

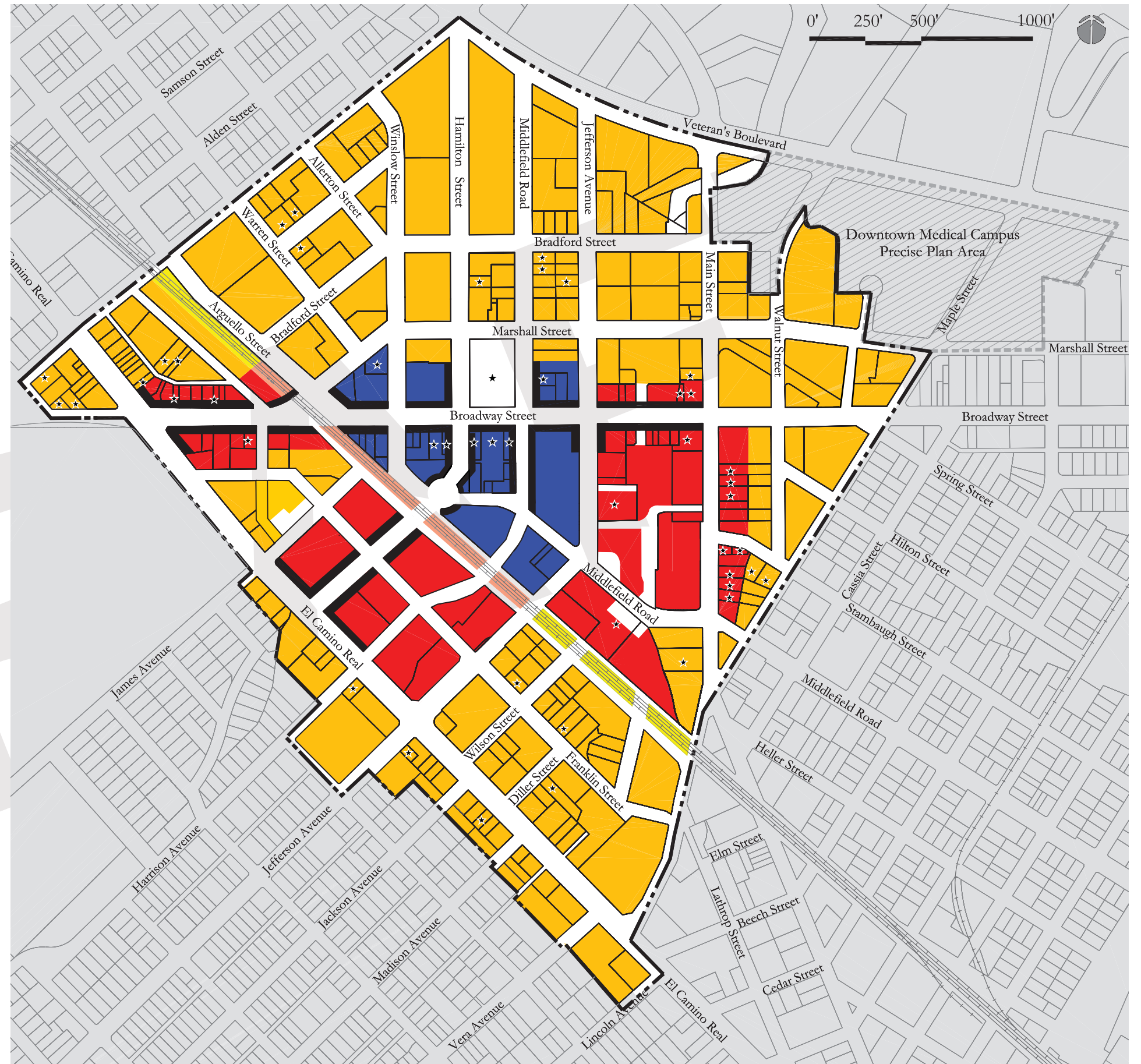
2.2. USE REGULATIONS

This section of the Downtown Precise Plan shall regulate land use in order to minimize conflicts between uses while maximizing economic and social vitality in the area.

