

## **ORDINANCE NO. 3378**

**AN ORDINANCE AUTHORIZING A SPECIFIC USE PERMIT (SUP) TO ALLOW A BAIL BOND AGENCY USE (ELLIS COUNTY BAIL BONDS) WITHIN A COMMERCIAL DISTRICT (C) AT 201 E. MAIN STREET IN THE CITY OF WAXAHACHIE, ELLIS COUNTY, TEXAS, BEING 0.28 ACRES KNOWN AS PROPERTY ID 170540, AND ORDERING THE CHANGING OF THE ZONING MAP THEREOF IN ACCORDANCE WITH SAID CHANGE.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAXAHACHIE, TEXAS:

**WHEREAS**, the City Council of the City of Waxahachie having adopted a zoning ordinance and map showing the classification of the property located within the city limits of said City; and

**WHEREAS**, a proper application for an SUP has been made in accordance with the zoning ordinances in the City of Waxahachie and said application has been assigned case number ZDC-58-2023. Said application having been referred to the Planning and Zoning (P&Z) Commission was recommended by the P&Z Commission for approval and the issuance thereof; and

**WHEREAS**, proper notification has been published for the time and in the manner as prescribed by the city ordinance of the City of Waxahachie for a public hearing thereon; and

**WHEREAS**, a proper hearing was held as required by law and the City Council having heard all arguments for and against said SUP;

**NOW, THEREFORE**, this property is rezoned from C to C, with an SUP in order to allow a Bail Bond Agency use on the following property: Property ID 170540, which is shown on the location map (Exhibit A).

### **SPECIFIC USE PERMIT**

#### **Purpose and Intent**

The purpose of this ordinance is to provide the appropriate restrictions and development controls that ensure this Specific Use Permit is compatible with the surrounding development and zoning and to also ensure that the development complies with the City's Comprehensive Plan and the Zoning Ordinance.

#### **Specific Use Permit**

**FOR THE OPERATION OF A SPECIFIC USE PERMIT FOR A BAIL BOND AGENCY USE (ELLIS COUNTY BAIL BONDS) IN THE COMMERCIAL (C) DISTRICT;** the following standards and conditions are hereby established as part of this ordinance:

1. A bail bond agency is limited to suite 109 at 201 E. Main Street as shown in Exhibit A. A bail bond agency shall not be permitted anywhere else in the multi-tenant building at 201 E. Main Street.
2. Permission to operate a bail bond agency use is only granted to "Ellis County Bail Bonds" managed and operated by "Richard Shinpaugh." Approval to operate a bail bond agency use at 201 E. Main Street, Suite 109 will not transfer to another bail bond agency business or owner for "Ellis County Bail Bonds."
3. "Ellis County Bail Bonds" may conduct business at 201 E. Main Street, Suite 109 for a period not to exceed two (2) years from the approval of this ordinance. After two (2) years, the property owner in coordination with Richard Shinpaugh, shall request approval of another specific use permit to reestablish the use.
4. The hours of operation for "Ellis County Bail Bonds" are limited to Monday through Sunday 8:00 am to 9:00 pm.

5. Exterior building signage shall require approval by the Heritage Preservation Commission and a building permit from the Building and Community Services Department.
6. The subject property shall comply with the City of Waxahachie Municipal Code and Zoning Ordinance when any zoning, land use requirement, or restriction is not addressed or disclosed in this ordinance.
7. The development shall maintain compliance with all Federal, State and Local regulations; including, but not necessarily limited to, all applicable standards and regulations of the City of Waxahachie Municipal Code and City of Waxahachie Zoning Ordinance.
8. City Council shall have the right to review the Specific Use Permit at any point, necessary.

Compliance

1. It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted, and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of Waxahachie.
2. Furthermore, by this Ordinance, if the business (Ellis County Bail Bonds) covered by this Specific Use Permit ceases to operate on the premises, a new Specific Use Permit shall be required to re-establish the use.
3. This Specific Use Permit shall not run with the land and therefore may not be transferred from owner to owner.
4. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its number and title.

An emergency is declared to exist in that needed and approved improvements will be unnecessarily delayed if this ordinance is not effective upon passage and this ordinance is to be effective upon passage.

