



CITY OF NEW FAIRVIEW
999 ILLINOIS LANE
NEW FAIRVIEW TX, 76078
PH: 817-638-5366
FAX: 817-638-5369
Email info@newfairview.org
Website www.newfairview.org

SPECIFIC USE PERMIT APPLICATION

General Information

Specific Use Permits (SUP's) are approved to allow uses that, with special conditions and development restrictions, may be considered compatible in a Zoning District in which they are not allowed by right. The City Council, after receiving a recommendation from the Planning and Zoning Commission, may approve the permit based on its determination that the uses requested are in general conformance with the City's long range land use plan and the objectives of the City, and that the permit contains the requirements and safeguards that are necessary to protect adjoining property. In granting an SUP, the City Council may impose conditions to which the property must comply before building permits are issued. If the SUP is approved, the applicant must commence construction or use is substantially underway within one year of the granting of the permit; otherwise, the SUP expires and the applicant must go through the entire process again to obtain another one. The City Council may approve an extension of time by separate action.

SUP Applications must be accompanied by a detailed exhibit as described in Sections 21.3, 21.4 and 21.5 of the City of New Fairview Zoning Ordinance.

The Planning and Zoning Commission Meets on the 2nd Monday of every month and on the 4th Monday if required. The City Council meets on the 1st Monday of every month and on the 3rd Monday if required.

Application Instructions:

1. Conditions of Approval (Section 21.7): 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 thirteen evaluation criteria. A 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 property 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, business, 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 a safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent developments.

- f. The issuance of the specific use permit 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 within 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 such lighting is adequately shielded or directed so as not to disturb or adversely effect 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, projections, or, where inconsistencies exist, the benefits to the community outweigh the costs.
 - m. The proposed use is in accordance with the City of New Fairview Comprehensive Land Use Plan.
2. Staff Review: The Application for a Specific Use Permit will be first reviewed by City Staff or their development contracted employees for compliance with City codes, regulations and policies. The following items must be submitted to the City Offices as per the Zoning Calendar as published on the City of New Fairview's website.
- A completed application form signed by the property owner.
 - An application fee as established by the City's latest adopted schedule of fees
 - A certificate stating that all City and School Taxes have been paid to date (this is obtainable for the appropriate County Tax Office)
 - A property description of the area where the specific use permit is proposed to apply
 - A **site plan** complying with the requirements of Section 20 of the City of New Fairview Zoning Ordinance
 - Any other material and/or information as may be required by the City Council or the administrative official to fulfill the purpose of the application process and to ensure that the application is in compliance with the ordinances of the City.
 - 1 digital file of all documents for the site plan submittal. PDF format.
3. Site Plan Checklist: The following information is required as part of the site plan needed to review for the Specific Use Permit:
- a. The boundary lines and dimensions of the property, existing subdivision lots, available utilities, easements, roadways, sidewalks, emergency access easements, and public rights-of-way.
 - b. Topography of the property proposed for development in contours of not less than two feet, together with any proposed grade elevations, if different from existing elevations.
 - c. Floodplains, watercourses, marshes, drainage areas, and other significant environmental features including, but not limited to, rock outcroppings and major tree groupings. Topographic and drainage map information provisions may be waived by the reviewing body when the inclusion of such data would not materially contribute to the necessary evaluation of the project petition.
 - d. The location and use of all existing and proposed buildings or structures, including all refuse storage areas, and the minimum distance between buildings. Where building complexes are proposed, the location of each building and the minimum distances between buildings, and between buildings and the property line, street line, and/or alley.
 - e. Total number, location, and arrangement of off-street parking and loading spaces, where required.
 - f. All points of vehicular ingress, egress, and circulation within the property and all special traffic regulation facilities proposed or required to assure the safe function of the circulation plan.
 - g. Setbacks, lot coverage, and when relevant, the relationship of the setbacks provided and the height of any existing or proposed building or structure.
 - h. The location, size, and arrangement of all outdoor signs, exterior auditory speakers, and lighting.
 - i. The type, location, and quantity of all plant material used for landscaping, and the type, location, and height of fences or screening and the plantings around them.
 - j. If multiple types of land uses are proposed, a delineation of the specific areas to be devoted to various land uses.
 - k. Vicinity map, north point, scale, name of development, name of owner, name of planner, total acreage of project, and street address or common description of the property.