While the entire Downtown is intended to be a lively, mixed-use area, permitted uses do vary slightly within the DTPP Area, by location. To regulate these variations, the Downtown Precise Plan Area has been broken into “Use Zones” as shown on the Use Regulations Map. Uses have been organized into “Use Groups,” and use groups are permitted or not permitted by Use Zone as shown on the Use Regulations Chart.



MAP LEGEND

- Entertainment District
- Downtown Core
- Downtown General
- Downtown Core Railroad
- Downtown General Railroad
- Active Ground Floor Uses Required (See Chart)
- ★ Historic Resources



USE REGULATIONS MAP

USE REGULATIONS CHART

Use Zones (Sec. 2.2.1)	Entertainment District		Downtown Core		Downtown General	Downtown Core - Railroad	Downtown General - Railroad
	Typical	Along 	Typical	Along 			
	Permitted Use Groups (Sec. 2.2.3)						
Entertainment	Conditional	Conditional	---	---	---	Conditional	---
Anchor Retail	Permitted	Permitted	Permitted	Permitted	---	---	---
General Retail	Permitted - G	Permitted - G	Permitted - G	Permitted - G	---	Permitted	---
Neighborhood Retail	Permitted - G	Permitted - G	Permitted - G	Permitted - G	Permitted - G	Permitted	---
Corner Store Retail	Permitted - G	Permitted - G	Permitted - G	Permitted - G	Permitted - G	Permitted	---
Personal & Business Services	Permitted	Permitted	Permitted	Permitted	Permitted	Permitted	Permitted
Health and Recreation	Permitted	Permitted - U	Permitted	Permitted - U	Permitted	Permitted	Permitted
Banks and Financial Institutions	---	---	Permitted	Permitted	Permitted	Permitted	Permitted
Office	Permitted	Permitted - U	Permitted	Permitted - U	Permitted	Permitted	Permitted
Workshop	---	---	---	---	---	Permitted	Permitted
General Residential	Permitted	Permitted - U	Permitted	Permitted - U	Permitted	---	---
Specialized Residential	---	---	---	---	Permitted	---	---
Lodging	Permitted	Permitted - U	Permitted	Permitted - U	Permitted	---	---
Live-Work	---	---	Permitted	Permitted - U	Permitted	---	---
Civic	---	---	Permitted	Permitted - U	Permitted	---	---
Conditional Uses	Conditional	---	Conditional	---	Conditional	Conditional	Conditional
Maximum Establishment Length (Sec. 2.2.4)							
Entertainment	100'	50'	N/A	N/A	N/A	N/A	N/A
Anchor Retail	100'	50'	100'	50'	N/A	N/A	N/A
General Retail	75'	50'	75'	50'	N/A	25'	N/A
Neighborhood Retail	25'	25'	25'	25'	25'	25'	N/A
Corner Store Retail	25'	25'	25'	25'	25'	25'	N/A
Personal & Business Services	25'	25'	25'	25'	25'	25'	25'
Health and Recreation	25'	25'	25'	25'	25'	25'	25'
Banks and Financial Institutions	N/A	N/A	25'	25'	25'	25'	25'
Office	25'	25'	25'	25'	25'	25'	25'
Workshop	N/A	N/A	N/A	N/A	N/A	25'	25'
General Residential	25'	25'	25'	25'	25'	N/A	N/A
Specialized Residential	N/A	N/A	N/A	N/A	25'	N/A	N/A
Lodging	25'	25'	25'	25'	25'	N/A	N/A
Live-Work	N/A	N/A	25'	25'	25'	N/A	N/A
Civic	N/A	N/A	25'	25'	25'	N/A	N/A
Conditional Uses	N/A	N/A	25'	25'	25'	25'	25'

Legend:

Permitted : These use groups are permitted on all floors, by right, as indicated.

Permitted - G : These use groups are allowed on the ground floor only, by right, as indicated.

Permitted - U : These use groups are allowed on upper floors, by right, but are prohibited on the ground floor, as indicated.

--- : These use groups are not permitted, as indicated.

Conditional: These uses may or may not be permitted, subject to conditions, as indicated.

N/A: These regulations are not applicable, as indicated.

2.2.1. USE ZONES

The following Use Zones are established to regulate permitted uses (see Use Regulations Map).

