



CONDITIONAL USE PERMIT (CUP) APPLICATION

Please complete all of the following information (type or print):

Project Name: _____

Project Address/Location: _____

Legal Description: _____

Zoning District: _____ Land Use Category: _____

Owner (applicant):

Contact Person: _____

Company: _____

Address: _____

City, State Zip: _____

Phone Number: (_____) _____ Fax Number: (_____) _____

E-mail Address _____

Agent:

Contact Person: _____

Company Name: _____

Address: _____

City, State Zip: _____

Phone Number: (_____) _____ Fax Number: (_____) _____

E-mail Address _____

Land Planner / Engineer / Surveyor:

Contact Person: _____

Company Name: _____

Address: _____

Phone Number: (_____) _____ Fax Number: (_____) _____

E-mail Address _____

Signature of Owner: _____

The signature of the Owner authorizes the City of Bastrop and its agents to visit and inspect the property for which this application is being submitted. The signature also indicates that the Owner or his Agent has reviewed the requirements of this checklist and all items on this checklist have been addressed and complied with. **Note: The Owner's signature designates the Agent as the official contact person for this project and the single point of contact. All correspondence and communication will be conducted with the Agent. If no agent is listed, the Owner will be considered the Agent.**

(STAFF USE ONLY) Date Submitted: _____ Fee Paid: _____ Received by _____

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PURPOSE:

The purpose of this district is to allow uses in districts that under most circumstances would not be compatible with other permitted uses but with certain conditions and development restrictions may be compatible. The City Council by an affirmative vote may, after public hearing and proper notice to all parties affected, and after recommendations from the Planning and Zoning Commission that the uses are in general conformance with the Comprehensive Plan and general objectives of the City and containing such requirements and safeguards as are necessary to protect adjoining property, authorize certain uses by a Conditional Use Permit (CUP or C).

When considering the appropriateness of a Conditional Use Permit the City must determine if the proposed use(s) are *harmonious and adaptable to building structures and uses of abutting property and other property in the vicinity of the premises under consideration*, and must make recommendations as to requirements for:

- paving of streets, alleys and sidewalks,
- means of ingress and egress to public streets,
- provisions for drainage,
- adequate off-street parking,
- screening,
- open space,
- heights of structures, and
- compatibility of buildings.

In approving a requested CUP, the Planning and Zoning Commission and City Council may consider the following:

1. The use is harmonious and compatible with surrounding existing uses or proposed uses;
2. The activities requested by the applicant are normally associated with the permitted uses in the base district;
3. The nature of the use is reasonable;
4. Any negative impact on the surrounding area has been mitigated;
5. That any additional conditions specified ensure that the intent of the district purposes are being upheld.

In granting a Conditional Use Permit, the Planning and Zoning Commission and Council may impose conditions which shall be complied with by the owner or grantee before a Certificate of Occupancy may be issued by the Building Official for use of the building on such property pursuant to such Conditional Use Permit and such conditions precedent to the granting of the Certificate of Occupancy. Any special conditions shall be set forth in writing by the City Council prior to issuance of the Certificate of Occupancy.

No Conditional Use Permit shall be granted unless the applicant, owner and grantee of the Conditional Use Permit shall be willing to accept and agree to be bound by and comply with the written requirements of the Conditional Use Permit, as attached to the site plan drawing (or drawings) and reviewed by the Planning and Zoning Commission and approved by the City Council.

The application for Conditional Use Permit must be accompanied by a site plan (see Section 42) drawn to scale and showing the general arrangement of the project, together with essential requirements such as off-street parking facilities; size, height, construction materials, and locations of buildings and the uses to be permitted; location and construction of signs; means of ingress and egress to public streets; the type of visual screening such as walls, plantings and fences; and the relationship of the intended use to all existing properties and land uses in all directions to a minimum distance of two hundred feet (200').

See attached submittal information and checklist.

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INSTRUCTIONS:

Step 1 – Pre-Application Process.

Make an appointment to schedule a pre-application project meeting with the Planning and Development Department (512) 332-8840 prior to plan submission. The purpose of this meeting is to:

- allow the applicant to explain issues relating to the design of the project and to ask questions about the approval process and procedures,
- provide staff the opportunity to identify issues that may be addressed prior to the site plans being completed and the application being finalized,
- identify policies and regulations that create opportunities or pose significant restraints for the proposed development, and to
- identify special information and data needed in conjunction with the application.

