

**CITY OF LAREDO**  
**Conditional Use Permit Application**  
**Fee \$ 400.00 (Ordinance No. 2012-O-155)**  
**ZC- -20**



**Applicant** \_\_\_\_\_  
**(If different from Property Owner)**

**Property Owner** \_\_\_\_\_

Address \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_

Telephone \_\_\_\_\_

Cellular \_\_\_\_\_

Cellular \_\_\_\_\_

E-Mail Address \_\_\_\_\_

E-Mail Address \_\_\_\_\_

**\*NOTE: If applicant is different from the property owner named on the deed, the affidavit on page three of this application must be completed.**

- All owners of the above cited property must sign and date application.
- If the owner of the property is a corporation, proof of legitimacy of signing party must be provided.

Name of designated representative **(If different from Property Owner)** \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_

Cellular \_\_\_\_\_

E-Mail Address \_\_\_\_\_

Address of Proposed Conditional Use Permit (CUP) / Location Map \_\_\_\_\_

Present Land Use \_\_\_\_\_

Present Zoning \_\_\_\_\_

Proposed Land Use \_\_\_\_\_

**The Following Documents must be provided with this application:**

- \_\_\_\_\_ Copy of Recorded Deed
- \_\_\_\_\_ Original Tax Certificate for the City of Laredo
- \_\_\_\_\_ Deed Restrictions, Declarations, Covenants, and/or Restrictions (If Applicable)
- \_\_\_\_\_ Detailed Site Plan (Plano de Ubicación) – See Example
- \_\_\_\_\_ Detailed Narrative Describing Proposed Use

**Legal Description of Property: \***

**Information for Platted property**

**OR**

**Information for Unplatted property**

Lot \_\_\_\_\_

Tract \_\_\_\_\_

Block \_\_\_\_\_

Survey \_\_\_\_\_

Subdivision \_\_\_\_\_

Abstract \_\_\_\_\_

No. of Lots \_\_\_\_\_

No. of Acres \_\_\_\_\_

**\* FOR PROPERTIES NOT IN A RECORDED SUBDIVISION SUBMIT A CURRENT SURVEY AND COMPLETE METES AND BOUNDS DESCRIPTION BY A TEXAS REGISTERED PROFESSIONAL LAND SURVEYOR. (R.P.L.S.)**

The undersigned has read the above application and does hereby certify that all information contained therein is true and correct. I further certify that I have been informed of the times and dates that this request will be considered by the Planning & Zoning Commission and the City Council. I further agree to the placement of a temporary sign on the site advising the general public of the proposed Conditional Use Permit (CUP).

\_\_\_\_\_  
Signature of Property Owner(s)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name of Property Owner(s) (Print)

\_\_\_\_\_  
Date

AFFIDAVIT

(Appointment of Representative)

THE STATE OF TEXAS

COUNTY OF WEBB

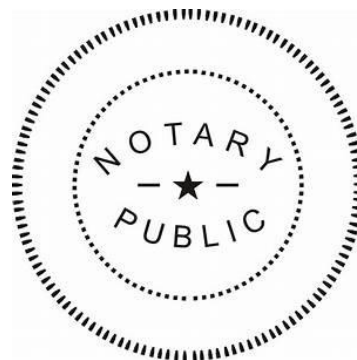
BEFORE ME, the undersigned official, on this day personally appeared \_\_\_\_\_, who is personally know to me, and first being duly sworn according to law upon his/her oath deposed and said:

“My name is \_\_\_\_\_; I am over eighteen (18) years of age and I reside at \_\_\_\_\_. I have personal knowledge of the facts stated herein, and they are all true and correct. I own the property which is the subject of this proposed Conditional Use Permit (C.U.P.) I have designated \_\_\_\_\_ to represent me in filling an application for a Conditional Use Permit (C.U.P.) with the City Council of the City of Laredo, and to appear on my behalf at all necessary meetings with respect to this Conditional Use Permit (C.U.P.) request. It is my understanding that as owner of the fore mentioned property either I or my designated representative may appear on behalf of the proposed Conditional Use Permit (C.U.P.) request. It has been explained to me and I understand that a written notice must be filed with the Planning & Zoning Department of the City of Laredo, Texas, to give notice to the City of the termination or substitution of representation in this Conditional Use Permit (C.U.P.) request case.”

\_\_\_\_\_  
Affiant

On \_\_\_\_\_, 20\_\_\_\_, personally appeared \_\_\_\_\_ and having been duly sworn by me, subscribed to the foregoing affidavit and has stated that the facts therein are true and correct.