A) Entertainment District (ED)

- This area is intended to be the focus of entertainment and major retail activity and the most intense streetlife, and uses in this zone are intended to support that goal.
- Includes parcels and portions of parcels as designated on the Use Zones Map.

B) Downtown Core (DC)

- This area is intended to be the focus of major retail activity and the most intense streetlife, and uses in this zone are intended to support that goal.
- Includes parcels and portions of parcels as designated on the Use Zones Map.
- At frontages with a heavy black line, permitted use groups differ from typical Downtown Core permitted use groups as indicated in the Use Regulations Chart.

C) Downtown General (DG)

- This area is intended to be a vibrant mixed-use residential neighborhood and office district, and uses in this zone are intended to support that goal.
- Includes parcels and portions of parcels as designated on the Use Zones Map.

D) Downtown Core – Railroad (DC-RR)

- In the event of the elevation of the Caltrain railroad tracks, the area underneath the track structure is intended to function as an extension of the Downtown Core Use Zone, and uses in this zone are intended to support that goal.
- Includes parcels and portions of parcels as designated on the Use Zones Map.

E) Downtown General – Railroad (DG-RR)

- In the event of the elevation of the Caltrain railroad tracks, the area underneath the track structure is intended to function as an extension of the Downtown General Use Zone, and uses in this zone are intended to support that goal.
- Includes parcels and portions of parcels as designated on the Use Zones Map.

2.2.2. GENERAL USE REGULATIONS

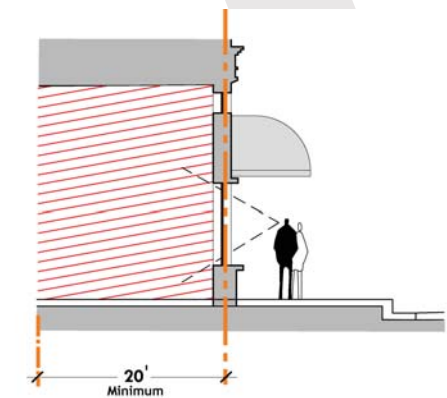
The following standards and guidelines shall apply to all uses.

1. Standards

- All permitted uses for a single Use Zone are allowed either alone or in combination with any other permitted uses within a parcel.
- The following uses are prohibited in all Use Zones and Use Groups:
 - Drive-ups and drive-thrus
 - Hospitals
 - Check cashing stores
 - Industrial uses
 - Jails, penitentiaries, and other incarceration facilities
 - City or county corporation yards, or other such outdoor facilities used for the storage of fleet vehicles, equipment, and materials
 - All other uses not expressly listed in this section as permitted uses and which are not deemed by the PHED Director/Designee to meet the intent of the plan.
- All uses shall provide necessary space on-site, within an enclosure or a trash room, for all trash storage and recycling storage needs related to the use. Trash storage facilities or containers shall not be allowed on public streets, plazas, or parking lots.
- Historic resources, as designated on the Use Regulations Map, shall always be treated as “Typical” in determining permitted uses.
- Adult entertainment establishments shall conform to the requirements of Article 27 of the Zoning Ordinance.
- Accessory uses, not otherwise listed in the Permitted Use Groups, or prohibited in General Use Regulations, may be permitted provided that the accessory use remains incidental to the primary use and is determined to be consistent with the same general character and purpose of the Use Zone. Determination of consistency shall be at the discretion of the PHED Director/Designee.
- Temporary uses, which shall be defined as those uses in place for 90 days or less and which maintain consistency with the permitted use and are clearly ancillary to the permitted use, are subject to the Conditional Use provisions as stated below in Section 2.2.5.

2. Guidelines

- To strengthen the retail vitality and economic base of the Downtown and to further enhance the pedestrian experience, the following guideline will apply to all use groups except General Residential and Specialized Residential: Windows on the ground level building façade facing a street should be used to display consumer goods and/or services. Windows not used to display consumer goods should provide a view into the building of not less than twenty (20) feet. Ground floor uses should be arranged in such a manner as to be inviting to the general public. Ground floor uses and the lay-out of interior spaces should not result in visual obstructions, which prevent views into the ground floor spaces.



