

Appendix B, Article III of the City Code is hereby amended to adopt Section 307 "Imposition of Conditions Precedent to Approval of Uses Subject to Special Conditions" to read as follows:

Sec. 307. Imposition of Conditions Precedent to Approval of Uses Subject to Special Conditions.

(A) Mandatory Conditions Precedent. The Planning Commission shall impose on all special use permits granted under the Zoning Ordinance the following conditions precedent:

- (1) It must determine that the proposed special use harmoniously co-exists with the adjacent land uses and the surrounding neighborhood in general; and,
- (2) It must determine that the proposed special use promotes and protects the public health, safety, tranquility, or general welfare of a zoning district, including, but not limited to those reasonably calculated to reduce or minimize the hazards to vehicular or pedestrian traffic, and,
- (3) In furtherance of these determinations, traffic, market, environmental and other reports as deemed necessary to make an informed determination may be ordered.

(B) Optional Conditions Precedent. The Planning Commission may act to protect the best interest of the City and the surrounding property within the zoning district, or an adjacent district, and to achieve the objectives of the Zoning Ordinance by adding additional conditions precedent.

(C) Conditions imposed pursuant to Section 307(B) shall meet all of the following requirements:

- (1) Be designed to protect the public health, safety, tranquility, and general welfare; the social and economic well-being of both residents and landowners immediately adjacent to the proposed land use or activity, and the surrounding neighborhood generally; those who will use the land use or activity under consideration; the City's natural resources; and the community as a whole.
 - (2) Be related to the valid exercise of the police power, and purposes which are affected by the proposed use or activity.
 - (3) Be necessary to meet the intent and purpose of the Zoning Ordinance, be related to the standards established in the ordinance for the land use or activity under consideration, and be necessary to ensure compliance with those standards.
- (D) The conditions imposed with respect to the approval of a special land use or activity shall be recorded in the record of the approval action, and shall remain unchanged except upon the mutual consent of the Planning Commission and the landowner. The Planning Commission shall maintain a record of conditions that are changed.
- (E) The conditions imposed by this section shall occur contemporaneously and in conjunction with the reviews referenced in Sections 401, 501, 601, 701, 801, 901, 1001, 1101, 1204, and 1301 of the Zoning Ordinance.