



**Conditional Use Permit**  
Planning & Development

**FOR OFFICE USE ONLY**

Date: \_\_\_\_\_ CUP - \_\_\_\_\_ - \_\_\_\_\_ Staff Review \_\_\_\_\_

P&Z Hearing: \_\_\_\_\_ Council Hearing: \_\_\_\_\_ Fees Paid (\$750): ☐ \_\_\_\_\_

Applicant: \_\_\_\_\_

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

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**OWNER'S INFORMATION**

Property Owner: \_\_\_\_\_

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

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**PROJECT SITE ADDRESS:** \_\_\_\_\_

Legal description: \_\_\_\_\_

Total Acreage or Square Footage: \_\_\_\_\_ Deed recorded in: \_\_\_\_\_

Hays CAD Parcel ID R- \_\_\_\_\_ Planning Area: \_\_\_\_\_ Zoning: \_\_\_\_\_

Is property located in an overlay district? ☐ Yes ☐ No If Yes, type: \_\_\_\_\_

**SPECIFIC CONDITIONAL USE REQUEST:** \_\_\_\_\_

Applicant understands that the purpose of the Conditional Use Permit (CUP) process is to allow certain uses which are not specific; permitted uses within a zoning district. To be considered for a CUP, the requested use must be listed under "Conditional Uses" within the applicable zoning district.

**UTILITIES**

Electric Provider: \_\_\_\_\_

Water provider or Private Well: \_\_\_\_\_

Wastewater Service or Septic Permit No. \_\_\_\_\_

\*If you have an On-Site Sewage Facility (OSSF) you can submit an open records request for your permit information if you do not have it.

## **CONDITIONAL USE PERMIT (CUP) SUBMITTAL CHECKLIST**

- ☐ Complete "Conditional Use Permit Application"
- ☐ Metes and bounds description and/or survey exhibit
- ☐ Site Plan drawn to scale and showing the general arrangement of the project, together with essential requirements such as off-street parking facilities; size height, construction materials, and locations of buildings and the uses to be permitted; location and construction of signs; means of ingress and egress to public streets; the type of visual screening such as walls, plantings and fences
- ☐ Copy of the Original Deed(s)
- ☐ Payment of application fee (credit card payments, checks/money orders, cash exact change only)
- ☐ Agent authorization to represent property owner if applicable

### **MY REQUEST IS BASED ON THE FOLLOWING:**

- The use is harmonious and compatible with surrounding existing uses or proposed uses and does not adversely affect an adjoining site than would a permitted use.
- The use requested by the applicant is set forth as a conditional use in the base district.
- The nature of the use is reasonable.
- The conditional use does not adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area.
- The conditional use does not adversely affect an adjacent property by its resulting traffic through the location, or its lighting, or its type of sign; and
- That any additional conditions specified, if any, ensure that the intent and purposes of the base districts are being upheld.

### **SUBMITTAL VERIFICATION**

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that City review of this Application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me, my firm, or agent, may delay the review of the Application. I authorize City of Wimberley Staff to visit and inspect the property for which this application is being submitted. I agree to attend or have a representative attend the Planning & Zoning Commission and City Council meetings. I have checked the subdivision plat notes, deed restrictions, restrictive covenants and/or zoning actions to ensure that there are no restrictions on the subject property and understand that the City zoning action does not relieve any obligation of these restrictions.

