

Community Residence Distance Waiver

Required Documents

One hard copy and one electronic copy of the following:

Required

- Mandatory Pre-Application Meeting
- Application Fee: \$1,200.00
- Universal Development Application
- Warranty Deed
- Survey (no older than two years)
- Floor Plan
- State License or State Licensing Application
- 1,000-Foot Radius Community Residence Map (Contact GIS Department)
- Justification Statement to address the Conditional Use Criteria, Sections 23.2-29.d and 23.2-29.e, and the Community Residence Criteria in Section 23.4-13.c.4.F, which are as follows:
 - General findings relating to harmony with LDRs and protection of public interest. Prior to approving any Conditional Use permit, the decision making authority shall find based on competent and substantial evidence that:
 - The conditional use exactly as proposed at the location where proposed will be in harmony with the uses which, under these LDRs and the future land use element, are most likely to occur in the immediate area where located.
 - The conditional use exactly as proposed at the location where proposed will be in harmony with existing uses in the immediate area where located.
 - The conditional use exactly as proposed will not result in substantially less public benefit or greater harm than would result from use of the site for some use permitted by right or some other conditional use permitted on the site.
 - The conditional use exactly as proposed will not result in more intensive development in advance of when such development is approved by the future land use element of the comprehensive plan.
 - Specific findings for all conditional uses. Prior to approving any Conditional Use, the decision making authority shall find that:
 - The proposed Conditional Use will not generate traffic volumes or movements which will result in a significant adverse impact or reduce the level of service provided on any street to a level lower than would result from a development permitted by right.
 - The proposed conditional use will not result in a significantly greater amount of through traffic on local streets than would result from a development permitted by right and is appropriately located with respect to collector and arterial streets.
 - The proposed conditional use will not produce significant air pollution emissions, or will appropriately mitigate anticipated emissions to a level compatible with that which would result from a development permitted by right.
 - The proposed conditional use will be so located in relation to the thoroughfare system that neither extension nor enlargement nor any other alteration of that system in a manner resulting in higher net public cost or earlier incursion of public cost than would result from development permitted by right.
 - The proposed Conditional Use will be so located in relation to water lines, sanitary sewers, storm sewers, surface drainage systems and other utility systems that neither extension nor

enlargement nor any other alteration of such systems in a manner resulting in higher net public cost than would result from development permitted by right.

- The proposed Conditional Use will not place a demand on municipal police or fire protection service beyond the capacity of those services, except that the proposed facility may place a demand on municipal police or fire protection services which does not exceed that likely to result from a development permitted by right.
 - The proposed Conditional Use will not generate significant noise, or will appropriately mitigate anticipated noise to a level compatible with that which would result from a development permitted by right. Any proposed use must meet all the requirements and stipulations set forth in Section 15.24 – Noise Control.
 - The proposed Conditional Use will not generate light or glare which encroaches onto any residential property in excess of that allowed in Section 23.4-10 – Exterior Lighting.
- Findings for a community residence as a conditional use. In addition to the standards of section 23.2-29, the planning and zoning board shall find, prior to recommending approval of or approving, as the case may be, a conditional use for a community residence which is considered a conditional use in the zoning district in which it is located that such facility:
- Meets the design and performance standards set forth herein;
 - That the neighborhood environment is suitable for the development and operation of a community residence;
 - That the impacts of the facility's operation will not be deleterious to the quality of residential uses in the surrounding neighborhoods; and
 - That the proposed facility is in conformance with the maps, objectives and policies of the City's comprehensive plan.