



Applicant Information

For Special Use Permit/Rezoning

Special Use Permit

There is sometimes a need to attach conditions to a new use to help it fit into its surrounding area. The special use permit application procedure is intended to provide the opportunity for the Planning & Zoning Commission (P&Z) and the City Council to review each proposed special use and its potential impacts on surrounding properties and land uses, with special regard for the particular circumstances of each case. It is also intended to provide an opportunity for the P&Z to recommend and for the City Council to impose such conditions as are necessary to ensure that the use will be compatible with the surrounding area and consistent with the intent of the particular district.

Rezoning

The land in Gun Barrel City has been divided into zoning districts. Within each of these districts, certain uses of the land and certain minimum lot sizes are allowed. It is often the desire of the landowner to use their land for a purpose other than those allowed in the land's present zoning. When this is the case, the owner may apply to have the land rezoned to a district, which allows for the desired use. In a rezoning, the desired land use is compared with the uses around the land in question. Neighbors' views and the possible benefits and costs to the people of Gun Barrel City are also taken into consideration, along with matters like the availability of water and sewer lines, accessibility, slope of the land, existing use, potential problems due to poor soils, flood proneness, and so on. Consistency with the Comprehensive Plan is of major importance. If the P&Z and the City Council, after considering all sides of a request, feel that the request is in the City's best interest, then the land in question is rezoned into a new zoning district.

Application Process

The application process begins when a completed application is filed and accepted by the City Secretary. The attached checklist (on page 6) identifies all items that are required before an application is deemed complete. The City Secretary will review the application and accompanying materials, and forward them to the P&Z and the City Council. The P&Z holds a public hearing to solicit public comment on the proposal. Following the public hearing, the Commission makes a recommendation to the City Council. The recommendation may be for denial, approval, or approval if certain changes are made.

*The Planning and Zoning Commission meets on the *first Monday of each month at 4:30 pm.*

*The City Council meets on the *fourth Tuesday of each month at 6:30 pm.*



Applicant Guidelines For Special Use Permit/Rezoning

1. Conditions of Approval

In making a decision regarding a requested zoning change, the P&Z and City Council consider whether substantial reasons exist why the property cannot be used in accordance with current zoning, and whether the proposed change meets the following criteria. A Special Use Permit (SUP) will not be recommended for approval by the P&Z unless the Commission finds that ALL of the following conditions exist:

- a) The proposed use complies with all the requirements of the Zoning District in which the SUP is located.
- b) The proposed use as located and configured will contribute to or promote the general welfare and convenience of the City.
- c) The benefits that the City gains from the proposed use outweigh the loss of or damage to any homes, businesses, natural resources, agricultural lands, historical or cultural landmarks or sites, wildlife habitats, parks, or natural, scenic, or historical features of significance; and outweigh the personal and economic cost of any disruption to the lives, business, and property of individuals affected by the proposed use.
- d) Adequate utilities, road access, drainage, and other necessary supporting facilities have been or shall be provided.
- e) The design, location, and arrangement of all public and private streets, driveways, parking spaces, entrances, and exits shall provide for safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent developments.
- f) The issuance of the SUP does not impede the normal and orderly development and improvement of neighboring vacant property.
- g) The location, nature, and height of buildings, structures, walls, and fences are not out of scale with the neighborhood.
- h) The proposed use will be compatible with and not injurious to the use and enjoyment of neighboring property, nor significantly diminish or impair property values in the vicinity.
- i) Adequate nuisance prevention measures have been or shall be taken to prevent or control offensive odors, fumes, dust, noise, vibration, and visual blight.
- j) Sufficient on site lighting is provided for adequate safety of patrons, employees, and property and that such lighting is adequately shielded or directed so as not to disturb or adversely affect neighboring properties.
- k) There is sufficient landscaping and screening to ensure harmony and compatibility with adjacent properties.
- l) The proposed operation is consistent with the applicant's submitted plans, master plans, and projections, or where inconsistencies exist, the benefits to the community outweigh the costs.
- m) The proposed use is in accordance with the City's Comprehensive Land Use map.



