



## **SPECIAL USE PERMIT PROCESS**

Certain types of land uses are very intense and can cause detrimental effects to surrounding properties. While these uses may be appropriate in some areas of the City, they are not appropriate in all circumstances and additional restrictions must be placed on these uses to ensure they do not adversely impact adjacent land owners.

Special use permits determine:

- Compatibility with surrounding land uses
- Adverse impacts to surrounding properties are limited
- The overall public need
- The duration for which the use will occur

Special use permits are reviewed by the Board of Zoning Appeals (BZA) which will make a recommendation to the City Council for approval or denial. The City Council will take final action on the special use permit. The property owner or applicant must show that the following requirements are satisfied in order for the permit to be approved:

- All submittal requirements are met;
- The site plan conforms to the requirements of the Zoning Ordinance, Municipal Code, the City's Comprehensive Plan, and other plans and policies adopted by the City Council;

## **Step 1 - Pre-Application Meeting**

Prior to submitting an application for a special use permit, the applicant or property owner is required to meet with City staff and discuss the project. The purpose of the meeting is to allow staff to review the concept the applicant intends to submit and provide general feedback. Staff will discuss the overall process required for approval and answer any questions the applicant may have including Zoning Ordinance requirements.

The pre-application meeting is designed to achieve the following:

- Acquaint the applicant with the procedural requirements of the City of El Paso;
- Provide for an exchange of information regarding the applicant's proposed development and the regulations, restrictions and requirements, the Comprehensive Plan, the Zoning Ordinance and other development requirements;
- Advise the applicant of any public sources of information that may aid the application, identify policies and regulations that create opportunities or pose significant restraints for the proposed development;
- Review proposed concept plans and provide the applicant with opportunities to modify the site plan so as to mitigate any undesirable project consequences;
- Review the compatibility with adjacent developments, either proposed or existing; and
- Provide general assistance by City staff on the overall design of the proposed development.

Depending on the complexity of the project, additional pre-application meetings may be required to address outstanding issues before the applicant may submit a formal application.

The pre-application meeting is required for most projects and the applicant is typically required to meet with staff in person. For some projects, staff may

conduct the meeting by telephone or may waive the meeting requirement at the discretion of the City Administrator.

The following information should be submitted prior to the pre-application meeting:

<b>Pre-Application Meeting Checklist</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>
A sketch or concept plan showing proposed site layout			
Existing uses and structures, current site activities, and adjacent properties within 200 feet			
Description of any street adjacent to the property or extend through the site. This should include the width of the existing surface and the width of the street right-of-way.			
Location and type of existing and proposed utilities.			

If the applicant does not have all items listed on the Pre-Application Meeting Checklist, the applicant may still meet with City staff but a second meeting will be required to discuss these items. If the applicant has only prepared a sketch/concept plan for review during the initial pre-application meeting, then a second pre-application meeting shall be scheduled during which the applicant must provide complete engineering drawings for discussion.

Once the pre-application meeting has concluded and all checklist items have been discussed with staff, the applicant may submit an application for site plan review.

**Step 2 – Filing an Application**

An application for a special use permit must be completed and submitted to the City of El Paso with the proper filing fee, payable to the City of El Paso. An application may be withdrawn at any time upon written request; however, no refund will be made after the application has been accepted. A complete application consists of all items identified in the Submittal Requirements checklist. (See attached pages)

**Special use permit review applications must include all items required on the special use permit checklist. All additional information, which is to support the application, must be submitted with the application. Failure to meet the application submittal requirements checklist may delay the review and approval of the special use permit.**

## Special Use Permit Requirement Checklist

<b>Submittal Requirement</b>	<b>Yes</b>	<b>No</b>	<b>N/A</b>
Completed application form with names and addresses of developer, owner, engineer and/or architect.			
Legal description of the property in print and on CD (Microsoft Word).			
Application Fee			
One 11"x17" reduction of each sheet in the site development plans.			
Digital files for all plans and all required studies and reports (8.5"x11" reductions in pdf format)			
Four (4) full scale folded copies of the site plans, landscape plans, building elevations, and supplemental attachments.			
All studies as may reasonably be required by the City Engineer or City Administrator.			

