

Chapter 68 Zoning Clearance

Sections:

11-68-1	Purpose
11-68-2	Applicability
11-68-3	Review and Decision
11-68-4	Appeals

11-68-1: Purpose

This Chapter establishes procedures for conducting zoning clearance to ensure that each new or expanded use or structure complies with the applicable requirements of this Ordinance. Having made such determination, the City shall establish a record of the Zoning Clearance that document the initial establishment of a use, or the construction of a structure, which is allowed as a matter of right.

11-68-2: Applicability

Zoning clearance is required for buildings or structures erected, constructed, altered, repaired or moved, which require a building permit, the use of vacant land, changes in the use of land or building, or for substantial expansions in the use of land or building.

11-68-3: Review and Decision

- A. **Determination.** The Zoning Administrator shall determine whether the Zoning Ordinance allows the proposed uses or structures by right. A Zoning Certificate shall be issued if the Zoning Administrator determines that the proposed use or building is allowed as a matter of right by the Zoning Ordinance, and conforms to all the applicable development and use standards. An approved Zoning Certificate may include attachments of other written or graphic information, including but not limited to, statements, numeric data, site plans, floor plans and building elevations and sections, as a record of the proposal's conformity with the applicable regulations of this Chapter.
- B. **Exceptions.** No Zoning Certificate shall be required for the continuation of lawful uses and structures approved or permitted prior to the adoption of this ordinance, uses and structures that are not subject to any building or zoning regulations, or other uses or buildings already subject to Council Use Permit, Special Use Permit, variances or other discretionary approvals in the district in which they are located.

11-68-4: Appeals

The applicant or any other aggrieved party may appeal a determination of zoning conformance pursuant to the provisions of [Chapter 77](#), Appeals.

[Return to Page 1](#)