

**SPECIAL USE PERMIT**

**ON-PREMISE CONSUMPTION OF ALCOHOLIC BEVERAGES**

**I. APPLICANT INFORMATION (PLEASE PRINT)**

Application Date: \_\_\_\_\_

Applicant's Name \_\_\_\_\_

Phone No: \_\_\_\_\_

Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

IF DIFFERENT THAN OWNER, ATTACH LETTER OF AUTHORIZATION FROM OWNER

Property Owner's Name \_\_\_\_\_

Phone No: \_\_\_\_\_

Mailing Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

**II. PROPERTY INFORMATION (PLEASE PRINT)**

Property Address/Location: \_\_\_\_\_

Legal Description: Lot(s) \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_

Zoning: \_\_\_\_\_ Current Use: \_\_\_\_\_ Proposed Use: \_\_\_\_\_

**THE FOLLOWING INFORMATION IS REQUIRED FROM THE OWNER OR PERSON MAKING A REQUEST FOR ON-PREMISE CONSUMPTION OF ALCOHOLIC BEVERAGES ONLY**

\_\_\_\_\_  
DATE OF BIRTH                      SOCIAL SECURITY NUMBER                      DRIVERS LICENSE

Proposed Days and Hours of Operation: \_\_\_\_\_

**III. ATTEST**

AS OWNER/AGENTS FOR THE ABOVE DESCRIBED PROPERTY, I/WE, HEREBY REQUEST A HEARING BEFORE THE PLANNING AND ZONING COMMISSION.

\_\_\_\_\_  
APPLICANT'S SIGNATURE

\_\_\_\_\_  
DATE

PUBLIC HEARING DATE (PLANNING & ZONING COMMISSION) – 4:00 P.M.: \_\_\_\_\_

PUBLIC HEARING DATE (CITY COUNCIL) – 6:00 P.M.: \_\_\_\_\_

(NOTE: BOTH MEETINGS ARE HELD AT THE COUNCIL ROOM)

**GENERAL INFORMATION**

NOTIFICATION AND PUBLIC HEARING: Property owners within 300 feet of the subject property shall be notified within 10 days of the Planning and Zoning Commission public hearing and City Council.

RENEWAL PERIOD: A Special Use Permit shall expire within one (1) year. Application for renewal shall be made 30 days before permit expiration. The Special Use Permit shall be renewed annually to ensure continued compliance with permit requirements.

REVOCACTION: A Special Use Permit may be revoked by the City Council at a public hearing after recommendation from the Planning and Zoning Commission when complaints and/or noncompliance have registered with the City regarding the particular facility.

**GENERAL REQUIREMENTS**

**ARTICLE 2; SECTION 2.404 OF THE UNIFIED DEVELOPMENT CODE**

- A. **Type of review.** The type of review that is required depends upon the percentage of gross revenues that are anticipated from the on premise consumption and sale of alcoholic beverages and reflected on the application for a license with the State Alcoholic Beverage Commission. 50% or more of gross revenues for the premises is from sale of alcoholic beverages: Special Use review.
- B. **Frequency of review.** Limited and special use permits for alcoholic beverage sales must be renewed on an annual basis. 1) Renewals shall be reviewed as original applications for the first year after the original approval. 2) Subsequent renewals shall be reviewed as Limited Uses, regardless of the type of review used for the original approval.
- C. **Spacing.** The sale of alcoholic beverages by any dealer within the City at a location within 300 feet of any church, public or private school, daycare, or public hospital, or within 1,000 feet of a public or private school if the city receives a request from the board of trustees of a school district or governing body of a private school. 1) The measurement of the distance between the place of business where alcoholic beverages are sold and the church or public hospital shall be along the property lines of the street fronts and from front door to front door, and in direct line across intersections. 2) The measurement of the distance between the place of business where alcoholic beverages are sold and public or private school, daycare centers and other child care facilities and university shall be in a direct line from the property line of the private or public school, daycare center and other child care facilities or university to the property line of the place of business, and in a direct line across intersections
- D. **Other code requirements and cross-references.**
  - 1. The use or place of business must meet all other provisions of the City's Alcoholic Beverage Code and adopted building codes.
  - 2. A TABC license is required for operation of an alcoholic beverage sales use. Includes Fire Department inspection and Police Department reports.
  - 3. The Limited or Special Use Permit shall be approved prior to the application for TABC license.
  - 4. The use or place of business must provide for a food preparation area in which food is prepared and cooked for human consumption. Sale of chips, peanuts and cold sandwiches does not qualify the area for a kitchen.

\* Submit the following information together with the application: 1) warranty deed, 2) letter of intent, 3) preliminary floor plan, 4) site plan, 5) survey if it's a tract of land