This exchange of information often makes the remainder of the process more efficient and may reduce the time required to receive approval. ***Please be aware that the pre-application meeting may not address all issues related to the development process, and decisions/discussions during the pre-application process are subject to change based on information submitted at the time the application is filed.***

Step 2 – Complete the Application and Checklist.

These items must be fully completed prior to submission.

- Place a check mark in the appropriate box on each line indicating if the submitted plans have complied with that item. Indicate with N/A if the item does not apply to your application. ***This checklist is a guide for meeting local and state development requirements.*** Please refer to the City of Bastrop Zoning Ordinance to ensure all requirements are addressed appropriately for the proposed development. You may contact the Planning and Development Department staff anytime to discuss applicable requirements.
- All requirements must be addressed by the application, unless otherwise approved by City staff depending on the scope and complexity of the project. Any requirements not required to be addressed should be so noted on the checklist.
- A supporting summary and explanation must be provided for each item in the checklist marked “not submitted” or “not met”. The application will be considered incomplete and will not be accepted without the summary and such explanation. This explanation will help facilitate staff review and help reduce the time required to receive approval.

Step 3 – Preparation of Site Plan and Review by Staff.

A site plan must be prepared for consideration during the public hearing process. City staff will review the site development plan for compliance with the items stipulated in Section 33.1.

- City staff will conduct a review of the submitted site plan and prepare written comments of any issues to be addressed.
- A meeting may be required with the applicant to review the site plan review comments.
- If modifications to the site plan are required, a revised plan may be submitted by the applicant to address the staff review comments prior to consideration during the public hearing process.
- A written report will be prepared by the Director of Planning and Development which discusses the merits of the application. In addition, written comments from applicable public agencies (such as the school district and utility companies) may be submitted to the Planning and Zoning Commission prior to the Commission making any recommendations to the City Council.

Step 4 – Approval Process and Procedure. The procedure for establishing a Conditional Use Permit are the same as those for zoning amendments as set forth in Section 10.

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The following must be provided with the Conditional Use Permit application, unless otherwise approved by the Planning and Development Director in coordination with the City Manager. Unless an item is determined by the Director to be not applicable, written explanation must be provided for any requirement not submitted with the application.

Conditional Use Permit Submittal Checklist (This form must be completed and submitted with application)			
Submittal Requirements	Submitted		
	Yes	No	N/A
Completed and signed application and checklist.			
A cover letter providing an explanation of the proposed conditional use(s) and the appropriateness given the considerations outlined in Section 33.2.			
Legal description of property, including clear and legible copy of field notes (metes and bounds) describing the tract of land (when not subdivided).			
A site plan including the information described in the Site Plan Details section of this application.			
Seven (7) 24" x 36" copies (collated and folded) of all plans and one 11" x 17" reduction.			
Digital file for plan review (PDF format). Upon final approval a digital version of the plans must be submitted in the design software file format used to produce the plans (i.e. AutoCAD).			
Copy of deed showing current ownership.			
A current tax certificate showing that taxes have been paid.			
A notification list of all property owners and mailing addresses, as identified on the latest approved tax roll of the Bastrop Central Appraisal District, within 200 feet of the subject property. One copy of the list must be submitted on mailing labels (Avery 5160 or similar).			
Application fee – see Appendix A – Fee Schedule, of the City of Bastrop Code of Ordinances			
Total Application Fee Submitted			

Applications missing any required items above will be rejected

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Conditional Use Permit Site Plan Details
(This form must be completed and submitted with application)

The following information shall be provided for all site plans that accompany a Conditional Use Permit (CUP) application, unless otherwise approved by the Planning and Development Director in coordination with the City Manager. Unless an item is determined by the Director to be not applicable, written explanation must be provided for any requirement not submitted with the application.

Section 33.1 Conditional Use Site Plan Details				
To Be Completed By Applicant Indicate Below Compliance With The Following.				To Be Completed By Staff
	Yes	No	Comments	Reviewed By:
A plan, drawn to scale, showing the general arrangement of the project and including the items listed below.				
Off-street parking facilities.				
Size, height, construction materials, and locations of buildings and the uses to be permitted.				
Location of signs.				
Means of ingress and egress to public streets.				
The type of visual screening such as walls, plantings and fences.				
The relationship of the intended use to all existing properties and land uses in all directions to a minimum distance of two hundred feet (200’).				
All supplemental requirements including studies, information, and data as identified by staff during the pre-application meeting.				