

CONDITIONAL USE PERMIT PROCEDURE

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This sheet summarizes the steps involved in obtaining a Conditional Use Permit (CUP) in unincorporated Miami County, Kansas. Please refer to your particular zoning district and Article 14 (Conditional Uses) of the Miami County, Kansas Zoning Regulations for specific requirements. If you have any questions regarding this procedure, contact the Planning Office during the hours of 8:00 a.m. through 4:30 p.m., weekdays.

1. Review the CUP proposal with County staff

Prior to submitting a CUP application, the applicant must first meet with Planning Department staff. During this initial meeting, staff can provide you with important information about how to proceed with your CUP application.

2. Application

Requests for a Conditional Use Permit shall be made by the owner/s of the land, or their authorized agent or representative, on an application form provided by the County Planning Department. The application shall include ALL of the following:

- A. A complete application form.
- B. Narrative describing your proposal including discussions under the following headings:
 1. General Description of Proposed Use: including nature of use, description of outdoor uses, hours of operation, anticipated vehicle trips per day, number of employees and public associated with the use, phasing schedule for construction, requested time limit for permit, etc.
 2. Utilities and Infrastructure: including information as to the availability of all existing and proposed utilities to the property, access to the property, etc.
 3. Impacts to Surrounding Properties: including noise, lighting, traffic, etc., and any proposed ways to mitigate those impacts.
 4. Other: any other information that will help give the Planning Commission an understanding of the proposal.
- C. Site Plan - ten (10) 24" x 36" **FOLDED** copies and one (1) 8.5" x 11" copy. Refer to Article 19 *Site Plans* of the zoning regulations (checklist attached). Note: Additional copies will be required after the initial review.
- D. Building Plans (if applicable).
- E. Deed to property.
- F. Certified list from a Title Company of property owners within 1,000 feet of the affected property. The list must be certified within the last 30 days from the date of submittal.
- G. Fees

3. Public Hearing

Once the Planning Department certifies the application as complete, the request will be placed on the Planning Commission agenda for hearing. Please refer to the attached schedule for application deadlines and corresponding hearing dates (this schedule is a guide and your application may not be processed in line with this schedule). At the public hearing, an opportunity shall be provided to interested parties to be heard. Any protest petition must be filed with the County Clerk within 14 days after the Planning Commission hearing. Please refer to Section 14-1.03 of the [zoning regulations](#) for details.

4. Final Action

The Planning Commission will forward their recommendation of approval or denial to the County Commissioners no sooner than 3 weeks following the Planning Commission hearing. Please contact the Planning Office for the exact date and time that this item will be placed on the County Commission Agenda.

SITE PLAN CHECKLIST

This checklist summarizes the required elements of a site plan. Please refer to Article 19 of the Miami County, Kansas Zoning Regulations (Site Plans) for additional requirements.

All site plans shall be prepared by an architect, engineer, landscape architect, or other qualified individual at a scale of one inch (1") equals fifty feet (50') or larger. A site plan shall be arranged so that the top or right of the plan represents north. Ten (10) 24" x 36" copies and one (1) 8.5" x 11" copy shall be submitted with the application. Note: Additional copies shall be required after the initial review.

Items required on a site plan for submission:

1. Name of the project, address (if assigned), current zoning, date, north arrow and scale of the plan.
2. Name and address of the owner of record, developer, and name, address and phone numbers of the plan author.
3. Show property boundaries and dimensions graphically, and provide a written legal description of the property.
4. Show all established and proposed easements on the property.
5. Indicate the current uses and the names of all owner(s) of record of abutting parcels.
6. Show the present and proposed topography of the area by contour lines at an interval of not more than five feet (5').
7. Show the locations and uses of all existing and proposed buildings and structures. Indicate the number of stories, gross floor area, and entrances to all existing and proposed buildings and structures.
8. Describe the proposed use(s) of the site and list the number of required and proposed off-street parking spaces. If the exact use is not known at the time a site plan is submitted for review, off-street parking requirements shall be calculated by the zoning of the site.
9. Show the locations and dimensions of existing and proposed curb cuts, access aisles, off-street parking spaces, loading zones and walkway areas.

10. Indicate traffic flow patterns on the site and show curb cuts within 100 feet of the site.
11. The Planning Commission may also require a detailed traffic study for large uses, mixed uses and multi-tenant developments, or for developments in heavy traffic areas. The study will include:
 - A. The projected number of motor vehicle trips to enter or leave the site estimated for daily and peak hour traffic levels;
 - B. The projected traffic flow pattern, including vehicular movements at all major intersections likely to be affected by the proposed use of the site; and
 - C. The impact of this traffic on the existing public roads in relation to existing road capacities. Existing and proposed daily and peak hour traffic levels, as well as road capacity levels, shall be given.
12. Show the location and size, and provide a landscape schedule of all landscaping, including grass, ground cover, trees and shrubs.
13. Show the proposed location, height, indicate direction, and list amount of illumination and type (e.g., fluorescent, metal halide, mercury vapor, sodium incandescent) of all proposed external lighting fixtures. Provide information on screening proposed for the lighting and steps to be taken to prevent off-site glare.
14. Show location of each outdoor storage area, and list the type and height of screening to be provided, if required.
15. Show the location, height, size, materials, and design of all proposed signage.
16. Show the location of all present and proposed utility systems, including sewer or septic system, water supply system, proposed and existing fire hydrants, telephone service, cable service, electrical and gas systems.
17. Indicate by use of directional arrow(s), the proposed flow of storm drainage from the site. Show the storm drainage system, including existing and proposed drainage lines, culverts, catch basins, and drainage swells. Indicate if the property is within the Floodplain Overlay District and show the area within the designated floodplain.
18. Provide a note on the face of the site plan indicating that all public buildings and facilities have been designed to comply with the provisions of the Americans with Disabilities Act Accessibility Guidelines (ADAAG) for buildings and facilities.