\_\_\_\_\_  
Notary Public, State of Texas



**Section 24.94.5 CONDITIONAL USE PERMIT APPLICATION SUBMITTAL CRITERIA**

A. All Conditional Use Permit applications must conform to all of the following criteria:

1. Applications for properties currently zoned A-G, R-S, R-1, R-1A, R-1-MH, or RSM may only seek conditional use status for those uses permitted by zones R-S, R-1, R-1A, R-1-MH, RSM, R-2, R-3, R-O or B-1 of higher intensity.
2. Applications for properties currently zoned, R-2, R-3, or R-O, may only seek conditional use status for those uses permitted by R-3, R-O, B-1 or B-3 of higher intensity.
3. Applications for properties currently zoned B-1, B-1R, CBD, B-3 or B-4 may only seek conditional use status for those uses permitted by zones B-1R, CBD, B-3, B-4 or M-1 of higher intensity.
4. Applications for properties currently zoned M-1 or M-2, may only seek conditional use status for those uses permitted by zones M-2 or MXD of higher intensity.
5. The site of the proposed conditional use or any improvements thereon are not in violation of any local, state, or federal law (other than zoning violation).
6. Application for Conditional Use Permit is prohibited if the existing underlying zoning requires a Special Use Permit for the proposed use.
7. Any Conditional Use Permit authorized for a use, normally requiring a Special Use Permit in any district, must conform at a minimum with the performance standards required of that Special Use Permit.
8. The use and site plan for the proposed conditional use shall conform, at a minimum, with all applicable provisions of the Land Development Code for the existing underlying zoning designation, including but not limited to:
  - a. Site Development Standards. All parking, landscaping, signage, improvement and dimensional standards
  - b. Zoning Districts Standards. The purpose of the zoning district in which the proposed conditional use is to be located and any standards applicable to the particular proposed use.
9. Conditional use status may only be authorized for proposed use. Application for conditional use status is prohibited for the purpose of deviation from any applicable development standards normally required by the existing underlying zoning, including, but not limited to signage, landscaping, parking, paving or dimensional requirements.
10. Existing or previously legal-nonconforming structures may apply for conditional use status and are not limited by conditional use permit application parameters as stipulated in Sections 24.94.5.1 through 24.94.5.4 and 24.94.5.9.
11. Conditional use status may be sought if the site has a non-conforming use which has been in existence for ten (10) or more years.
12. Conditional use status may not be sought for uses requiring less intense zoning designation than that which currently exists on site.

## SITE PLAN GUIDE

An application for a Conditional Use Permit requires a site plan. The site plan is used by the Planning & Zoning Commission and the City Council in their decision making process. Also, the site plan becomes an attachment to the ordinance. Therefore, the site must ultimately look like the site plan or the ordinance becomes null and void after P & Z and Council action.

An accurate site plan must be submitted or the case will be put on hold. The site plan must contain the following information before it can be accepted.

- 1) The site plan is to be drawn to scale: 1 in. = 20 ft., with an arrow showing north.
- 2) Include the legal description and address of the site.
- 3) Show all lot lines and/or boundaries with measurements
- 4) Show any streets which abut the site. Street names must be included.
- 5) Provide north arrow.
- 6) All measurements shall be in feet and inches.

Other additional requirements of a site plan are:

- a. Show all existing and /or proposed entrances, exits, and off-street parking. Site plans for location which will be used for commercial purposes must show required off-street parking, maneuvering space, and fencing. No head-in parking is allowed.
- b. Show all existing and/or proposed buildings or structures on the site, and their dimensions. Any proposed structures on the site must be shown with the proper setbacks. (Setbacks should be drawn with dashed lines.)
- c. Location and dimensions of all proposed signage.

## GUIA PARA EL PLANO DE UBICACION

La solicitud de un Permiso de Uso Condicional, requieren presentar un plano de ubicación junto con su respectiva solicitud. Este plano es utilizado por la Comisión de Planificación y Zonificación así como por el Concilio de la Ciudad durante el proceso que se lleva para otorgar una desición final. Además, el plano de ubicación se adjunta a la ordenanza y el sitio deberá mostrarse finalmente tal y como lo indica dicho plano o de lo contrario la ordenanza sera nula e inválida en caso de que la commission de Planificación y Zonificación de acuerdo con el Concilio aprueben su aplicación.

