



APPLICATION FOR CONDITIONAL USE PERMIT

The Planning & Zoning Commission meets every 3rd Wednesday of each month at 5pm. Deadline to submit request is 30 days prior to the meeting.

The City Commission meet every 1st and 3rd Tuesday of each month at 5:30pm

FILE NO. _____

PROPOSED PROJECT

Legal Description of Property for which Conditional Use Permit is requested:

Lot _____ Block _____

Subdivision Name _____

Street Address _____

Existing Zoning _____ Existing Land Use _____

Purpose for the Conditional Use Permit Request _____

What, if anything, is planned to minimize the impact on the surrounding land uses: _____

_____ \$250.00 non-refundable filing fee

_____ Detailed dimensioned site plan/map must be submitted with this request

_____ Survey and metes and bounds if the legal description is a portion of a lot

_____ City and school tax receipts attached

_____ I have received a copy of "CUP Application Instructions"

APPLICANT

Name _____ Phone _____

Address _____ Fax: _____

City _____ State _____ Zip Code _____ E-Mail: _____

OWNER

Name _____ Phone _____

Address _____ Fax: _____

City _____ State _____ Zip Code _____ E-Mail: _____

To the best of your knowledge are there any deed restrictions, restrictive covenants, etc., which would prevent the utilization of the property in the manner indicated?

Yes _____ No _____

I certify that I am the actual owner of the property described above and this application is being submitted with my consent or I am authorized by the actual owner to submit this application and have attached written evidence of such authorization.

Signature _____ Date _____
Owner

Signature _____ Date _____
Applicant

Signature _____ Date _____
Authorized Agent

STAFF USE ONLY

Accepted By _____ Payment Received By _____ Date Paid _____

Notice of Public Hearing Sent to Property Owners Within 200' of Proposed Site Date _____

P & Z Notice of Public Hearing Published in Newspaper Date _____

City Commission Notice of Public Hearing Published in Newspaper Date _____

Presented to P & Z Commission Date _____
Approved _____ Disapproved _____ Tabled _____

Presented to City Commission Date _____
Approved _____ Disapproved _____ Tabled _____

CONDITIONAL USE PERMIT APPLICATION PACKAGE
CONDITIONAL USE APPLICATION INSTRUCTIONS
(PLEASE READ CAREFULLY)

1. Application form must be completed in full with applicant's signature.
2. Statement must be attached to the application stating why the Conditional Use Permit is requested and the type of operation to be conducted on the property.

The application shall contain the following information:

- (a.) The name of the proposed use.
- (b.) The location of the proposed use.
- (c.) The purpose of the proposed use.
- (d.) The owners and operators of the proposed use.
- (e.) Whether or not alcoholic beverages will be consumed on the premises.
- (f.) The hours of operation of the proposed use.
- (g.) The site plan shall contain drawings to scale in triplicate to indicate:
 - The location of all structures on the subject property and on adjoining property.
 - Landscaping and/or fencing of yards and set-backs areas and the use of landscaping and/or walls or fences for screening purpose.
 - Design of ingress and egress to minimize interference with traffic flow on abutting streets.
 - Off-street parking and loading facilities.
 - Height of all structures.
 - Proposed uses, and the location and types of all signs including lighting and heights.
3. A site plan of the proposed use must be submitted as part of the application procedure.
4. A two hundred and fifty dollar (\$250.00) application fee must also be submitted along with the application.
5. Planning and Zoning Commission meetings take place every third Wednesday of every month, application must be submitted at least thirty (30) days prior to the monthly meeting so as to be placed on the next available agenda.
6. The next step is conducted by the Planning Department. Once the application is submitted in completed form, the Planning Department is required by State Law to notify by mail all property owners within the 200 foot radius of the affected proposed conditional use and advertise in a newspaper fifteen (15) days prior to the public hearing to be held by both the Planning and Zoning and City Commissions on the Conditional Use Permit requested.
7. After the Planning and Zoning Commission meeting, the request will be placed on the next available City Commission agenda for final consideration.
8. Should the Planning and Zoning Commission or the owners of 20% of the property within the 200 foot radius of the proposed conditional use request opposes the request, a 3/4th vote will be required by the City Commission to receive approval.
9. Only after the final approval from the City Commission has been granted that the activity proposed on the property may begin operation after all appropriate permits have been issued.
10. A Conditional Use Permit which has not been used within six months after the dated granted, the permit is automatically cancelled.

Should you have any questions, please contact the Planning Department at (956) 447-3401.

CONDITIONS FOR A CONDITIONAL USE PERMIT

A “Conditional Use” is an activity that may be suitable only in certain locations in the zoning district at a particular time or likewise may be inappropriate in a zoning district due to conditions then existing. In general, uses declared to be conditional are recreational uses operated as a commercial enterprise and requiring payment of money or a thing of value by the customer to the owner or operator as a condition to partaking in the recreational activity offered.

In extension and not in limitation of the above definition of a conditional uses, the following uses are hereby declared to be conditional.

1. Taverns
2. Billiard or Pool Halls
3. Dance Halls
4. Skating Rings
5. Bowling Alleys
6. Any other uses of a recreational nature as defined above
7. Mental, Drug, or Alcohol Group Therapy Centers
8. Any and all businesses holding Mixed Beverages Alcohol permits
9. Any and all businesses that hold an on-premise or off-premise license or permit from the Texas Alcoholic Beverage Commission.
10. Day Care Centers located in residential districts.

f. Site Plans Requirement:

1. Purpose: The purpose of the site plan is to insure compliance with the Zoning Ordinance and to assist in the orderly and harmonious development of the City of Weslaco, to maintain the stability of land values and investments, to protect the general welfare, and to help prevent the impairment or depreciation of land values and development by the erection of structures, additions or alterations without proper attention to site planning.
2. Filing: The applicant shall file with the Building Official three copies of his site plan.
3. Contents: The site plan shall contain drawings to scale in triplicate to indicate:
 - a. The location of all structures on the subject property and on adjoining property.
 - b. Landscaping and fencing of yards and set-back areas and the use of landscaping or walls or fences for screening purposes.
 - c. Design of ingress and egress to minimize interference with traffic flow on abutting streets.
 - d. Off-street parking and loading facilities.
 - e. Height of all structures.
 - f. Proposed uses, and the location and types of all signs including lighting and heights.
 - g. Prerequisites for Approval:
 1. No structure or property in any district shall be used for a use listed as a “conditional use” without first having a Use Permit for such use from the City Commission.
 2. The City Commission, after receipt of report and recommendations from the Planning and Zoning Commission may permit a conditional use subject to appropriate conditions and safeguards when, after public notice and hearing, it finds and determines:
 - (a) That the proposed use meets all the minimum standards established in this Ordinance and in other Health and Safety Ordinances of the City of Weslaco for this type of use.