

## WRITTEN STATEMENT

Sec. 240.005. - Conditional use permits.

(a)Applicability.

(1)No building, structure, or land shall be used or developed for any use which is designated as a conditional use in the UDC unless a conditional use permit has been granted pursuant to this chapter. **Per section Sec.535.010., Motor vehicle sales are permitted through the Conditional Use Procedure within the MU-III (Mixed Use-III) zone.**

(2)No use for which a conditional use permit has been granted shall be expanded, relocated, or changed to another conditional use, and no building or structure devoted to such use shall be structurally altered or enlarged, unless a new conditional use permit, or a modification of an existing conditional use permit, has been granted pursuant to this chapter for such expansion, relocation, change, structural alteration, or enlargement; provided, however, a new conditional use permit, or modification of an existing conditional use permit, shall not be required for interior construction or tenant improvements that involve no change of use, or for alterations required to address a building code violation or to comply with the Americans with Disabilities Act.

(b)Procedure type. A conditional use permit is processed as a Type III procedure under SRC chapter 300. **A conditional use (type III procedure) application has been submitted.**

(c)Submittal requirements. In addition to the submittal requirements for a Type III application under SRC chapter 300, an application for a conditional use permit shall include the following:

(1)A site plan, of a size and form and in the number of copies meeting the standards established by the Planning Administrator, containing the following information:

(A)The total site area, dimensions, and orientation relative to north;  
**Please see the attached sheet SPR-1**

(B)The location of all proposed primary and accessory structures and other improvements, including fences, walls, and driveway locations, indicating distance to such structures from all property lines and adjacent on-site structures; **Please see the attached sheet SPR-1**

(C)Loading areas, if included with proposed development; **Existing loading space is indicated on sheet SPR-1.**

(D)All proposed landscape areas on the site, with an indication of square footage and as a percentage of site area; **Please see the site summary on the attached sheet SPR-1**

(E)The location, height, and material of fences, berms, walls, and other proposed screening as they relate to landscaping and screening required by SRC chapter 807; **Please see the attached sheet SPR-1**

(F)The location of all trees and vegetation required to be protected under SRC chapter 808; and **Existing landscaping is indicated on the attached sheet SPR-1**

(G)Identification of vehicle, pedestrian, and bicycle parking and circulation areas, including handicapped parking stalls, disembarking areas, accessible routes of travel, and proposed ramps.

(2)An existing conditions plan of a size and form and in the number of copies meeting the standards established by the Planning Administrator, containing the following information: **Existing conditions plan has been provided, see sheet SPR-2**

(A)The total site area, dimensions, and orientation relative to north; **Please see the site summary on the attached sheet SPR-2**

(B)The location of existing structures and other improvements on the site, including accessory structures, fences, walls, and driveways, noting their distance from property lines and whether they are to be removed;

(C)The location of the 100-year floodplain, if applicable; and **Not applicable**

(D)The location of drainage patterns and drainage courses, if applicable. **Existing drainage patterns are indicated on sheet SPR-4**

(3)A completed Trip Generation Estimate for the proposed development, on forms provided by the City. **Please see the attached trip generation form.**

(4)A traffic impact analysis, if required SRC chapter 803.

(d)Criteria. An application for conditional use permit shall be granted if all of the following criteria are met:

(1)The proposed use is allowed as a conditional use in the zone; **Per section Sec.535.010., Motor vehicle sales are permitted through the Conditional Use Procedure within the MU-III (Mixed Use-III) zone.**

(2)The reasonably likely adverse impacts of the use on the immediate neighborhood can be minimized through the imposition of conditions; and **Generally speaking used cars generate little traffic. The previous tenant for this location was the Newport Seafood Grill, a restaurant which generated a lot more traffic to the site than the proposed car dealership.**

(3)The proposed use will be reasonably compatible with and have minimal impact on the livability or appropriate development of surrounding property. **Our property sits at the end of the Freeway Ct NE cul-de- sac. The 2 adjacent properties to the North are a hotel and a gas station.**

(e)Transfer of conditional use permit. Unless otherwise provided in the decision granting the conditional use permit, conditional use permits shall run with the land.