



ARTICLE IV. - SPECIAL USE REGULATIONS

Sec. 50-124. - Purpose.

- (a) Certain uses of land, buildings or structures may not be appropriate under all circumstances in any given zoning district, but may be appropriate where adequate precautions can be taken to ensure compatibility with surrounding uses, public need, and the city as a whole. It is the intent of this article to allow for such uses by the granting of a special use permit, subject to the procedures which are applicable to rezoning, as stated herein.
- (b) The city council, upon recommendation of the planning and zoning commission, may by ordinance grant a special permit for the following special uses in any district, except as herein qualified, for which they are otherwise prohibited by this chapter, and may impose appropriate conditions and safeguards, including a specified period of time for the permit, to protect the comprehensive plan and to conserve and protect property and property values in the neighborhood.

(Ord. No. 2000-09, exh. A, § 5(intro), 8-8-2000)

Sec. 50-125. - Permitted special uses.

- (a) No building, structure, land or premises shall be used, and no building or structure shall hereafter be erected, constructed, reconstructed, moved or altered, except for one or more of the special uses set forth in this section. Issuance of a special use permit is restricted to the zoning district and land where such permit is applied.
 - (1) Airport, landing field, or landing strip for aircraft in a C-2 district.
 - (2) Amusement park in a C-2 district, but not within 300 feet of any residential district.
 - (3) Bed and breakfasts in any residential district.
 - (4) Cemeteries, funeral services, mortuaries and crematories in any residential district.
 - (5) Circus or carnival grounds in a C-2 district, but not within 300 feet of any residential district.
 - (6) Commercial, recreational or amusement development for temporary or seasonal periods in any commercial or industrial district, but not within 300 feet of any residential district.
 - (7) Correctional institutions or facilities (public or private) in any industrial district.
 - (8) Drive-in theater in the C-2 General Commercial District.
 - (9) Feedlots and stockyards in any industrial district.
 - (10) Hospital, clinic or institution, provided that any hospital or institution permitted in any district shall be located on a site of not less than five acres, shall not occupy more than ten percent of the total lot area and shall be set back from all yard lines at least two feet for each foot of building height.
 - (11) Livestock facilities and operations in any industrial district or the R-1E district.
 - (12) Privately operated community building or recreation field in a C-2 district.
 - (13) Radio, television, telephone or communication broadcasting tower or station of any type in any industrial district.
 - (14) Recreational vehicle parks in the C-2 General Commercial District or the M-1 Light Industrial District, provided such tourist or trailer camp shall comply with the following and such additional

requirements as may be deemed necessary for proper development and the protection of the surrounding area:

- a. All appropriate state and county sanitation regulations shall be strictly observed.
- b. At least 1,500 square feet of lot area per trailer shall be provided; no trailer shall be parked closer to the street or highway than the required front yard setback or closer than 20 feet to any property line; and a clearance of not less than 15 feet shall be maintained between trailer coaches on all sides.
- c. Trailer coach spaces shall abut upon a hard surfaced driveway or access-way of not less than 25 feet in width.
- d. Service buildings or other facilities for bathing, laundry and sanitation, as required by the state and local health regulations, shall be located at least 20 feet from the side and rear lot lines and shall be accessible to all trailer coaches by means of the access drives or hard-surfaced walks.
- e. Wherever practicable, space shall be reserved for recreation and a playground.

(15) Salvage yards, or similar operations in the M-2 district.

(16) Slaughterhouses, rendering operations, or other similar operations in the M-2 district.

(17) Truck stops in any industrial district.

(18) Other uses, which in the judgment of the commission as evidenced by a written resolution, are similar and no more objectionable than any of those enumerated in this subsection.

- (b) Any proposed special use shall otherwise comply with all the regulations set forth in this chapter for the district in which such use is located, except that the city council may permit hospitals and institutions to exceed the height limitations of such district.

(Ord. No. 2000-09, exh. A, § 5.A, 8-8-2000; Ord. No. 2005-10, § 1, 8-9-2005)

Sec. 50-126. - Criteria for considering special uses.

- (a) In considering any application for a special use permit, the planning and zoning commission and city council shall hold public hearings as with any amendment request and make findings based on the criteria stated in article II of this chapter, pertaining to administration and enforcement, but shall not be precluded from consideration of other factors which may be relevant to a particular application.
- (b) Where a special use of a commercial or industrial nature is proposed to be located in any residential district, the special use permit shall not be approved unless it is determined that the proposed use would be of limited duration or compatible with the proposed uses in the area as depicted on the El Campo 2020 Land Use Plan.

(Ord. No. 2000-09, exh. A, § 5.B, 8-8-2000)

Sec. 50-127. - Time limits for special uses.

Time limits for special uses are as follows:

- (1) Special uses shall commence within 90 days from the date of approval, unless extended by action of the city council.

- (2) Commencement of a special use occurs upon the issuance of a building permit, or upon the initiation of significant action to satisfy requirements for improvements required as part of the special use permit.
- (3) Only one time extension shall be permitted and shall not exceed 90 days. The extension shall be requested by the owner prior to the expiration of the special use.
- (4) The zoning official shall review the proposed time extension to determine if any modifications have been made to the site, and if changes have occurred to the zoning ordinance from which this chapter is derived or other development regulations that would affect the extension request.
- (5) If the zoning official finds that no substantial modifications are proposed, the time extension may be approved subject to conditions, if any.
- (6) If the zoning official finds that substantial modifications are proposed, the time extension shall be forwarded to the planning and zoning commission and city council for final action.

(Ord. No. 2000-09, exh. A, § 5.C, 8-8-2000)

Sec. 50-128. - Revocation of special use permits.

- (a) Any special use permit granted under the authority of this section is subject to revocation for any of the following reasons:
 - (1) Noncompliance with any applicable requirement set forth in this section;
 - (2) Noncompliance with any special conditions imposed at the time of approval of the special use permit;
 - (3) Violation of any provisions of this Code of Ordinances pertaining to the use of the land, construction or uses of buildings or structures or activities conducted on the premises;
 - (4) Where conditions in the neighborhood or surrounding property have changed to the extent that approval of the permit would be clearly unwarranted if being applied for at the time of revocation.
- (b) Procedure for revocation.
 - (1) Revocation proceedings may be initiated by a majority vote of the city council or the planning and zoning commission.
 - (2) An appeal of any decision of the city council to revoke a special use may be filed in the district court of the county. Any appeal taken shall not suspend the order of revocation during the pendency of the appeal unless so ordered by the district court.

(Ord. No. 2000-09, exh. A, § 5.D, 8-8-2000)

Secs. 50-129—50-154. - Reserved.