

Article 5

SPECIFIC USES

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CASE NUMBER: TA140602

ORDINANCE NO. 9699-2014

ARTICLE 5: SPECIFIC USES

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ARTICLE 5: SPECIFIC USES

SECTION 1 - PURPOSE

- 5.1.1 The purpose of the Specific Use Permit process is to identify those uses which might be appropriate within a zoning district, but due to either their location, functional or operational nature, could have a potentially negative impact upon surrounding properties; and to provide for a procedure whereby such uses might be permitted by further restricting or conditioning them so as to eliminate such probable negative impacts.

SECTION 2 - AUTHORITY

- 5.2.1 The City Council, pursuant to the procedure established in [Article 1 “General Provisions and Procedures,”](#) and after recommendations by the staff and the Planning and Zoning Commission, may authorize the issuance of a Specific Use Permit for any of the uses indicated in the Use Schedule in [Article 4 “Permissible Uses.”](#)
- 5.2.2 The City Council may, in the interest of the public welfare and to assure compliance with this ordinance, establish conditions of operation, location, arrangement and construction of any authorized special use. In approving any specific use, the City Council may impose such development standards and safeguards as conditions warrant for the welfare and protection of adjacent properties, and citizenry as a whole as it may be affected by this use.

SECTION 3 - COMPLIANCE

- 5.3.1 Any applicant for a use authorized only as a specific use shall first obtain a Specific Use Permit pursuant to the procedures in [Article 1 “General Provisions and Procedures,”](#) and thereafter shall comply with all applicable ordinances, codes, and regulations, as well as with all conditions imposed by the City Council pursuant to this article. It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted, and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of Grand Prairie. Violation of this provision may be punishable in accordance with Section 1-8 of the Code of Ordinances of the City.
- 5.3.2 All Specific Use Permits approved in accordance with the provisions of this Ordinance shall be referenced on the Official Zoning Map of the City. Such note will be indicated by the letter “S” followed by the identification number.
- 5.3.3 Surveying and engineering information shall be submitted to the Public Works Department and approved prior to issuance of a Specific Use Permit. Such information shall demonstrate compliance with [Article 14, “Drainage,”](#) and [Article 15, “Floodplain Management”](#) of the Unified Development Code.

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- 5.3.4 Upon obtaining a Specific Use Permit, should any business establish thereafter fail to meet the minimum guidelines set forth herein, the City may, after proper notice thereof, initiate proceeding before the Planning and Zoning Commission and the City Council to revoke the Specific Use Permit. Specific Use Permits approval under this Article may be revoked for reasons including, but not limited to, the following: (a) failing to comply with conditions of approval set by the City Council; (b) if the Grand Prairie Police Department files a written request through the City Manager's Office to the City Council asking for a review of the Specific Use Permit on the grounds that the Department has received substantiated complaints about the property involving disorderly conduct, as that term is defined in Section 42.01 of the Texas Penal Code.

SECTION 4 - TERMINATION OF SPECIFIC USE PERMIT

- 5.4.1 All specific use permits approved in accordance with the provisions of this ordinance in its original form or as hereafter amended shall automatically terminate upon cessation of the use for a period of (6) months. Termination of use shall be determined to be the earliest date that any of the following occur:
- A. Disconnection or discontinuance of water and/or electrical services to the specific use permit zoned structure, lease space, lot, or tract of land.
 - B. Abandonment of the specific use permit zoned structure, lease space, lot, or tract of land (For purpose of this paragraph, "abandon" shall mean to surrender occupancy by vacating or ceasing to operate or inhabit subject property).
 - C. Any specific use permit granted by the City Council shall automatically terminate if a building permit has not been obtained on the premises within one (1) year from the date the ordinance granting the specific use permit is adopted.
 - D. On any tract of land for which a specific use permit has been granted and the use has ceased as of the date of this ordinance, such specific use permit shall automatically terminate six months after the adoption of this ordinance unless the use has been reinstated by that time.
 - E. Specific Use Permits in existence as of the date of this ordinance shall automatically terminate one year from the date of this ordinance if a building permit has not been obtained by that time.
 - F. In the case of a specific use permit for sales of alcohol, the final date of recorded liquor sales as established by form "3-6" of the Texas Alcoholic Beverage Commission (TABC). This daily report is required to be filed on a monthly basis with the TABC office located in Austin, Texas, and is public information available through the auditing department.

SECTION 5 - REQUIREMENTS FOR ALCOHOLIC BEVERAGE SPECIFIC USE PERMITS

Reference [Article 11, "Performance Standards,"](#) [Section 12, "Requirements for On-Premise Sale and Consumption of Alcoholic Beverages,"](#) of the Unified Development Code.

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Grand
Prairie