

ORDINANCE NO. 1294

AN ORDINANCE OF THE CITY OF REDLANDS ADOPTING AMENDMENT NO. 59
TO ZONING ORDINANCE NO. 1000 OF THE CITY OF REDLANDS

THE CITY COUNCIL OF THE CITY OF REDLANDS DOES ORDAIN:

Section One: That Zoning Ordinance No. 1000 of the City of Redlands is hereby amended as follows:

SECTION 52.00 - CONDITIONAL USE PERMITS

The purpose of the Conditional Use Permit is to provide a procedure whereby certain uses that contribute to the orderly growth and development of the city may be properly integrated into the overall community pattern and district in which located.

Whenever it is stated in this ordinance that certain uses may be permitted subject to securing a Conditional Use Permit, it shall mean the permitting of these uses in a district in which they are listed subject to approval of a Conditional Use Permit, uses in a district in which they are not specifically listed and are determined to be necessary for the orderly development of the community, and uses which are indicated on the General Plan. In recommending the granting of the permit, the Commission shall recommend certain conditions which it determines will tend to safeguard the health, safety and general welfare in the district.

Uses existing on the effective date of this Ordinance which are listed as permitted subject to Conditional Use Permit may continue without securing such a Permit; however, any extension or expansion of such use shall comply with provisions of this Section.

A. USES PERMITTED SUBJECT TO CONDITIONAL USE PERMIT

1. Uses listed in the zones as "Uses Permitted Subject to Conditional Use Permit" may be permitted in said zones pursuant to the provisions of this Section.
2. The following uses may be permitted pursuant to the provisions of this Section in any zone except where expressly prohibited, when such uses are determined by both the commission and council to be essential or desirable for the public welfare and convenience and in conformity with the General Plan and its objectives:
 - a. Airport and heliport.
 - b. Cemeteries, columbariums, mausoleums.
 - c. Churches.
 - d. Civic and community clubs.
 - e. Development of natural resources (excluding drilling for or producing oil, gas or other hydrocarbon substances or the production of rock and gravel) together with the necessary buildings, apparatus or appurtenances incident thereto.
 - f. Educational institutions (public or private).
 - g. Golf courses (excepting driving ranges, miniature courses and similar uses).
 - h. Governmental enterprises.
 - i. Hospitals and medical clinics.
 - j. Neighborhood stores and shopping centers.

- k. Planned residential developments having a gross acreage of not less than five acres, provided they comply with the density and property development standards of the particular zone in which located.
- l. Public utility structures and service facilities.

B. APPLICATION PROCEDURE

General Criteria

- 1. Applicant must be the property owner or an authorized agent of the owner.
- 2. Responsibility for the posting of bonds, fulfilling of city requirements for both ON and OFF-SITE improvements rests with the applicant.
- 3. Prior to the issuance of any building permit the applicant shall complete and file with the planning department a FINAL APPROVAL FORM within the approved time limit or any extension granted thereof.

Application

- 1. A signed application and payment of \$75.00 plus \$1.00 per lot or \$5.00 per acre shall be submitted to the Planning Department accompanied by 15 copies of the site development plan and elevations.
- 2. The site plan shall be prepared to scale showing accurately, and with complete dimensioning, all buildings proposed for the parcel. The data contained on said plan shall include information on all buildings, structures, signs, parking, landscaping, walls or fences, and the points of ingress and egress. In addition, all necessary information to clearly define the intended use of the property and its relationship to adjacent properties shall be included.

Requirements

- 1. Dedication for streets, alleys and drainage and easements for public utilities, bridle trails, flood control, and such other rights of way as may be essential to the orderly development of the site and abutting properties.
- 2. Improvements:
 - a. Grading, drainage and drainage structures necessary to protect the public safety.
 - b. Curbs and gutters.
 - c. Sidewalks.
 - d. Street pavement.
 - e. Adequate domestic water service.
 - f. Sanitary sewer facilities and connections.
 - g. Services from public utilities where provided.
 - h. Street trees.
 - i. Street lights and street name signs.

- j. All water lines are to be laid and fire hydrants installed pursuant to plans and specifications of the Public Works Department of the City of Redlands.
- k. In addition to the aforesaid minimum improvements, the Planning Commission shall recommend, and the City Council shall require, such additional improvements and facilities as determined necessary for the proper development of the site and area.

Scope

In cases where the Planning Department considers the application not within the scope of the Conditional Use Permit procedure, the applicant will be so informed, whereupon if the application is accepted, it shall be signed by the applicant to the effect that he was so informed.

C. FINDINGS AND CONDITIONS

The commission, in approving a Conditional Use Permit, shall find as follows:

1. That the use applied for at the location set forth in the application is properly one for which a Conditional Use Permit is authorized by this Ordinance.
2. That the said use is necessary or desirable for the development of the community, is in harmony with the various elements or objectives of the General Plan, and is not detrimental to existing uses or to uses specifically permitted in the zone in which the proposed use is to be located.
3. That the site for the intended use is adequate in size and shape to accommodate said use and all of the yards, setbacks, walls or fences, landscaping and other features required in order to adjust said use to those existing or permitted future uses on land in the neighborhood.
4. That the site for the proposed use relates to streets and highways properly designed and improved to carry the type and quantity of traffic generated or to be generated by the proposed use.
5. That the conditions set forth in the permit and shown on the approved site plan are deemed necessary to protect the public health, safety, and general welfare. Such conditions may include:
 - a. Regulation of use.
 - b. Special yards, spaces and buffers.
 - c. Fences and walls.
 - d. Surfacing of parking areas subject to city specifications.
 - e. Regulation of points of vehicular ingress and egress.
 - f. Regulation of signs.
 - g. Required landscaping and maintenance thereof.
 - h. Regulation of noise, vibration, odors and lights.
 - i. Regulation of time for certain activities.

