

SECTION 311. CERTIFICATE OF ZONING COMPLIANCE.

A. PURPOSE AND SCOPE.

The purpose of the Certificate of Zoning Compliance is to ensure that all conditions of approval as stipulated by the Planning and Zoning Commission, Board of Adjustment, and/or City Council, or as administratively approved by the Community Development Director, are completed prior to use or occupancy, and as per a time frame for establishment that may be specified.

B. APPLICABILITY.

A Certificate of Zoning Compliance shall be required for development applications as stipulated by the Planning and Zoning Commission, Board of Adjustment and/or City Council, or as required for applications administratively approved by the Community Development Director. Such applications shall include, but not be limited to, Conditional Use Permits, Rezoning's, Design Review and Subdivisions.

C. PROCEDURES.

1. Inspection: Prior to issuance of a Certificate of Zoning Compliance, the Community Development Director, or designee, shall schedule an on-site inspection of the property to review conditions for compliance with requirements. If all conditions are met, the Director shall issue a Certificate of Zoning Compliance.
2. Issuance of Certificate: The Certificate of Zoning Compliance shall provide documentation of compliance with conditions of approval for development applications. The Certificate shall indicate the property location and provide a project description. In addition, it shall indicate what use or occupancy is permissible and specify that the applicable conditions of approval have been met. A Certificate of Zoning Compliance may be issued for a phase of a project where such phased development is approved through the development approval process.
3. Time Frame: The Certificate of Zoning Compliance shall be subject to meeting a time frame for completion of conditions, as specified by the approving authority. If the conditions have not been met after the required time frame for completion, the Certificate of Zoning Compliance shall not be issued and the continued use of the property shall be deemed to be in violation of City regulations subject to enforcement by applicable procedures, including revocation of a Conditional Use Permit or other zoning approvals.
4. Extension of Time: The Community Development Director may administratively approve an extension of time for up to six (6) months to complete the required conditions provided the project is active and current with regards to building permits and development activity. For additional time, the applicant will need to request an extension from the Planning and Zoning Commission or authorizing body.
5. Statement of Findings: If a Certificate of Zoning Compliance cannot be issued, a statement of the specific points of noncompliance, described as the findings of fact, shall be issued by the City stating the reasons the Certificate cannot be issued and the conditions

necessary to achieve compliance, including the time frame for completion, alternate methods of remedy and rights of appeal.

6. Decision: If the required conditions of approval are not established within the time frame specified for completion, or if no attempt is made to comply with required conditions, and all other remedies offered for compliance are unsuccessful, the Certificate of Zoning Compliance shall not be issued by the Community Development Director. The failure to implement the conditions necessary for approval of the Certificate within the time frame specified, or after any extensions of time granted, shall be deemed to be a violation of City regulations subject to enforcement by applicable procedures, including revocation of a Conditional Use Permit or other zoning approvals.
7. Limitations: A Certificate of Zoning Compliance issued in conformance with this Ordinance does not imply approval for any other permits or actions that may be required by other departments, agencies or parties, and which are otherwise the responsibility of the property owner, developer or applicable representative to obtain.

D. REVOCATION.

1. In addition to any other enforcement procedures that may be applicable, a Certificate of Zoning Compliance granted in accordance with the provisions of this Ordinance may be revoked at a later date if the conditions or terms of the Certificate are violated.
2. The Community Development Director shall notify the property owner or authorized representative of a violation of the Certificate of Zoning Compliance by contacting such owner or representative in a prescribed manner and shall allow at least thirty (30) days to correct the violation. Upon completion of all necessary actions to correct any possible violation, the Community Development Director shall re-inspect the property and if satisfactory, shall confirm the approved status of the Certificate of Zoning Compliance.
3. The failure of an applicant to reinstate a Certificate of Compliance after thirty (30) days' notice shall be deemed to be a violation of City regulations subject to enforcement by applicable procedures, including revocation of a Conditional Use Permit or other zoning approvals.
4. A Certificate of Zoning Compliance that has been revoked shall be considered null and void and the continued use of the property for the uses indicated shall be deemed a violation of City regulations subject to enforcement by applicable procedures.

E. APPEAL.

For matters concerning the administration of this Ordinance, the applicant may appeal any such decision of the Community Development Director to the Planning and Zoning Commission by filing a written notice of appeal with the City Clerk, not later than fifteen (15) days from the date of issuance of said Certificate of Zoning Compliance or notice of Revocation.