

Crawford County, KS

CONDITIONAL USE  
APPLICATION

March, 1999

CRAWFORD COUNTY ZONING  
JUDITH FREEMAN, ZONING ADMINISTRATOR  
111 E. FOREST, STE M; GIRARD, KS. 66743  
620-724-6168 , \* Fax 620-724-7178 \* E Mail: jfreeman@ckt.net  
"MAKING A BETTER TOMORROW"

**THESE STEPS MUST BE FOLLOWED!!!**

TO: All applicants - Representatives -  
Engineers

RE: Procedures - which must be adhered to!  
Conditional Land Use Requests

The following list are steps or procedures one will be required to follow to come into compliance with the current zoning regulations for Crawford County. Also, for review, attached are permits, forms and information packets that would be required during the course of a case:

Applicant must be the property owner. In cases where purchasing the property is contingent on the zoning or conditional land use approval a contract to purchase must be attached to the application. (Monies exchanged between the two parties maybe erased.) If there is not contract, a notarized legal document signed by both parties must be furnished stating that both parties understand the intent of the applicant and what the property would be rezoned to.

Filing of a rezoning/conditional use permit:

1. All areas must be fully completed.
2. Site plans which addresses the location of any and all building. What the building will look like/landscaping.
3. Parking must show on plans.
4. Locations of wastewater facility.
5. Entrance & exits to property. Any parks, play grounds, etc. must also be shown. (Even if certain construction would not occur within the first year, all future ideas must be addressed for a complete overall picture. Site plans are required with the filing of the application. (Example attached to this information sheet.)
6. Justification forms supplied with the application must be completed fully. Areas of these questions that do not pertain to your request maybe marked N/A.
7. A listing of landowners surrounding the subject site must be supplied as well with the application. This listing is to be of the real property owners within 1,000 feet. The listing would be obtained through an abstract company.
8. The filing fee is \$ 225.00. (Conditional Land Use).
9. Applicant(s) shall be responsible for any and all publication charges incurred during the application process.
10. Application, site plans, justification sheet, landowner listing and fees are to be **FILED** IN THE ZONING OFFICE **THIRTY (30) DAYS PRIOR TO PUBLIC HEARING.** If

said time frame is not met, the case will be placed on the following months public hearing date.

11. Public meetings or hearings are always the 3<sup>rd</sup> Thursday of each month.
12. Building permits and wastewater permits will not be issued until after conditional use is approved by the Governing Body.
13. Recommendations from the Regional Planning Commission on said request is presented to the County Commissioners fourteen (14) days following said public hearing.
14. Entire process is usually 45 days.
15. Any and all materials or evidence you can supply along with the application will only assist and give the planning commission a chance to review your application more fully.
16. If applicant is intending to place a billboard or advertisement sign on proposed site location, applicant is required to obtain sign regulations.
17. Parking, Off Street Parking, Loading and Unloading regulations are required.
18. Applicant is responsible for obtaining the rules and regulations.

PLEASE NOTE IN THE DEVELOPMENT SECTION OF THIS PACKET, THE FOLLOWING ARTICLES ARE IN THAT SECTION TO ASSIST AND ANSWER ANY QUESTIONS YOU MAY HAVE.

**Article 9 deals with the development plan guidelines which must be followed, Article 11 deals with parking regulations, Article 12 deals with off-street loading requirements and Article 13 deals with sign/billboard regulations. PLEASE REVIEW AND FOLLOW SAID REQUIREMENTS.**

All questions can be addressed to the zoning office at any time. Business hours are 8:00 a.m. to 4:30 p.m., Monday thru Friday.

Concerns with wastewater facilities for proposed development can be addressed to the Crawford County Environmental Office at 620-724-7088.

Thank you for your assistance. I look forward to working with you. Again, please review the enclosed materials and complete as necessary.

