



ARTICLE X -- EXCEPTIONS

[Sec. 17-86 Application.](#)

[Sec. 17-87 Planning Commission Action.](#)

[Sec. 17-88.](#)

Sec. 17-86 Application.

Application for an exception to any of the regulations or requirements set forth in this chapter shall be submitted and considered only in connection with a tentative map for a division of land and shall set forth all of the grounds for requesting such an exception. A request for exception shall be noticed along with the application for the division of land. (*Ord. No. 1813, adopted 1976*)

Sec. 17-87 Planning Commission Action.

The Planning Commission may grant a request for an exception only upon the affirmative finding that:

(A) There are special circumstances or conditions affecting the proposed division of land.

(B) The granting of the exception will not be detrimental to the public welfare or injurious to surrounding property. (*Ord. No. 1813, adopted 1976*)

Sec. 17-88.

In granting an exception, the Planning Commission shall secure substantially the same objectives of the regulations for which an exception is requested and shall impose whatever conditions it deems necessary to protect the public health, safety, convenience and general welfare.

A decision of the Planning Commission shall become final and effective upon the expiration of the ten (10) day appeal period unless a timely appeal therefrom is filed, in which case the decision of the Board shall be final and the exception, if granted, immediately effective. In the hearing of such appeal, the Board shall not grant an exception without having made the findings set forth in Section 17-87. (*Ord. No. 1813, adopted 1976; Ord. No. 4001 (part), adopted 1998*)