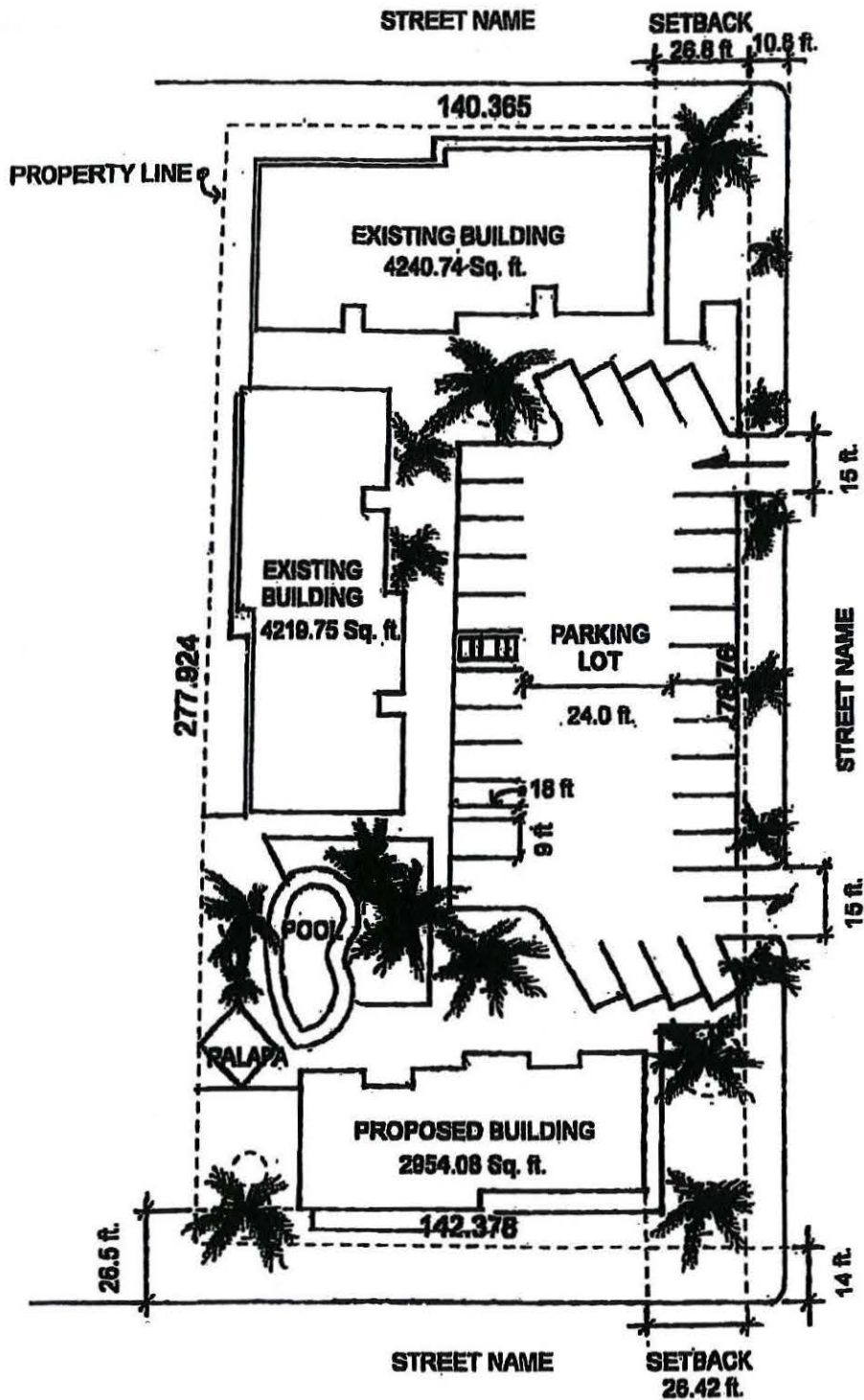
El plano de ubicación deberá presentarse con la mayor precisión posible o el trámite se verá aplazado hasta obtener el correcto. Un plano de ubicación preciso debe contener la siguiente información antes de ser aceptado:

- \_\_\_\_\_ 1) Deberá ser dibujado a escala: 1 pulgada = 20 pies, incluyendo la flecha señalando el Norte.
- \_\_\_\_\_ 2) Deberá incluir la descripción legal correcta y el domicilio fisico del sitio.
- \_\_\_\_\_ 3) Deberá mostrar todas las líneas divisorias y/o límites del terreno y sus medidas.
- \_\_\_\_\_ 4) Deberá mostrar las calles próximas al sitio incluyendo sus respectivos nombres.
- \_\_\_\_\_ 5) Deberá mostrar la flecha señalando el Norte en su plano.
- \_\_\_\_\_ 6) Todas las medidas deberan ser en pies y pulgadas.