2. Staff Review

The application will first be reviewed by City staff for compliance with City codes, regulations, and policies. The following items must be submitted to the City Secretary before the deadline for the following months meeting date. (See the P&Z meeting dates and deadlines chart)

- ☐ Completed application form and check list
- ☐ Application fee: **Rezone - \$200.00, Special Use - \$250.00**
- ☐ A site survey (if applicable) along with a drawing to scale of the property requested to be granted an SUP with the seal of a Texas-registered professional surveyor or civil engineer.
- ☐ Company business plan. (10 copies and digital format)
- ☐ Map/s of property and adjoining properties
- ☐ Photo/s of property and adjoining properties
- ☐ Digital .pdf format files of all submitted drawings and/or photos.

3. Planning and Zoning Commission (P&Z) Review

Public hearings prior to the P&Z recommendation and the City Council decision are required for all zoning change cases in order to give citizens who may be affected by the proposed change an opportunity to voice their support or opposition. When the case is certified and placed on the P&Z agenda, notices of the proposed change are sent by city staff to all property owners within 200 feet of the property on the application, 10 days prior to the P&Z meeting. At the P&Z meeting, the Commission first holds the public hearing and then decides what recommendation it will make to City Council based on the staff report and public input.

4. City Council Review

The staff report, P&Z recommendation, and public response to the proposed zoning change are then made available to the public, and an additional public hearing is scheduled within 30 days of the initial hearing. By law, this public hearing must be advertised in the newspaper 15 days before it is held. City staff handles all publications.

5. Presentation

It is recommended that applicants prepare a brief presentation on their proposal for each public hearing. Maps, slides, and handouts are also helpful. The applicant should make the presentations, but it is recommended that the property owner also be present at the hearing to answer questions if necessary. Applicants may want to include in their presentation:

- ☐ Present and proposed zoning and use
- ☐ Compatibility of proposed zoning with surrounding zoning and land uses
- ☐ Important physical feature such as topography, roadways, or creeks
- ☐ A statement of the need for the proposed Special Use Permit
- ☐ Descriptions of the ways the proposal is consistent with the City's Comprehensive Land Use Map
- ☐ Evidence of support from adjacent landowners



Application for Special Use Permit/Rezoning

Application for: _____ Rezoning _____ Special Use Permit

Address of Site

Applicant/Owner Information

Name of Applicant/Owner: _____

Name of Business: _____

Address of Applicant/Owner: _____

Contact E-mail: _____

Contact Phone: _____

Legal Description

Lot(s) Number: _____ Tract/Block(s) Number: _____

Current zoning: _____ Proposed zoning: _____

Acres: _____ Subdivision (if applicable): _____

Existing & Proposed Use Description

Existing use of the site (empty lot, leased space, etc.): _____

Description of proposed use: _____

Acknowledgment

I certify that the above information is accurate and complete to the best of my knowledge and that I will be fully prepared to present the above proposal at both the Planning and Zoning Commission and City Council public hearing. I reserve the right to withdraw this proposal at any time by filing a written request with the City Secretary. I understand that the full application fee is non-refundable once paid to the city.

Applicant/Owner Signature: _____

Date: _____



Applicant Plan of Operation For Special Use Permit/Rezoning

All non-residential uses must provide the following information with the application

Describe proposed use

Indicate hours of operation

Total number of employees

Indicate if any activity or storage is proposed outside the building

Other relevant unique information regarding site



Applicant Checklist For Special Use Permit/Rezoning

- ☐ Receipt and Recognition of Information & Guidelines for Special Use Permits/Rezoning
- ☐ Application form
- ☐ Plan of Operation (for non-residential uses)
- ☐ Application fee receipt: **Rezone - \$200.00, Special Use - \$250.00**
- ☐ A site survey (if applicable) along with a drawing to scale of the property requested to be granted an SUP with the seal of a Texas-registered professional surveyor or civil engineer.
- ☐ Company business plan (10 copies and digital format)
- ☐ Map/s of property and adjoining properties
- ☐ Photo/s of property and adjoining properties
- ☐ Digital .pdf format files of all submitted drawings and/or photos

I certify that the information supplied on this application and the attached materials is accurate and true to the best of my knowledge.

Signature of Applicant/ Owner: _____ **Date:** _____

For Office Use Only

Reviewed by: _____

Reviewed by: _____

Accepted by: _____ Date: _____