- l. Current land uses and zoning district of the property and current land uses and zoning districts of contiguous properties.
 - m. Buildings on the exterior of the site and within twenty-five feet of all property lines.
 - n. The location and size of existing and proposed surface and subsurface drainage facilities, including culverts, drains, and detention ponds, showing size and direction of flow.
 - o. The number of square feet of the property after construction which will constitute impervious area or impervious surface and vegetated areas.
 - p. Architectural drawings, such as elevations, concept sketches or renderings depicting building types and other significant proposed improvements including the treatment and use of open spaces, etc., where the submission of such drawings would more clearly portray the nature and character of the applicant's land use and development proposals.
 - q. Legal description of the total site area proposed for rezoning, development or specific use permit.
 - r. Signature, title and date of the applicant, at the conclusion of the written documents certifying the information presented in the plans, and supporting documents reflect a reasonably accurate portrayal of the general nature and character of the applicant's proposals.
4. Additional Information. The following additional information may also be required if deemed appropriate by staff or the City Council.
 - a. Copies of studies or analyses upon which have been based projections for need or demand for the proposed facility.
 - b. Description of the present use, assessed value and actual value of the land affected by the proposed facility.
 - c. Description of the proposed use, anticipated assessed value and supporting documentation.
 - d. A description of any long-term plans or master plan for the future use or development of the property.
 - e. A description of the applicant's ability to obtain needed easements to serve the proposed use.
 - f. A description of any special construction requirements that may be necessary for any construction or development on the subject property.
 - g. A traffic impact analysis prepared by a qualified professional in the field of traffic evaluation and forecasting may be required.
5. Planning and Zoning Commission (P&Z) Review. Staff comments are forwarded to the applicant for preparation of a revised submittal. The revised submittal is again reviewed by the City, and if it conforms to City codes, regulations, and policies (or includes a request for a variance), it is certified as such and placed on the P&Z agenda. Final digital files in .pdf format of all exhibits must be submitted to the City by noon on the Monday that is seven (7) days prior to the P&Z meeting. Public hearings prior to the P&Z recommendation and the City Council decision are required for all Specific Use Permit 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 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.
6. 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 with the City Council. By law this public hearing must be advertised in the newspaper 15 days before it is held. The City Council has the final approval of the Specific Use Permit. All approved Specific Use Permits are set by City Ordinance.

Applicant Information

PROJECT LOCATION ADDRESS: _____

TAX ID: _____ **ZONE:** _____

Legal Description: _____

PROPERTY OWNER: _____

ADDRESS: _____ **CITY** _____

STREET _____ **ZIP** _____

DAY PHONE: _____ **DATE:** _____

SIGNATURE: _____

APPLICANT: _____

ADDRESS: _____ **CITY** _____

STREET _____ **ZIP** _____

DAY PHONE: _____ **SIGNATURE:** _____

DATE: _____

Existing Use of Property _____ **Proposed use of Property** _____

I certify that the above information is correct and complete to the best of my knowledge and ability and that I will be fully prepared to present the above proposal at a Planning and Zoning Commission Public Hearing. I reserve the right to withdraw this proposal at any time by filing a written request with the City. I understand that my application fee is non-refundable.

Applicant or Property Owner _____ **Date** _____

Fees (All fees are nonrefundable) all fees are due upon application submission. Checks made payable to the City of New Fairview.

Office Use Only:

Date Paid: _____ Amount: \$ _____ Check # _____