

## Chapter 17.43

### UNLISTED USE--AUTHORIZATION OF SIMILAR USE

#### Sections:

- 17.43.010 Purpose.
- 17.43.020 Unlisted use defined.
- 17.43.030 Administration.
- 17.43.040 Limitation.
- 17.43.050 Approval criteria.

17.43.010 Purpose. It is not possible to contemplate all of the various uses which will be compatible within a zoning district and omissions will occur. The purpose of these provisions is to establish a procedure for determining whether certain specific uses would have been permitted in a zoning district had they been contemplated and whether such unlisted uses are compatible with the listed uses. (Ord. 634 §1 Exh. A (part), 1995)

17.43.020 Unlisted use defined. An "unlisted use" is a use which is not listed as either an outright or a conditional use in any zoning district. (Ord. 634 §1 Exh. A (part), 1995)

17.43.030 Administration. The planner shall maintain a list by zoning district of unlisted uses approved by the planning commission. The list shall have the same effect as an amendment to the use provisions of the applicable zone. A copy of the updated list shall be given to each planning commissioner at the next regularly scheduled planning commission meeting following their determination that the unlisted use is a similar use and shall be available to the public on request. Annually, all copies of this title shall be updated to include the unlisted uses approved as similar uses during the previous year. (Ord. 634 §1 Exh. A (part), 1995)

17.43.040 Limitation. The planning commission shall not authorize an unlisted use in a zoning district if the use is specifically listed in another zone as either a permitted use or a conditional use. (Ord. 634 §1 Exh. A (part), 1995)

17.43.050 Approval criteria. A. The planning commission shall approve or deny an unlisted use application based on findings that:

A. The use is consistent with the intent and purpose of the applicable zoning district;

B. The use is similar to and of the same general type as the uses listed in the zoning district;

C. The use has similar intensity, density, off-site impacts and impacts on community facilities as the uses listed in the zoning district. (Ord. 634 §1 Exh. A (part), 1995)