Otros requisitos adicionales para el plano de ubicacion son los siguientes:

- a. Deberá mostrar todas las entradas, salidas y estacionamientos existents y/o propuestos.  
**\*NOTA:** Planos de ubicación que serán utilizados para propósitos de uso commercial, deberán presentar area de estacionamiento exclusivo, espacio de maniobras y cercas requeridos. No se permite estacionamiento ajeno al edificio.
- b. Deberá mostrar todos los edificios o estructuras existents y/o propuestos en el lugar y sus dimensiones.  
**\*NOTA:** Cualquier estructura propuesta en el sitio deberá mostrarse respetando las restricciones propias del terreno (los límites a respetar deberán dibujarse con línea interrumpida)
- c. Deberá mostrar ubicación y dimensiones de señalamiento y anuncios propuestos.

# SITE PLAN EXAMPLE



ENTRANCE

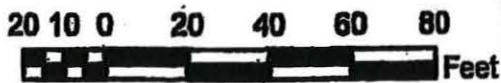
**LEGEND:**



EXIT

**ADDRESS:**  
**LEGAL DESCRIPTION:**

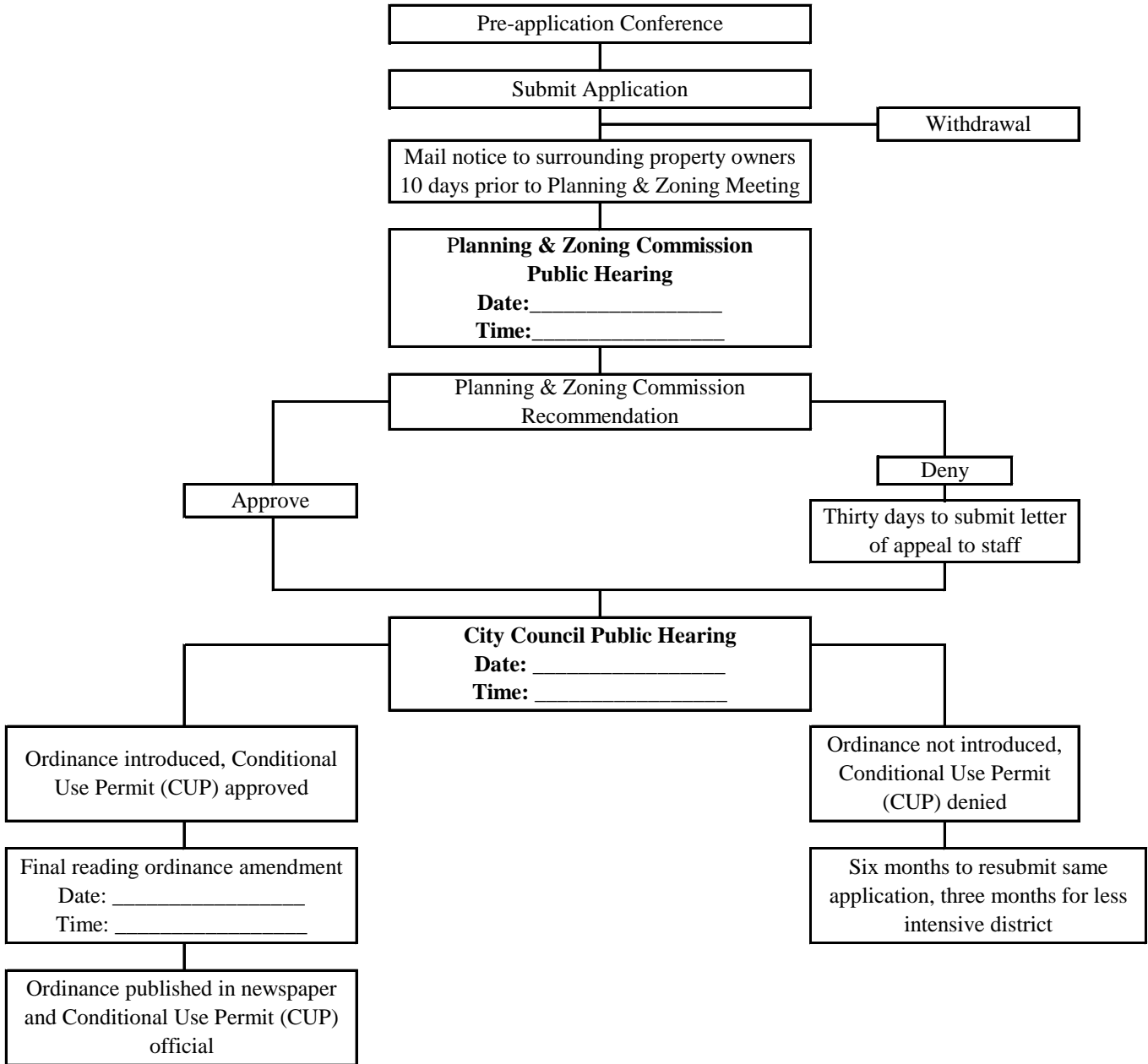
LOT \_\_\_\_\_  
BLOCK \_\_\_\_\_  
SUBDIVISION NAME \_\_\_\_\_



