

155.301 (M) SPECIAL EXCEPTION

1. Purpose. To provide means for the individualized review of certain uses which, due to their nature, require special consideration of their location, design, and methods of operation, as well as the impositions of conditions to mitigate concerns before they can be deemed appropriate in a zoning district and compatible with their surroundings.

2. Applicability:

(a) Uses requiring special exception as outlined in Table 155.501 shall require review and action by the Planning and Zoning Board.

(b) City Commission review and approval of a special exception will be required for non residential applications that propose a floor area ratio (FAR) exceeding 0.5 to 1.0.

(c) City Commission review and approval of a special exception will be required for all development applications proposing uses as outlined in Table 155.501 that are part of the I-H (Industrial Heavy;) zoning district.

3. Standards for Approval:

(a) The proposed use is compatible with the existing natural environment and community character of the properties within the immediate neighborhood.

(b) The proposed use is deemed desirable for public convenience, and not injurious or otherwise detrimental to the public health, safety, comfort and welfare.

(c) The design of the proposed use shall minimize adverse effects, including noise, light, dust or other potential nuisances, of the proposed use on adjacent property through the use of building orientation, setbacks, buffers, landscaping and other design criteria consistent with the city regulations to the greatest extent possible. Entire site shall be void of any pre-existing code violations.

(d) There are adequate parking areas and off street truck loading spaces (if applicable) consistent with the parking requirements of the Code, and the layout of the parking and vehicular use areas is convenient and conducive to safe and efficient operation consistent with the city standards to the greatest extent possible.

(e) There will be adequate provisions for traffic movement, both vehicular and pedestrian internal to the use and adequate measures exist or shall be taken to provide ingress and egress to the proposed use, for both vehicles and pedestrian, in a manner that minimizes traffic congestion in the public streets, and the use may not result in a significantly greater amount of traffic on local streets than would result from a development permitted by right, performed through use of a traffic study.

(f) The land area must be sufficient, appropriate and adequate for the use and for any reasonably anticipated expansion thereof.

4. Procedure:

(a) Refer to Table 155.301 for application review process.

(b) A Special Exception shall be processed concurrent with a site plan or site plan amendment.