The zoning map of the City of Waxahachie is hereby authorized and directed to be demarked in accordance therewith.

**PASSED, APPROVED AND ADOPTED** on this 19<sup>th</sup> day of June, 2023.

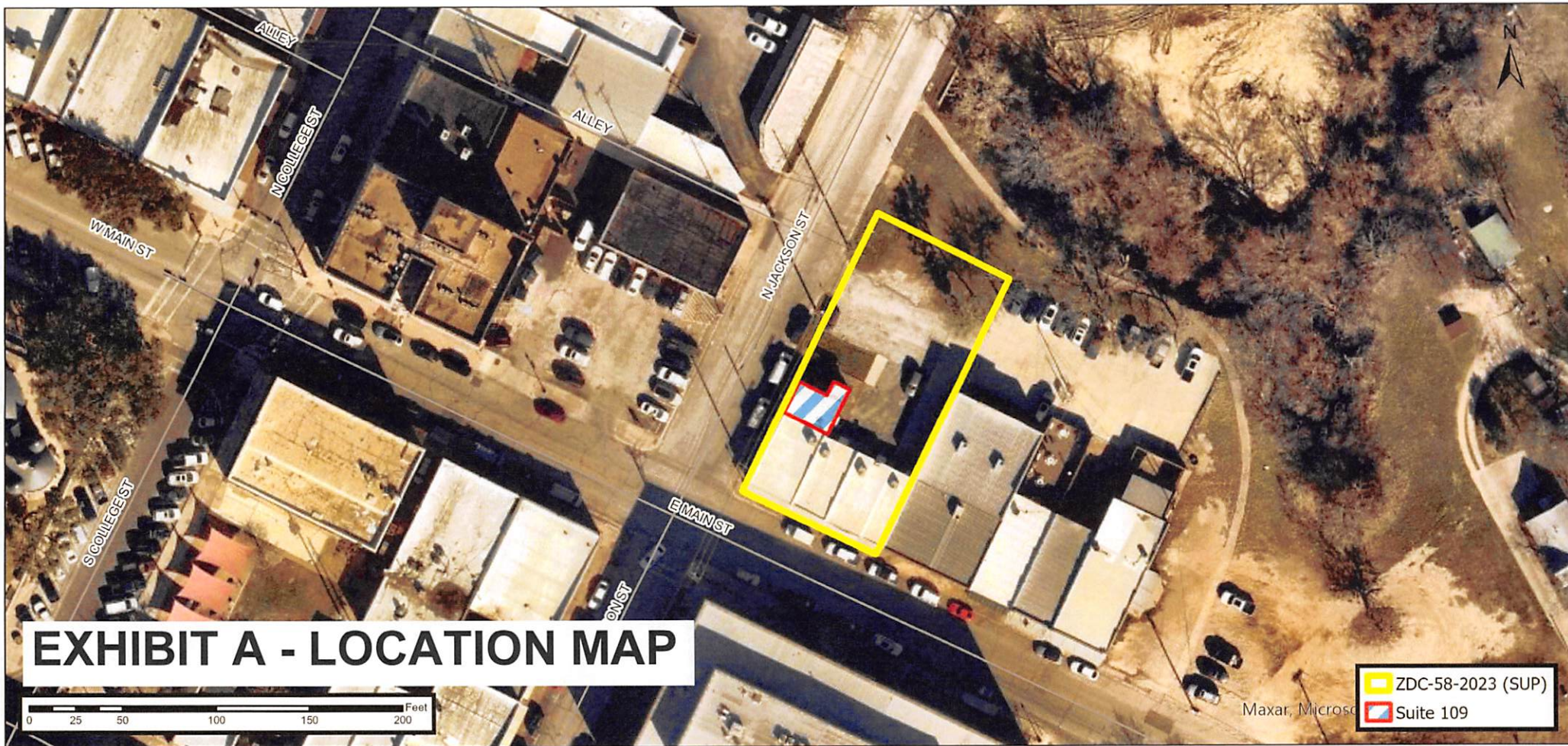


  
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MAYOR



ATTEST:

  
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City Secretary





# EXHIBIT A - LOCATION MAP

-  ZDC-58-2023 (SUP)
-  Suite 109