights-of-way for future public street improvements;
 5. Require the designation of public use easements or drainage easements and the recording of same;
 6. Increase the number of required off-street parking and/or loading spaces;

7. Limit the size, shape, location and lighting of signs;
8. Require view-obscuring fencing, landscaping, diking, or other ~~facilities~~ measures to protect screen from adjacent or nearby properties;
9. Designation of sites and/or size of open space or recreational areas;
10. Site reclamation upon discontinuance of use and/or expiration or revocation of the ~~special exception~~ Conditional Use ~~p~~Permit;
11. Limit the period of time that the Conditional Use Permit is allowed;
12. Require annual inspections be made to ~~insure~~ ensure compliance with the permit and may require that the inspections be paid for by the owners of the conditional use facility;
- ~~13. Require that upon change in ownership of the subject property, the new owner may need to apply for and obtain a new Conditional Use Permit prior to commencing commercial operations; and~~
13. Require the proponent obtain a liability insurance policy that directly relates to impacts of the proposed use; and-
14. Limit the hours and/or days of operation.

C. Conditions of Approval. At a minimum, all conditional uses must comply with all County Codes and ordinances, the goals and policies of the Comprehensive Plan as well as the following conditions, and any additional conditions that may be imposed as a condition of approval by the County:

1. The Project Sponsor shall maintain on file at the County Community Development Department an up-to-date Property Management Plan, approved by the County, that identifies the property owner and agents authorized to act on the property owners behalf, includes emergency contact information, and that identifies how the Project Sponsor will enforce compliance with the terms and conditions of approval.
- ~~a. An up-to-date copy shall also be provided by the Project Sponsor to all property owners within 300' of the boundaries of the property on which the vacation rental is proposed and all adjacent parcels under the ownership or control of the Project Sponsor.~~
- ~~2. The Project Sponsor shall maintain on file at the County Community Development Department, an up-to-date Site Plan, approved by the County, that identifies the location of required off-street parking, refuse and recycling~~

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facilities, emergency shut-offs, on-site amenities, structures, water, sewer, and power.

~~The Project Sponsor shall also provide documentation, subject to County review and approval, of adequate water and sanitary sewer service.~~

~~2. The Project Sponsor shall maintain on file at the County Community Development Department, an up-to-date certificate of occupancy documenting that the facility complies with the provisions in the International Building Code and International Fire Code for the occupancy type for which the use is classified.~~

~~b.a.~~ It is important to note that converting an existing structure from one use to another use may result in requiring changes to the structure to meet the requirements of the new use, and may require a Building Permit.

~~3.2.~~ The Project Sponsor shall provide such financial guarantees or deposits as may be required by the County to ensure full compliance with the conditions of approval. The County may utilize such deposits to offset the costs associated with responding to complaints for non-compliance.

~~0. The Project Sponsor shall be responsible for the collection and payment of all required taxes, fees, and charges and shall provide the County with annual documentation of full compliance.~~

~~F.D.~~ All physical conditions required by the County shall be completed prior to reviewing authorization to occupy the use as defined in the application.

~~F.E.~~ The failure to comply with the terms and conditions of approval may result in the suspension or revocation of a Conditional Use ~~permit~~ Permit and/or civil or criminal penalties.

~~**xx.68.03025 Time LimitationsAmendments.** The project shall commence within five years of the date of preliminary project approval. An Applicant who files a written request to the Board of County Commissioners at least thirty days before the expiration of this five-year period may be granted one one-year extension upon a showing that the Applicant has attempted in good faith to commence the project within the five-year period. The project shall be completed within five years of commencement unless other approvals are granted by the County. Any endeavor being conducted under an approved Conditional Use Permit that wishes to vary from the original approval by undertaking a use that was not included in the original approval shall seek a modification of the original Conditional Use Permit. The procedures for processing a proposed modification will substantially adhere to the process and requirements of a new Conditional Use Permit application.~~

xx.68.030 Time Limitations. The project shall commence within two years of the date of preliminary project approval. An Applicant who files a written request to the Board of County Commissioners at least thirty days before the expiration of this two-year period may be granted one one-year extension upon a showing that the Applicant has attempted

in good faith to commence the project within the two year period. The project shall be completed within five years of commencement unless other approvals are granted by the County

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