

Section 94-36(e)(3) – General Use Standards

According to Article II, Section 94-36(e)(3), the applicant must demonstrate that the proposed use will be in harmony with the zoning ordinance and protection of the public interest for the following:

- A. Future Uses – The use exactly as proposed at the location where proposed will be in harmony with the uses which, under zoning ordinance and land use plan, are most likely to occur in the immediate area where located.
- B. Surrounding Uses – The use exactly as proposed at the location where proposed will be in harmony with existing uses in the immediate area where located.
- C. Public Benefit – The use exactly as proposed at the location where proposed will not result in substantially less public benefit nor greater harm than would result from use of the site for some use permitted by right or by some other special use permitted on the site.

Section 94-36(e)(4) – Specific Use Standards

According to Article II, Section 94-36(e)(4), the applicant must demonstrate that the proposed use will be in harmony with the following requirements:

- A. Traffic:
 - 1. The proposed use will not generate traffic that will reduce the level of service on any road to a lower level than would result from a use permitted by right.
 - 2. The proposed use will not require extension or enlargement or any other alteration of the street system in a manner resulting in higher net public cost or earlier expenditure of public cost than would result from a use permitted by right.
 - 3. The property or structure for the proposed use will be located, designed, and constructed so that the access and egress standards of Section 94-273 are satisfied for uses subject to those standards.
- B. Utility Systems – The proposed use will be so located in relation to water lines, sanitary sewers, storm sewers, surface drainage systems, and other utility systems that neither extension nor enlargement nor any other alteration of such systems in a manner resulting in higher net public cost than would result from a use permitted by right will be required.
- C. Public Safety – The proposed use will not place a demand on municipal police or fire protection services beyond the capacity of those services, a demand which does not exceed that likely to result from a use permitted by right.

Section 94-36(e)(5) – Residential District Standards

IMPORTANT: Only needs to be provided if the request is located within a residential zoning district.

According to Article II, Section 94-36(e)(5), the applicant must demonstrate that the proposed use will be in harmony with the following requirements:

- A. Location – The location of the special use will not be hazardous to or inconvenient to the predominantly residential character of the area in which it is to be located or to be long-range development if the district for residential purposes intended.
- B. Size and Intensity – The size of the special use and the nature and intensity of the operations involved will not be hazardous or inconvenient to the residential character of the area in which it is to be located. The district for residential purposes shall not be affected adversely.
- C. Contiguous Residential Uses – The location of the special use will not result in the isolation of a small existing or planned residential developments by its being completely or largely surrounded by arterial streets or nonresidential land uses.

- D. Residential Character – Building for special uses in a residential district shall be designed and constructed in a manner similar other neighborhood residential structures. Design factors shall include building mass, height, materials, window arrangement, yards, and similar considerations.

Section 94-273(d) – Additional Use Standards

IMPORTANT: Please contact a Planner for assistance in obtaining the correct Standards.

The application shall conform to all of the Additional Standards found in Article IX, Section 94-273, in addition to all other requirements of the Zoning and Land Development Regulations.

Section 94-273(a)(2) – Waiver Standards

IMPORTANT: Only needs to be provided if any waivers from the Additional Use Standards are being requested.

According to Article IX, Section 94-273(a)(2), the application shall conform to all of the additional standards unless the special use review authority reduces the standards upon a finding that the proposed special use nevertheless meets the following waiver standards:

- A. The use will be consistent with the comprehensive plan of the City adopted by the City Commission.
- B. The use will be in harmony with the general character of the neighborhood considering population, density, design, scale and activity, traffic and parking conditions, and number of similar uses.
- C. The use will not be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties or the general neighborhood; and will cause no objectionable noise, vibrations, fumes, odors, dust, glare physical activity.
- D. The use will have no detrimental effect on vehicular or pedestrian within a district due to detrimental affects on permitted uses.
- E. The use will not adversely affect the health, safety, security, morals, or general welfare of residents, visitors, or workers in the area.
- F. The use will not, in conjunction with existing development in the area and development permitted under existing zoning, overburden existing public services and facilities, including schools, police and fire protection, water, sanitary sewer, public roads, storm drainage, and other public improvements.
- G. The use otherwise meets the definition standards set forth elsewhere in this ordinance for such particular use.
- H. The use will provide alternative measures consistent with the intent of the additional standards to provide protection to adjacent properties and preserve neighborhood character.