**Applications missing any of the required items will not be processed**

**SPECIAL USE PERMIT REVIEW APPLICATION  
CITY OF EI PASO, ILLINOIS**

<b>SPECIAL USE REQUESTED FOR:</b> _____	
LOCATION OR PROPERTY ADDRESS: _____	
LEGAL DESCRIPTION: _____	
TAX PARCEL ID: _____	
AREA OF SUBJECT PROPERTY (ACRES/SQ.FT): _____	
ZONING OF PROPERTY: _____	CURRENT LAND USE: _____

<b>PROPERTY OWNER'S NAME:</b> _____				
PHONE: _____	FAX: _____			
MAILING ADDRESS: _____				
	STREET	CITY	STATE	ZIP
EMAIL ADDRESS: _____				

<b>APPLICANT/AGENT'S NAME:</b> _____				
PHONE: _____	FAX: _____			
MAILING ADDRESS: _____				
	STREET	CITY	STATE	ZIP
EMAIL ADDRESS: _____				

<b>ENGINEER/ARCHITECT'S NAME:</b> _____				
PHONE: _____	FAX: _____			
MAILING ADDRESS: _____				
	STREET	CITY	STATE	ZIP
EMAIL ADDRESS: _____				

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|---|
| <ul style="list-style-type: none"><li>• FOUR (4) COPIES OF THE SPECIAL USE PERMIT PLANS MUST ACCOMPANY THIS APPLICATION FOR STAFF REVIEW.</li><li>• ONE (1) REDUCED COPY (11" X 17") MUST ALSO BE SUBMITTED WITH THE APPLICATION.</li><li>• PLEASE SUBMIT THE LEGAL DESCRIPTION OF THE PROPERTY IN PRINT, ON A CD (MICROSOFT WORD) AND A DIGITAL COPY OF THE SITE PLAN OR PLAT (PDF).</li><li>• AFTER STAFF REVIEW, TWELVE (12) COPIES WILL BE REQUIRED FOR DISTRIBUTION TO THE BOARD OF ZONING APPEALS AND CITY COUNCIL.</li></ul> |
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OWNER/AGENT SIGNATURE: \_\_\_\_\_

### **Step 3 – Staff Review**

Every application shall be reviewed in detail by staff. All plans will be reviewed by the City Administrator/City Planner, City Engineer, Public Works Director, Utilities Director, and other staff members as needed to ensure the plans are in conformance with adopted codes and policies. Following staff review, written comments will be prepared and sent to all parties listed on the application form (via fax or email). Staff shall have ten (10) days from the date of submittal to review the plans and forward comments to the applicant.

The comments prepared by staff are intended to be a complete list of changes required by the applicant prior to approval of the site plan. However, some circumstances may warrant additional staff comments following the applicant meeting to ensure compliance with City codes and ordinances. For example, if a change is requested by City staff and the solution presented by the applicant creates an unforeseen issue, staff may provide additional comments to correct the problem. Also, if the applicant submits revised plans based on staff's comments and those plans are still deficient, then a second round of comments will be provided to the applicant.

### **Step 4 – Applicant Resubmittal of Plans**

Once staff has sent comments to the applicant for the submitted plans, the applicant shall make appropriate changes to those plans and resubmit twelve (12) additional copies of all plan sets and revised digital copies for final review and approval. The contact information for all staff members will be included in the comments provided to the applicant and the applicant should contact staff if he/she has any questions or needs clarification. As stated in Step 3, if staff comments have not been addressed in the plan submittal, then additional comments may be warranted and a second set of revised plans must be submitted.