- j. Duration of use.
- k. And such other conditions as will make possible the development of the City in an orderly and efficient manner and in conformity with the intent and purposes set forth in this Ordinance.

D. PUBLIC HEARING DATE AND NOTICE

1. A public hearing shall be held by the Planning Commission on the nearest scheduled meeting date not less than twenty-one days after the filing of the application.
2. Notice shall be published in a newspaper of general circulation not less than ten (10) days before the date set for the Planning Commission hearing. The notice shall contain all data related to the case.
3. Notices shall be mailed not less than five (5) days prior to the date of the meeting to owners of property within a radius of three hundred (300) feet of the external boundaries of the property described in the application, using for this purpose the name and address of such owners as are shown on the latest official tax roll of the County of San Bernardino. Such notice shall contain all pertinent data related to the case.

E. DECISIONS BY COMMISSION

The commission shall make its findings, in writing, to the City Council within forty (40) days after the date of hearing and shall forthwith transmit a copy thereof to the applicant and to the Council. If the Commission fails to report within the time designated herein, it shall lose jurisdiction and the applicant may appeal to the Council.

F. CONDITIONS TO APPROVAL

In its report to the Council, the Commission shall set forth such conditions as it deems necessary and reasonable to protect the best interests of the surrounding property or neighborhood, the General Plan or the intent thereof. The City Council, after receipt of the report and findings, may either approve, modify or reject the same.

G. TIME LIMIT FOR DEVELOPMENT

The Commission shall establish an initial time limit of one (1) year within which the subject property and use shall be developed. An extension of said time limit not to exceed one year may be granted upon demonstration of cause by the applicant. Failure to develop within the approved time limit shall forfeit all rights to develop and require a new application.

H. REVISIONS TO SITE PLAN APPROVED AS PART OF CONDITIONAL USE PERMIT

1. Minor revisions to a site plan approved as part of a Conditional Use Permit may be made after review and approval by the Commission. Minor revisions are hereby defined as revisions which in no way violate the intent or any of the standards of conditions of the permit or of the zone.

2. Revisions other than minor revisions, as defined above, shall be made pursuant to the regular Conditional Use Permit procedure set forth in this section.
3. All copies of the approved revised site plan shall be dated and signed by the Planning Department and made a part of the record of the subject Conditional Use Permit. One (1) copy of said approved revised site plan shall be mailed to the applicant.

I. REVOCATION OR VOIDING OF CONDITIONAL USE PERMIT

1. The Council, with or without a recommendation from the commission, may, after notice and public hearing, revoke any Conditional Use Permit for non-compliance with any of the conditions set forth in granting said permit.
2. Notice
 - a. Notice shall be mailed to the record owner or lessee of the subject property not less than twenty (20) days prior to giving public notice. Said notice shall state the complaint and shall request appearance by said owner or lessee at the time and place specified for the hearing to show cause why the permit should not be revoked.
 - b. Public notice shall be given as provided in subsection D-2, 3 of this section.
3. Within ten (10) days after the public hearing, the Council shall by resolution revoke or modify the Conditional Use Permit. After revocation, the subject property shall conform to all regulations of the zone in which it is located.
4. Non-use or cessation of a use granted herein for a period of one (1) calendar year shall terminate the use permit granted. No notice need be given nor hearing held.

J. REAPPLICATION

No person shall re-apply for a similar Conditional Use Permit for the same land, building, or structure within a period of six (6) months from the date of the denial of the application.

K. EXISTING PERMITS

Any Conditional Use Permit granted pursuant to any zoning ordinance enacted prior to the effective date of this Ordinance shall be construed to be a Conditional Use Permit under this Ordinance subject to all conditions imposed in such permit unless otherwise provided herein. Such permit may, however, be revoked or voided as provided in Subsection I.

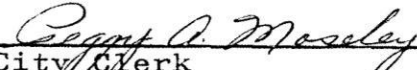
Section Two: This ordinance shall be in force and take effect as provided by law.

Section Three: The City Clerk shall certify to the adopting of this ordinance and cause the same to be published once in the Redlands Daily

Facts, a newspaper of general circulation printed and published in this City.

ATTEST:


s/ Waldo F. Burroughs
Mayor of the City of Redlands


City Clerk

APPROVED FOR FORM:

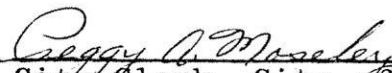
s/ Edward F. Taylor
City Attorney

I hereby certify that the foregoing Ordinance was adopted by the City Council of the City of Redlands at a regular meeting thereof held on the 15th day of June, 1965 by the following vote:

AYES: Councilmen Wagner, Hartzell, Cummings; Mayor Burroughs

NOES: None

ABSENT: Councilman Martinez


City Clerk, City of Redlands

I, Peggy A. Moseley, City Clerk of the City of Redlands, do hereby certify that this is a true and correct copy of the original of said ordinance which is in my custody as an official record of the City of Redlands.

City Clerk, City of Redlands