Judith Freeman,  
Zoning & Floodplain Administrator

Case Number: 20\_\_ - \_\_\_\_\_

Date Obtained: \_\_\_\_\_, 20\_\_

APPLICATION  
CONDITIONAL LAND USE  
CRAWFORD COUNTY REGIONAL  
PLANNING AND ZONING COMMISSION

FEE: \$225.00

**FILL OUT COMPLETELY AND SUBMIT ALONG WITH PLANS AND FILING FEE.**

1. Applicant's Name \_\_\_\_\_

2. Applicant's Mailing Address: \_\_\_\_\_

3. Telephone Number: (H) \_\_\_\_\_ (W) \_\_\_\_\_

E Mail Address If Available: \_\_\_\_\_

4. Representatives Name and Address: \_\_\_\_\_  
\_\_\_\_\_

E Mail Address: \_\_\_\_\_

5. Present use of subject property: \_\_\_\_\_

6. Intended use of subject property is for a Conditional Land Use or Rezoning to: \_\_\_\_\_  
\_\_\_\_\_

And new business name would be known as: \_\_\_\_\_  
\_\_\_\_\_

7. Legal description of subject property: \_\_\_\_ Section, \_\_\_\_ Township S, \_\_\_\_ Range E  
\_\_\_\_\_  
\_\_\_\_\_

Lot(s): \_\_\_\_\_ in Block: \_\_\_\_\_ in Subdivision known as: \_\_\_\_\_  
Number of Acres: \_\_\_\_\_

8. How are the adjoining properties used or zoned within 1,000 ft. area?

NORTH \_\_\_\_\_

SOUTH \_\_\_\_\_

EAST \_\_\_\_\_

WEST \_\_\_\_\_

9. General location of subject property: (direction to conditional land use site):

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10. This Change of Zoning/Amendment is requested for the following purposes or reasons: \_\_\_\_\_

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11. Is area serviced with municipal sewer:\_\_\_\_\_ If so, from what district or city.

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12. Does area have utilities to location? If so, what water district, electrical company and fire district will the conditional land use be located in.

\_\_\_\_\_Fire \_\_\_\_\_Water \_\_\_\_\_Electric

13. Applicant, Developer or Person Responsible for request is to furnish a site plan, plot plan or development plan of the entire property being considered, drawn to a reasonable scale and showing the location of all abutting streets or roadways, the location of existing and proposed structures, types of buildings and the uses proposed, easements, water course, topography, etc. and indicate the proposed methods of furnishing water and sewage disposal for the project. If wells or sewage treatment are to be located on the site, show the locations on the development plan.

SIGNATURE OF APPLICANT: \_\_\_\_\_

SIGNATURE OF REPRESENTATIVE: \_\_\_\_\_

DATED: \_\_\_\_\_, 20\_\_

Case Number: \_\_\_\_\_

## JUSTIFICATION

"QUESTIONS 1 THROUGH 10 MUST BE ANSWERED COMPLETELY BEFORE ACCEPTANCE OF THIS APPLICATION FOR PROCESSING"

- 1) What use is to be made of the area in question?
- 2) Give some factual data showing need for the proposed use in the area to be served.
- 3) Will it be necessary to build a new structure?
- 4) What qualities are there about the property in question, other than ownership, that makes it more feasible to rezone rather than attempt to acquire property presently zoned for the type of use proposed?
- 5) Will the proposed use increase traffic in the area?  
If so, will an increase in traffic be detrimental to the adjoining properties?
- 6) What is the economic structure (high, low, medium, etc.) and character of the area? Describe.
- 7) How will surrounding property values be maintained or increased? Show the basis for your assumption in detail. (you may use reverse side to answer)

8) Is the area presently served by a similar type of zone and use?

9) What physical qualities are there about the property in question which prohibits a less intense use? State what these may be specifically.

10) How will the proposed use increase or maintain health, safety, morals, order, convenience, prosperity or general welfare of the neighborhood? (In answering this question, present factual information that would lead to this conclusion).

\*All answers maybe submitted on reverse side or on another sheet of paper.

\*\*This justification form must accompany the zoning application.

\*\*\*Areas that are not directly associated with your conditional use, may be marked N/A.