UNOBSTRUCTED VIEW REQUIRED

2.2.3. PERMITTED USE GROUPS

For the purposes of this Plan, all permitted uses have been classified into “use groups,” which are described below. They include permitted uses for each group, as well as special conditions for other aspects of their development, such as size and location. All uses listed are permitted where their relevant use group is indicated on the Use Regulations Chart and Use Regulations Map, provided they comply with any special conditions listed below.

A) Entertainment

1. Standards

- a. The following uses are permitted as part of the Entertainment use group:
- Movie theaters
 - Performing arts theaters
 - Music venues
 - Sports venues
 - Dance halls
 - Bars and nightclubs
 - Establishments serving alcoholic beverages not clearly ancillary to food service.
 - Establishments with music and/or dancing not clearly ancillary to food service.
 - Other similar and compatible uses deemed by the PHED Director/Designee to meet the purpose and intent of the Plan.
- b. The following special conditions shall apply to uses in the Entertainment use group:
- Entertainment uses shall be accessed by Storefront or Grand Marquee Private Frontage (see Section 2.8.4).
 - Each individual establishment must have a dedicated entrance which faces street or public open space.
- c. Conditional Uses must obtain a Use Permit, which shall be acted upon by the Zoning Administrator in accordance with the procedure set forth in Section 2.2.5.

2. Guidelines

There are no Entertainment use group guidelines.

B) Anchor Retail

1. Standards

- a. The following uses are permitted as part of the Anchor Retail use group:
- Department stores (50,000 square feet in size or larger)
 - Other similar and compatible uses deemed by the PHED Director/Designee to meet the purpose and intent of the Plan.

- b. The following special conditions shall apply to uses in the Anchor Retail use group:
- Anchor Retail uses shall be accessed by Storefront Private Frontage (see Section 2.8.4).
 - Each individual establishment must have a dedicated entrance which faces street or public open space.
 - The serving of alcohol must be clearly ancillary to the primary use.

2. Guidelines

There are no Anchor Retail use group guidelines.

C) General Retail

1. Standards

- a. The following uses are permitted as part of the General Retail use group:
- Department stores (less than 50,000 square feet in size)
 - Bookstores
 - Consumer electronics stores
 - Convenience stores
 - General merchandise sales
 - Specialty food retail
 - Specialty goods retail
 - Quality goods and services
 - Restaurants
 - Beverage vendors serving coffee, smoothies, juices, and other non-alcoholic beverages.
 - Arcades
 - Billiard rooms
 - Art galleries and display spaces with a retail component.
 - Other similar and compatible uses deemed by the PHED Director/Designee to meet the purpose and intent of the Plan.

- b. The following special conditions shall apply to uses in the General

Retail use group:

- General Retail uses shall be accessed by Storefront or Storefront with Dining Alcove Private Frontage (see Section 2.8.4).
- Each individual establishment must have a dedicated entrance which faces street or public open space.
- The serving of alcohol must be clearly ancillary to the primary use.
- Music and dancing must be clearly ancillary to the primary use.

2. Guidelines

- a. Chairs and tables for outdoor dining and carts for merchant display may be permitted in the public right-of-way (i.e. in sidewalk areas) provided that the use maintains a minimum five-foot wide unobstructed portion of sidewalk corridor adjacent to the building which is clear and unimpeded for pedestrian traffic, and the use keeps the full width of the building entrance clear and unimpeded for building access.
- b. Outdoor furniture, including, but not limited to, chairs, tables, umbrellas, heat lamps, windscreens, busing stations, partitions, planters, etc, shall not be permanently fixed into the public right-of-way (i.e. sidewalk areas) without prior approvals from the City (i.e. a revocable encroachment permit issued by the Building Infrastructure and Transportation Department and/or the City Council).

D) Neighborhood Retail

1. Standards

- a. The following uses are permitted as part of the Neighborhood Retail use group:
- Grocery stores
 - Pharmacies
 - Other similar and compatible uses deemed by the PHED Director/Designee to meet the purpose and intent of the Plan.
- b. The following special conditions shall apply to uses in Neighborhood Retail use group:
- Neighborhood Retail uses shall be accessed by Storefront Private Frontage (see Section 2.8.4).
 - Each individual establishment must have a dedicated entrance which faces street or public open space.
 - Neighborhood Retail establishments must be located in a multi-tenant building mixed-use, not in stand-alone structures.

