

ARTICLE 10

SPECIAL USES

SPECIAL USE PROCEDURE

Certain uses or exceptions are permitted in some zoning districts only when a special use permit has been obtained from the City Council. Such uses require special study with respect to specific location and design considerations to assure that they will have minimal negative impact on surrounding properties.

- The applicant shall first meet with planning staff to receive a full explanation of the zoning and special use requirements, and an application form. (Application on page 41)
- The applicant shall submit a completed application form to the Planning Department and pay the appropriate fee. The application shall include a plan showing existing and proposed structures on the property in question, adjacent property, parking spaces, driveways, and other information as required by the adopted zoning regulations. An application shall not be processed unless it has been fully completed, the fee paid, and all required information submitted.
- Planning staff shall then schedule consideration of the application at the next regular meeting of the Planning Commission. Planning staff shall be responsible for having an official notice of the public hearing published in a newspaper of general circulation at least 20 days prior to the hearing, and follow the adopted procedures for considering a special use permit as prescribed in the zoning regulations.
- The Planning Commission shall hold a public hearing at which time citizens and parties of interest shall have an opportunity to be heard. The public hearing may be adjourned from time to time and, upon its conclusion, the Planning Commission shall prepare and adopt its recommendation to the Governing Body. This recommendation shall be submitted along with an accurate record of the public hearing.
- The Governing Body shall consider the Planning Commission's recommendation and shall act upon the Planning Commission recommendation as prescribed in the adopted zoning regulations. If the Governing Body approves the application, it shall adopt an ordinance to that effect.

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SPECIAL USE PERMIT APPLICATION

Return Form to:
City of De Soto Planning Department
P.O. Box C, 32905 W. 84th Street
De Soto, KS 66018
(913) 583-1182 ext. 115
Fax: (913) 583-3123

For Office Use Only
Case No.:
Filing Fee:
Deposit:
Date Advertised:
Date Notices Sent
Public Hearing Date:

APPLICANT: PHONE:
E-MAIL: FAX:
ADDRESS: ZIP:
OWNER: PHONE:
E-MAIL: FAX:
ADDRESS: ZIP:

TO BE COMPLETED FOLLOWING CONSULTATION WITH PLANNING STAFF

LOCATION OF PROPERTY:
LEGAL DESCRIPTION:

PROPOSED LAND USE ACTIVITY:

ADJACENT ZONING AND LAND USE:

Table with 2 columns: Zoning, Land Use. Rows for North, South, East, West.

PRESENT USE OF PROPERTY:

City of De Soto Procedures Manual

Article 10—Special Uses

Does the proposed special use meet the following standards? If no, attach a separate sheet explaining why. Yes No

- 1. There is a need in the community for the proposed use. _____
- 2. Is so designed, located, and proposed to be operated so that the public health, safety, and welfare will be protected, and there will be little or no detrimental impact to nearby property. _____
- 3. Is found to be generally compatible with the character of the neighborhood in which it is proposed to be located. _____
- 4. Will comply with the height and area regulations of the district in which it is located unless specifically granted. _____
- 5. Off-street parking and loading areas and landscape buffering/screening will be provided in accordance with the standards set forth in the regulations. _____
- 6. Adequate utility, drainage, and other such necessary facilities have been or will be provided. _____
- 7. The proposed use will not create any harmful environmental impacts such as excessive stormwater runoff, nighttime lighting, or air/noise/water pollution. _____
- 8. The proposed use will have an overall positive economic impact on the community. _____

Should this special use be valid only for a specific time period? Yes ___ No ___
If Yes, what length of time? _____

SIGNATURE: _____ DATE: _____

BY: _____

TITLE: _____

Attachments Required:

_____ Copies of site plan in accordance with the City’s Application and Review Schedule and the requirements of Article 11, Site Plan Review, showing existing and proposed structures on the property in question, and adjacent property, off-street parking, driveways, and other information.

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For Office Use Only
Case No.: _____
Date of Action: _____
Action: _____
Expiration Date: _____

On _____, 20____, the City of De Soto Planning Commission at its regular meeting, recommended _____ (Action: Approval, Conditional Approval, Denial) of a special use permit for a _____ (Use) to be located at _____ (Address or Location).

The Governing Body will consider the recommendation of the Planning Commission at the _____, 20____ meeting of the City Council.

REASONS FOR DETERMINATION:

In recommending _____ (Action) of this special use permit, the Planning Commission considered the criteria listed in the Zoning Ordinance, and other conditions listed for that use in other sections of these regulations. In addition, the Planning Commission found that the proposed use (did/did not) provide safeguards to assure its compatibility with the surrounding area.

Conditions (if any): _____

City Clerk

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