
CITY OF AZTEC

Special Use Requirements

The requirements of a Special Use Permit is defined in Chapter 26 Land Use Regulations, Article IV., Division 3. More specifically in the following Sections:

Sec. 26-531. Purpose.

Recognizing that certain uses may be desirable when located in the community, but that these uses may be incompatible with other uses permitted in a District, certain special uses, when found to be in the special interest of the public health, safety, and general welfare of the city may be permitted by the City Commission through a Special Use Permit.

(Code 2007, 26-531)

Sec. 26-532. Process.

1. Application. Application for a "Special Use" must provide to the Community Development Department the following:
 - (1) A completed "Application for Use Permit" application form;
 - (2) A site plan of the proposed activity showing the following requirements:
 - a. An outline, with boundary dimensions and total acreage, of the area proposed for conditional use;
 - b. Existing streets, roads, drainage courses and utility features expected to service the area;
 - c. Proposed streets, private drives, parking area, and utility feature;
 - d. Proposed locations of structures;
 - e. North arrow, scale, and other geographic data. The site plan should be drawn on 8-1/2 by 11-inch paper for reproduction purposes.
 - (3) A legal description or proper street address of the property;
 - (4) A statement as to the proposed use of the buildings, structures and premises;
 - (5) A showing of compliance with any minimum requirements by the City and State governments (fire, licenses, etc.).
2. Publication and Notification. Proper public notification and publication follows the procedures outlined in Section 26-504-2(3).
3. Fees. A non-refundable fee of fifty dollars (\$50.⁰⁰) is required.
4. Approval or Denial. The City Commission may grant a Special Use Permit provided that:
 - (1) The public health, safety, and general welfare will not be adversely affected;
 - (2) That adequate off-street parking facilities will be provided; and

(3) That necessary safeguards will be provided for the protection of the surrounding property, persons and neighborhood.

The City Commission may, in approving such special use permit, set forth such further reasonable requirements or conditions as are related to or necessitated by the proposed special use.

5. Duration. Whenever it is determined that a use of property for which a special use permit has been approved, but such use is not being conducted within the terms of the special use permit; or that such use has been allowed to accumulate litter or debris, to be a public nuisance, or to attract vagrants, criminals, or public intoxication, or is otherwise detrimental to the public safety or welfare or; before the special use has commenced, and it is determined that such special use is not in the public interest, or the owner of the property has affected petitions for revocation; the special use permit may be revoked by the City Commission.
6. Appeal. The owners shall have the right of appeal to the City Commission if the special use permit is revoked.
(Code 2007, 26-532)