2. Guidelines

There are no Neighborhood Retail use group guidelines.

E) Corner Store Retail

1. Standards

- a. The following uses are permitted as part of the Corner Store Retail use group:
 - Cafes
 - Food sales
 - Video rental & sales
 - Florists
 - Dry cleaners
 - Laundromats
 - Copy shops
 - Office supply sales
 - Photo developing
 - Other similar and compatible uses deemed by the PHED Director/Designee to meet the purpose and intent of the Plan.
- b. The following special conditions shall apply to uses in the Corner Store Retail use group:
 - Corner Store Retail uses shall be accessed by Storefront or Storefront with Dining Alcove Private Frontage (see Section 2.8.4).
 - Each individual establishment must have a dedicated entrance which faces street or public open space.
 - Corner Store Retail establishments may not exceed 2,500 s.f. in floor area. Exceptions may be made for establishments which are unique and not already provided within 1 mile trade area.
 - Corner Store Retail establishments must be located in a multi-tenant building mixed-use, not in stand-alone structures.
 - Corner Store Retail must be located on the corner of a block.

2. Guidelines

There are no Corner Store Retail use group guidelines.

F) Personal & Business Services

1. Standards

- a. The following uses are permitted as part of the Personal and Business Services use group:
 - Computer supply shops
 - Office supply shops
 - Photocopy shops
 - Photo finishers
 - Print shops
 - Photography studios
 - Travel agencies
 - Hair and nail salons
 - Spas
 - Barber shops
 - Shoe repair
 - Other similar and compatible uses deemed by the PHED Director/Designee to meet the purpose and intent of the Plan.
- b. The following special conditions shall apply to uses in the Personal and Business Services use group:
 - Personal and Business Services uses shall be accessed by Storefront or Common Entry Private Frontage (see Section 2.8.4).
 - There shall be no sales or storage of heavy equipment.

2. Guidelines

There are no Personal and Business Services use group guidelines.

G) Health and Recreation

1. Standards

- a. The following uses are permitted as part of the Health and Recreation use group:
 - Health and exercise establishments
 - Bowling

2. Guidelines

There are no Health and Recreation use group guidelines.

H) Banks and Financial Institutions

1. Standards

- a. The following uses are permitted as part of the Banks and Financial Institutions use group:
 - Banks
 - Credit unions
 - Financial institutions
 - Other similar and compatible uses deemed by the PHED Director/Designee to meet the purpose and intent of the Plan.
- b. The following special conditions shall apply to uses in the Banks and Financial Institutions use group:
 - Banks and Financial Institutions uses shall be accessed by Storefront or Common Entry Private Frontage (see Section 2.8.4).
 - New banks or financial institutions located along Broadway shall not be located within 200 ft. of other existing banks or financial institutions along Broadway.

2. Guidelines

There are no Banks and Financial Institutions use group guidelines.

I) Office

1. Standards

- a. The following uses are permitted as part of the Office use group:
 - Business and professional offices

- Roller-skating and ice-skating rinks
- Other similar and compatible uses deemed by the PHED Director/Designee to meet the purpose and intent of the Plan.
- b. The following special conditions shall apply to uses in the Health and Recreation use group:
 - Health and Recreation uses shall be accessed by Storefront or Common Entry Private Frontage (see Section 2.8.4).

- Data/telecommunication offices
- Educational and instructional facilities
- Exhibition, convention or other commercial assembly facilities
- Medical and dental offices
- Health clinics
- Real estate agencies and general finance offices
- Insurance agencies and tile companies
- Research & development offices
- Indoor veterinary clinics
- Other similar and compatible uses deemed by the PHED Director/Designee to meet the purpose and intent of the Plan.

- b. The following special conditions shall apply to uses in the Office use group:
- Office uses shall be accessed by Storefront or Common Entry Private Frontage (see Section 2.8.4).

2. Guidelines

There are no Office use group guidelines.