SCALE



**CITY OF LAREDO**  
**Conditional Use Permit**  
**Application**  
 Fee - \$400.00





## APPLICATION CHECKLIST

(Zone Change; Conditional Use Permit; Special Use Permit)

NOTE: Not every item on this list is required for every application; please check with Planning Staff prior to applying.

\_\_\_\_\_ **APPLICATION FOR ZONE CHANGE, CONDITIONAL USE PERMIT and SPECIAL USE PERMIT –**

Completed application form including all required documentation shall be submitted together; **incomplete applications will not be accepted.**

\_\_\_\_\_ **PROOF OF OWNERSHIP** – Copy of recorded deed or other recorded legal document indicating ownership of the property. If owner of the property is a corporation, proof of authority of signing party must be provided.

\_\_\_\_\_ **ARTICLES OF INCORPORATION, CONDOMINIUM DECLARATIONS, COVENANTS &/OR RESTRICTIONS**

If the property is owned by a business entity or is part of a condominium (commercial or residential), articles of incorporation and condominium declarations must be provided; in all cases covenants and/or restrictions must be provided or a statement from property owner that none exist.

\_\_\_\_\_ **AFFIDAVIT** – If the property owner wishes to designate a representative, or allow another person to apply on the property owner's behalf, a signed and notarized affidavit must be submitted.

\_\_\_\_\_ **TAX CERTIFICATE** – Original tax certificate from the City of Laredo, indicating all taxes are paid to date. Any delinquent or outstanding taxes must be paid in full prior to submitting the application.

\_\_\_\_\_ **METES AND BOUNDS DESCRIPTION WITH SURVEY MAP** – If a legal subdivision has not been recorded for the property, one (1) copy of a written metes and bounds description, signed and sealed by a professional engineer or a registered land surveyor and accompanied by a survey map, shall be submitted.

\_\_\_\_\_ **SITE PLAN (required only for Conditional Use Permit and Special Use Permit)** – The site plan is used by the Planning Department, the Planning and Zoning Commission and the City Council in their decision making process and becomes an attachment to the CUP/SUP ordinance. Refer to the CUP or SUP application for Site Plan Guidelines.

\_\_\_\_\_ **NARRATIVE DESCRIPTION (required only for Conditional Use Permit and Special Use Permit)** – A brief description of the business operation: proposed activities, hours of operation, number of employees, number of vehicles, and any other information relevant to the proposed use.

\_\_\_\_\_ **SUPPLEMENTARY INFORMATION (when applicable)** - Additional information may be requested as is necessary to evaluate the impacts of the Conditional Use Permit or Special Use Permit. Information requested may include, but is not limited to, tank or equipment specifications, documents related to petroleum/mineral extraction, elevations of the proposed new or remodeled structures, analysis of the traffic impacts of the proposed use, or evaluation of the environmental impacts of the proposed use.

\_\_\_\_\_ **SUBMITTAL VERIFICATION FORM** – One (1) copy of the form to be signed by the applicant (property owner) and designated representative.

\_\_\_\_\_ **APPLICATION FEE** – Check or money order made payable to the "City of Laredo."

## GENERAL INFORMATION AND APPLICATION PROCESS

(Zone Change; Conditional Use Permit; Special Use Permit)

Pre-application meeting: It is strongly recommended that an applicant and/or designated representative set up a pre-application meeting with Planning staff for the project prior to the submittal of a zoning, Conditional Use Permit or Special Use Permit application.