## **Step 5 – Board of Zoning Appeals Hearing**

A public hearing is required for special use permits before the Board of Zoning Appeals. The BZA meets on an as needed basis, typically on Thursday evenings at 6:00 p.m., in the Council Chambers of City Hall, located at 125 W. Front Street. The BZA will review a number of factors which include, but are not necessarily limited to, the following:

- The probable effect the desired use will have on surrounding land uses
- The location of access drives on the site with respect to their creating traffic hazards
- The availability of public utilities to serve the intended use
- The adequacy of on-site parking
- Lighting of the premises
- Adequacy of supervision and hours of operation

The chairperson will open the public hearing for each case to hear presentations by City staff, the owner or authorized agent, and the audience, respectively. After all parties have had the opportunity to speak, the BZA will close or continue the public hearing to a later date. After the public hearing is closed, discussion will be limited to the BZA members and action will be taken in the form of a recommendation for approval or denial to the City Council.

The presentation given by City staff will be comprehensive in nature and will cover all of the special use review criteria as well as other relevant information pertaining to the project.

Presentations by the applicant should be a brief description of the proposed project and include responses to any concerns raised in the City staff's report and any additional information which the applicant wishes to bring to the meeting (for example, color renderings, maps, photographs, or petitions). All additional information shall be provided to staff in advance, so it can be included in the BZA members' packets.

## **Step 6 – City Council Action**

Special use permits require approval by the City Council, which typically meets on the first and third Monday of each month in the Council Chambers of City Hall located at 125 W. Front Street at 7:30 p.m. The format of the meeting is similar to that used by the BZA and applicants should be prepared to make a similar type of presentation. If necessary after the City Council has listened to the presentations and to any public comments, they will discuss the application and then take action. The City Council can approve the special use permit, approve with conditions, deny, or remand the application back to the BZA for further review.

**The City Council meeting is not a public hearing and the Council may choose to limit comments.**

## **Step 7 – Building Permit Review**

Once the special use permit has been approved by the City Council, the applicant must apply for a building permit. Four (4) revised sets of plans must be submitted to staff at the time of application and these plans must include any changes to the plans approved by the City Council, including any stipulations required in the special use permit resolution. In the unlikely event that no changes or stipulations were required, revised plans must still be submitted.

Staff shall have ten (10) days to review the building permit plans and verify they comply with all stipulations or requirements imposed by the City Council. Plans that fail to meet the requirement shall be denied and a list of outstanding items will be provided to the applicant by staff and revised plans must be submitted. Once all stipulations are met, the building permit will be approved.



## **Step 8 – Site Review and Occupancy Inspection**

Prior to the applicant occupying the structure, a site review and occupancy inspection must be requested by the applicant and performed by staff. The purpose of the inspection is to ensure all site plan stipulations and requirements have been met. Items reviewed during the inspection include, but are not limited to, the following:

- Building setbacks
- Screening and landscaping
- Building elevations
- Parking lot and building lighting
- Parking spaces
- Dumpster enclosure requirements
- Signage

This is not an exhaustive list and other requirements shown on the site plan, landscape plans, building elevations, and supporting documentation must also be addressed. Staff encourages the applicant to contact the City well in advance of the occupancy date to perform the inspection as to prevent an unnecessary delay in occupying the facility.

Any changes to the plans during the construction phase of the project must be approved by the City of El Paso. Revised plans shall be submitted to City staff for review and a minimum of ten (10) days shall be permitted for review.

### *Certificate of Inspection*

The State of Illinois has adopted regulations governing commercial construction for all municipalities within the state. In non-building code jurisdictions, including the City of El Paso, no person may occupy a newly constructed commercial building until a building inspection has been completed by a qualified inspector and a certificate of inspection affirming the inspection has been completed is filed with the municipality.

A commercial building as defined by the Capital Development Board Act is any building other than a single-family home or a dwelling containing two (2) or fewer apartments, condominiums, or townhomes or a farm building as exempted from Section 3 of the Illinois Architecture Practices Act.

Please refer to Illinois Public Act 096-0704 for further information.

The City of El Paso shall not issue a certificate of occupancy for the property until a certificate of inspection has been submitted and approved by City staff. Once all inspections are completed and staff has verified the site is in compliance with all plan approvals, a certificate of occupancy shall be issued to the applicant.