J) Workshop

1. Standards

- a. The following uses are permitted as part of the Workshop use group:
- Work activities for the making of arts and crafts, including painting, graphic production, photography, print, ceramics, sculpture, needlework, tapestry making, pottery making, hand weaving.
 - Work activities that require hazardous assembly, including fabrication, manufacturing, repair or processing operations such as welding and woodworking (with more than three fixed pieces of equipment), in accordance with all applicable safety regulations.
 - Other similar and compatible uses deemed by the PHED Director/Designee to meet the purpose and intent of the Plan.

- b. The following special conditions shall apply to uses in the Workshop use group:
- Workshop uses shall be accessed by Storefront or Common Entry Private Frontage (see Section 2.8.4).
 - Permitted work activities shall be classified as a business and shall be subject to all applicable City, County and State regulations.

2. Guidelines

There are no Workshop use group guidelines.

K) General Residential

1. Standards

- a. The following uses are permitted as part of the General Residential use group:
- Attached Single-family residential
 - Multi-family residential
 - Group homes, as defined and regulated by all applicable state and local laws
 - Other similar and compatible uses deemed by the PHED Director/Designee to meet the purpose and intent of the Plan.
- b. The following special conditions shall apply to uses in the General Residential use group:
- General Residential uses shall be accessed by Common Entry, Stoop, Recessed Stoop, or Porch Private Frontage (see Section 2.8.4).

2. Guidelines

There are no General Residential use group guidelines.

L) Specialized Residential

1. Standards

- a. The following uses are permitted as part of the Specialized Residential use group:
- Senior citizen residential facilities
 - Boarding houses and dormitories
 - Assisted living facilities (not including skilled nursing facilities)

- Other similar and compatible uses deemed by the PHED Director/Designee to meet the purpose and intent of the Plan.
- b. The following special conditions shall apply to uses in the Specialized Residential use group:
- Specialized Residential uses shall be accessed by Common Entry Private Frontage (see Section 2.8.4).

2. Guidelines

There are no Specialized Residential use group guidelines.

M) Lodging

1. Standards

- a. The following uses are permitted as part of the Lodging use group:
- Hostels
 - Hotels
 - Bed & Breakfast
 - Other similar and compatible uses deemed by the PHED Director/Designee to meet the purpose and intent of the Plan.
- b. The following special conditions shall apply to uses in the Lodging use group:
- Lodging uses shall be accessed by Grand Portico or Common Entry Private Frontage (see Section 2.8.4).

2. Guidelines

There are no Lodging use group guidelines.

N) Live/Work

1. Standards

- a. The following uses are permitted as part of the Live/Work use group:
- Residential living space that also includes an integrated work space principally used by one or more residents: Work activity shall be limited to offices, the making of arts and crafts, including painting, graphic production, photography, print, ceramics, sculpture, needlework, tapestry making, pottery making, hand weaving and other activities compatible with residential use. Work activities that require hazardous assembly, including fabrication, manufacturing, repair or processing operations such as

welding and woodworking (with more than three fixed pieces of equipment) will also be permitted in accordance with all applicable safety regulations.

- Other similar and compatible uses deemed by the PHED Director/Designee to meet the purpose and intent of the Plan.
- b. The following special conditions shall apply to uses in the Live/Work use group:
- Live/Work uses shall be accessed by Storefront or Common Entry Private Frontage (see Section 2.8.4).
 - Permitted work activities shall be classified as a business and shall be subject to all applicable City, County and State regulations.
 - Once established, Live/Work spaces may not be converted to a solely commercial or business use. However, Live/Work units may revert to solely residential use.

2. Guidelines

There are no Live/Work use group guidelines.

O) Civic

1. Standards

- a. The following uses are permitted as part of the Civic use group:
- Governmental administrative offices
 - Libraries
 - Fire and police stations
 - Schools and other educational facilities
 - Churches and other places of worship
 - Community centers, senior centers, teen centers
 - Childcare facilities
 - Transit stations, terminals, and other facilities
 - Other similar and compatible uses deemed by the PHED Director/Designee to meet the purpose and intent of the Plan.

- b. The following special conditions shall apply to uses in the Civic use group:
- Civic uses shall be accessed by Grand Portico or Common Entry Private Frontage (see Section 2.8.4).

2. Guidelines

There are no Civic use group guidelines.