**Applicant's Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

## ADDITIONAL QUESTIONS AND LIST OF CONDITIONS THAT MAY BE INCLUDED IN A BED AND BREAKFAST/VACATION RENTAL CUP

OWNER: \_\_\_\_\_

LOCATION OF PROPERTY: \_\_\_\_\_

LEGAL DESCRIPTION: \_\_\_\_\_

PLANNING AREA: \_\_\_\_\_ PRESENT ZONING: \_\_\_\_\_

EXISTING USE: \_\_\_\_\_

HOMEOWNERS ASSOCIATION CONTACT INFO: \_\_\_\_\_

SHARED FACILITIES (RIVER PARK, POOL, ETC.): \_\_\_\_\_

PROPERTY IN FLOODPLAIN? ☐ YES ☐ NO

GATED COMMUNITY OR PRIVATE STREET? ☐ YES ☐ NO

USE TO BE GRANTED: \_\_\_\_\_ **Bed & Breakfast** OR \_\_\_\_\_ **Vacation Rental**

**NEW CONSTRUCTION:** (Describe existing construction) If new construction is contemplated: Describe new construction. The architecture and façade of all new construction will be traditional “Hill Country” design and harmonious with those of adjacent uses. No construction shall commence prior to compliance with all applicable ordinances, laws, rules, and regulations.

**COMPATIBILITY TO NEARBY AREAS:** The facilities on the property will always be harmonious and compatible with surrounding uses

**OFF-STREET PARKING:** All parking will be off-street. \_\_\_\_\_ Off-street parking spaces will be provided for off-street guest parking, which will be adequate for a maximum occupancy of \_\_\_\_\_ guests. Parking will be in these spaces only.

**SIGNAGE:** All signage will be of traditional “Hill Country” design and will comply with the City Sign Ordinance.

**NOISE AND LIGHTING:** Exterior lighting to be only landscape lighting. All noise audibles from outside, and all light visible from outside the property shall be maintained at low levels appropriate to a single-family neighborhood. No large parties are permitted.

**NUMBER OF BEDROOMS:** \_\_\_\_\_ **PROPOSED MAXIMUM OCCUPANCY:** \_\_\_\_\_ guests.

Forms & Applications October 2021 3

**OCCUPANT REGULATIONS AND GUIDELINES:** Guest Guidelines are attached hereto and made a part of this Conditional Use Permit. The bed and breakfast lodging facility shall be operated in accordance with the guidelines. These guidelines shall be furnished to all guests.

**WASTEWATER SYSTEM:** The wastewater treatment system (to be designed and constructed) will always be adequate for the maximum occupancy.

**WATERFRONT USAGE:** (Applicable if guests have water access) Guests may only use the \_\_\_\_\_ River/Creek in the area directly adjacent to the bed and breakfast lodging facility. Guests may not use the River/Creek in front of other properties or enter upon any property which is not part of the bed and breakfast facility for the purpose of entering or exiting the water or for any other reason.

**PROPERTY MANAGEMENT:** Owner will provide guests and close-by neighbors with owner's telephone number to assure Owner's immediate knowledge of any concerns that may arise. (If not, owner occupied) Owner agrees to always retain under contract a responsible local management company the property is used as a non-owner-occupied bed and breakfast lodging. The management company shall advise guests of the applicable conditions contained herein, receive, and pass on to owner any complaints received and at owner's direction act upon such complaints. (If owner occupied) The property shall be the owner's principal place of residence and the owner shall actively always supervise and manage the property that it is used as a bed and breakfast facility.

**MISCELLANEOUS:** Owner agrees to maintain the property in a manner conducive to the health and safety of the guests and the neighborhood. All trash and garbage will be placed in provided receptacles which shall not be visible from the street except on pick-up day. No trash bags shall be left out in the open. The exterior of the facility and the landscaping, including lawns, will be always maintained in good condition.

**REVOCATION:** The cup may be revoked by the City Council upon recommendation of the Planning and Zoning Commission in the event of the violation of any of the conditions contained therein.

**OWNER COMPLIANCE:** Owners agree to comply with all City of Wimberley Ordinances, and all state, county and City laws, rules, and regulations.

**ACCEPTED AND AGREED TO:**

\_\_\_\_\_  
OWNER SIGNATURE

\_\_\_\_\_  
PRINT NAME

\_\_\_\_\_  
DATE

\_\_\_\_\_  
OWNER SIGNATURE

\_\_\_\_\_  
PRINT NAME

\_\_\_\_\_  
DATE