Submission and acceptance of application: The applicant or designated representative shall submit all required documents listed on the appropriate application form to begin the zone change, Conditional Use Permit or Special Use Permit process. **INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.**

Staff Comments and Recommendation: The Planning staff will review the application and prepare a staff report, including comments regarding the request and a recommendation for action, which is given to both the Planning and Zoning Commission and City Council. Staff provides a copy of the recommendation to the applicant and/or designated representative. The recommendation is included in the Commission meeting packet, which is posted on Planning Department's website.

Process for zone change, Conditional Use Permit or Special Use Permit: The process takes approximately three months. Approval is not guaranteed; the fee is non-fundable. The first public hearing takes place before the Planning and Zoning Commission and the second before the City Council. Public hearings are open to all interested parties. Anyone may present testimony in favor of or in opposition to the requested zone change, Conditional Use Permit or Special Use Permit request.

Planning and Zoning Commission Meeting: Not less than ten days prior to the Planning and Zoning Commission meeting, a notification letter is mailed to property owners within 200 feet of the subject property. The notification letter includes a response form which can be returned to the Planning Department to indicate support or opposition to the requested change. At the public hearing, the Planning and Zoning Commission make a recommendation to City Council. Applications which are recommended for approval go to City Council approximately a month later. If the Commission recommends denial, the applicant may submit a written appeal to the Planning Department within 30 days of the recommendation.

City Council Meeting: Not less than fifteen days prior to the City Council meeting, a notice of the public hearing is published in the *Laredo Morning Times* newspaper. If the case is going to City Council on appeal, in addition to the published notice, a notification letter is sent to the property owners within the 200-foot notification area. The ordinance is introduced at the public hearing. The City Council may or may not follow the Planning and Zoning Commission's recommendation. City Council's decision is final. If approved, the ordinance will receive a final reading at the following City Council meeting. The ordinance is final as of the date of publication in the newspaper, usually 4 or 5 days after the meeting. A signed copy of the ordinance will be provided to the applicant and designated representative as soon as it is available. If the application is denied, there is a waiting period of 6 months prior to reapplying for the same zoning or a more intense zone and 3 months for a less intense zone.

Presentation/Postponement or Withdrawal: It is up to the applicant or designated representative whether or not they want to be present at both public hearings. No presentation is required, but the applicant may want to be available to answer questions. Public hearings will generally not be postponed if notice of the public hearing has been mailed or published. Public hearings may be held, and action taken, whether or not the applicant or designated representative is in attendance. Any request for postponement or withdrawal of the application must be submitted in writing to the Planning Department. Depending upon the timing of the request for withdrawal with regard to the public notices, there may or may not be a waiting period prior to reapplying for the same property.

**For additional information, please contact the Planning Department at (956) 794-1613.**

## **SUBMITTAL VERIFICATION FORM**

(Zone Change; Conditional Use Permit; Special Use Permit)

- I attest that this application is complete and accurate to the best of my knowledge. I understand that any inaccurate or incomplete information provided may delay the processing of the application and may delay any scheduled public hearings.
  
- I understand that City staff will visit and photograph the subject property; that a zone change sign will be placed on the property; and that this application, including all submitted documents and staff photos relating to this zoning case are public information and can be made available through an open records request.
  
- I have had the zone change process explained to me, have received that information in print, and understand the application fee is non-refundable. I have been informed of the option to apply for a Conditional Use Permit, if appropriate.
  
- I understand that the applicant or designated representative should attend the public hearings before the Planning and Zoning Commission and the City Council. If the applicant or representative fails to appear at either of the scheduled public hearings, the application may be postponed or may be heard at the discretion of the body holding the hearing.
  
- I understand the approval of the zone change, Conditional Use Permit or Special Use Permit by City Council is not guaranteed. I understand that City Council may modify, deny, or table this application at its discretion and may or may not follow the recommendations of the Planning Department or the Planning and Zoning Commission.
  
- I understand I have the right to request an appeal of a negative recommendation by the Planning and Zoning Commission to City Council, and that such request must be made in writing and submitted to the Planning Department within 30 days of the recommendation for denial by the Planning and Zoning Commission.
  
- I understand that the application may be withdrawn at any time prior to the public hearing before the City Council and that the written request must be submitted to the Planning Department. I understand that there will be a waiting period of 6 months prior to reapplying for the same zoning or a more intense zone, or 3 months for a less intense zone.

\_\_\_\_\_  
Name of Applicant (Land Owner)

\_\_\_\_\_  
Name of Representative

\_\_\_\_\_  
Applicant's (Land Owner's) Signature

\_\_\_\_\_  
Representative's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date