P) Conditional Uses

1. Standards

- a. The following uses are permitted as part of the Conditional Uses use group subject to first securing a Use Permit:
- Liquor stores
 - Sale of second-hand items, including pawn shops and used clothing shops
 - Massage parlors, tanning salons, waxing shops, and other businesses which require the client to disrobe
 - Bail bonds offices
 - Social service facilities
 - Temporary Uses
 - Other uses deemed by the PHED Director/Designee to meet the purpose and intent of the Plan.
- b. Conditional Uses shall be accessed by the most compatible Private Frontage type, as determined by the PHED Director/Designee (see Section 2.8.4).
- c. Conditional Uses must obtain a Use Permit, which shall be acted upon by the Zoning Administrator in accordance with the procedure set forth in Section 2.2.5.

2. Guidelines

There are no Conditional Uses use group guidelines.

2.2.4. MAXIMUM ESTABLISHMENT LENGTH

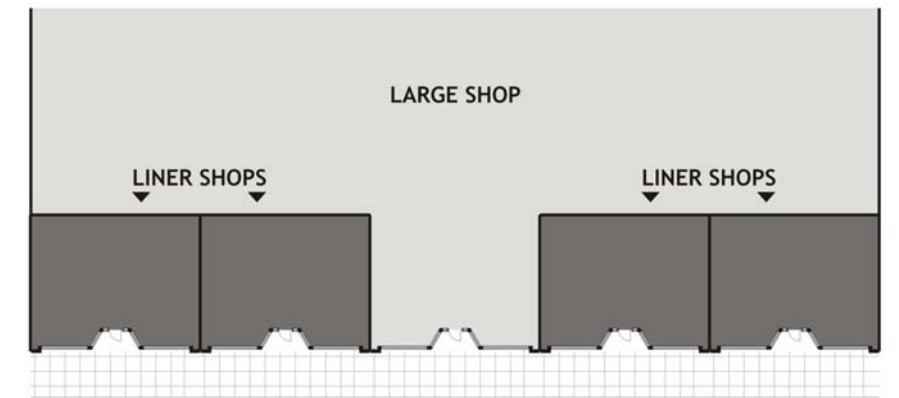
In order to foster the most dynamic, interesting, and vibrant pedestrian activity possible, it is important to ensure that large stretches of sidewalks are not dominated by one ground floor use. When one establishment dominates too large of an area, coming and going activity is focused on a narrow geographic area, leaving the remainder dull and underused. Furthermore, each business tends to have its own unique pattern of busy hours and slow hours—therefore a fine-grained mix of ground floor establishments can help to avoid significant lulls in activity for a given area during significant parts of the day or week.

1. Standards

- a. No individual ground floor establishment may occupy a greater length of frontage than indicated for its Use Group on the Use Regulations Chart. For corner establishments, each street frontage shall be measured separately, and the establishment may occupy up to the maximum length of frontage on each street.

2. Guidelines

- a. Large ground floor establishments should be wrapped with smaller “liner shops.” Liner shops should be at least 20 feet deep to ensure financial viability.



LINER SHOPS

2.2.5. USE PERMIT PROCESS

Use Permits shall be acted upon by the Zoning Administrator in accordance with the following procedure:

1. Standards

- a. **Application.** Applications shall be filed with the Planning, Housing, & Economic Development Department by the owner of the property affected or his/her agent. Every application shall be accompanied by a reasonable filing fee or cost recovery deposit, as applicable, in an amount as may be established by resolution of the Council. Filing fees shall not be refundable. Cost recovery deposits are billed on a time and materials basis, with any remaining portion of the deposit to be refunded at the conclusion of the entitlement process. The application shall include such legal descriptions, maps or plats, drawings, and other reasonable, pertinent information as may be required by the Zoning Administrator.
- b. **Zoning Administrator Action.** The Zoning Administrator shall grant, or conditionally grant the Use Permit applied for only if he or she finds that the establishment, maintenance, or operation of the use applied for would not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood of such proposed use or would not be detrimental or injurious to property or improvements in the neighborhood or to the general welfare of the City.
- c. **Conditions.** (a) The Zoning Administrator may attach such conditions or requirements, in addition to those expressly provided for in this ordinance, as the Zoning Administrator finds necessary to obtain the objectives and purposes of this ordinance or necessary to protect adjacent properties or the public interest. (b) A Use Permit may be granted for a fixed period of time and shall automatically terminate on the expiration of that period. (c) Any Use Permit may be amended by the Zoning Administrator after an opportunity to be heard by the Zoning Administrator has been provided.
- d. **Public Hearing.** No public hearing need be held on any Use Permit application or amendment thereto, provided that a public hearing may be held by the Zoning Administrator when he deems such hearing to be desirable or necessary in the public interest. Notice of any public hearing shall be given as provided in Article 49. Not less than three (3) days prior to the date any Use Permit application in any R-1, R-2, or RH District is acted upon, the owners of all properties abutting the parcel in connection with which the application is made shall be notified of the application either personally or by the mailing of written notice addressed to said owners at the address shown on the latest County assessment roll.
- e. **Expiration.** (a) In any case where a Use Permit has not been used within one (1) year from the date of granting by beginning of construction of the improvements or by the initiation of the activity which is the subject of the Use Permit, the permit shall automatically terminate and be of no further effect. (b) In the event any use for which a Use Permit is required ceases for a continuous period of six (6) months, the Use Permit shall automatically expire, and the use shall not be initiated again except upon securing a new Use Permit.

- f. **Reapplication.** (a) No application for a Use Permit shall be considered within one (1) year after final action taken in denying a previous application relating to the same subject matter. (b) Applications shall be deemed to relate to the same subject matter if both of the following factors exist: (1) The same parcel of land affected by the former application is the subject of the later application. (2) The nature of the use applied for is substantially similar to the use applied for in the former application. (c) Determination of what constitutes the same subject matter and what date is the date of final action shall be made by the Zoning Administrator.
- g. **Revocation.** (a) Any Use Permit may be revoked by the Council if any of the conditions or requirements of a permit issued are violated or if any of the conditions or requirements of this ordinance are violated, and the use permitted by the Use Permit shall thereupon be terminated, provided that such revocation shall not require the removal or elimination of any structure constructed in accordance with the Use Permit. Further use of such a structure shall be made only in accordance with the applicable district regulations. (b) Any Use Permit may be revoked if the Council deems the continuance of the Use Permit would be detrimental to the health, safety, morals, comfort, and general welfare of the persons residing or working in the vicinity of such use, or would be injurious or detrimental to property and improvements in the vicinity or to the general welfare of the City, and the use shall thereupon become a nonconforming use. (c) In lieu of revocation, additional conditions may be established on an existing permit.
- h. **Revocation Procedure.** (a) The Council shall initiate revocation proceedings by directing the Zoning Administrator to give written notice to the permittee that a public hearing will be held thereon by the Zoning Administrator. Such notice shall be given at least ten (10) days prior to the time of the hearing and shall specify the grounds upon which revocation proceedings will be conducted. (b) The Zoning Administrator shall, within five (5) days after the conclusion of the public hearing, prepare a report of findings and recommendations and shall transmit them to the Council. (c) A public hearing shall be held by the Council after the giving of ten (10) days' notice to the permittee. A copy of the report of the Zoning Administrator's findings and recommendations shall be given to the permittee at least ten (10) days prior to the hearing. (d) From and after the giving of notice that a public hearing by the Zoning Administrator will be held to revoke a Use Permit, no construction of any structures on the parcel subject to the Use Permit shall thereafter be commenced pending a final determination on the matter. This provision shall not apply to any structure upon which construction has already begun or to any structure for which no Use Permit is necessary.
- i. **Permit Continuity.** Use Permits issued prior to the adoption of this ordinance or Use Permits issued prior to the adoption of any district change or other amendment under this ordinance shall remain in full force and effect notwithstanding such change in zoning, subject to the provisions of Section 42.6, provided that the use or other condition for which the permit was granted is conditionally permitted under the applicable new district regulations. In the event the permit was subject to limitations or conditions, such limitations or conditions shall also remain in full force and effect and shall be complied with in addition to all regulations and requirements applicable to the zoning established under this ordinance.

2. Guidelines

There are no Use Permit Process guidelines.