**Article 9-103 (to be completed/answered fully and returned with application)**

2. A statement of intent shall accompany the application to explain the measures used to achieve compatibility of the proposed development with surrounding properties through the planning of the site and the location and design of structures. The statement of intent shall consist of the following:

A. A site plan, drawn to the same scale as the topographic survey, indicating:

1. when required, existing contours (shown as dashed lines);
2. when required, proposed contours (shown as solid lines);
3. location and orientation of all existing and proposed buildings;
4. areas to be used for parking, including the number and arrangement of stalls;
5. areas to be developed for screening, including the location of plant materials, and screening structures and features;
6. pedestrian and vehicular circulation, and their relationship to existing streets, alleys and public right-of-way;
7. points of ingress and egress;
8. location of all existing and proposed utilities (sanitary sewage systems, water systems, storm drainage systems, gas lines, telephone lines and electrical power lines);
9. identification of all surface waters (i.e. name or other designation) showing flood plains and proposed drainage controls (retention or detention ponds);
10. location, size and characteristics of identification and business signs;
11. lighting layout, appurtenances, and intensity of illumination;
12. proposed finished floor elevations of all buildings and structures.

B. A written report addressing the following topics:



1. **Off-Site Infrastructure.** All roads not a part of the primary highway system of the State of Kansas intended to be used by the applicant as a means of ingress and egress to the proposed facility, both during construction phase as well as during the life of the operations, shall be designated on the application. Final approval of the designated roads to be used shall be made a part of the Conditional Use Permit, if approved. A construction and maintenance agreement between the applicant and Crawford County shall be required. Such agreement shall specify the standards to which such roads will be reconstructed, if necessary, and the standards to which such roads will be subsequently maintained by the owner/operator. The agreement shall also specify the form, manner, timing, and frequency of maintenance and upkeep. The responsibility of determining sufficiency of compliance with the road agreement shall be with Crawford County or its designee.
2. **Overview of existing environment.** A written description of the project site location, including an overview of the existing environment that may be affected by the construction and operation of the project. Said overview shall include information regarding:
  - a. Flora – vegetation species, endangered and threatened species (officially listed), critical habitat and habitat conditions for such species, such information to be prepared by a recognized expert within an appropriate scientific field.
  - b. Fauna – Species, habitat assessment, endangered and threatened species (officially listed), migratory species, critical habitat and habitat conditions for such species, such information to be prepared by a recognized expert within an appropriate scientific field.
  - c. **Flood zones** – Boundaries of the 100-year flood Plain as identified on the Federal Insurance Administration’s “Flood Hazard Boundary Maps” of Crawford County, Kansas.
  - d. A map of the known or mapped archeological, cultural or historical sites or structures within a mile of the project.
3. **Noise.** A noise report shall be prepared that identifies current decibel levels surrounding the project site and the decibel levels and source noise

if development occurs. Any proposed increase in noise levels on residential properties within ¼ - mile of the project shall be indicated and mitigation plans identified.

4. **Surface Water.** Water Quality Standards utilized for construction sites in Kansas under the requirements of the Clean Water Act shall be in effect during all construction, operation and maintenance of all facilities in the projects, including using appropriate methods to be used in mitigate impacts. Names and/or identification of all surface waters within ¼ mile of the project shall be identified.
5. **Groundwater.** It must be demonstrated that the project is consistent with the objectives and requirements of all relevant water management policies of the county and state.
6. **Soil Erosion.** Construction, operation and decommissioning shall be done in a manner so as to minimize soil erosion. Facilities should avoid steep or erodible slopes, and the number and width of roadways and construction staging areas should be kept to a minimum.

## CHECK LIST

### Requirements for a Conditional Use

The following is a check list that will be reviewed by the Zoning Administrator whenever an application is filed in the Zoning Office for a public hearing before the Planning and Zoning Board. This list is being compiled to assist you as the applicant, to insure a timely hearing is held and all needed information is presented at the time of the filing of said application. This may prevent a delay in a hearing or having the Planning and Zoning Board table any action waiting for additional information.

A surveyor can assist you with obtaining the information needed on part of the development plan, but please understand unless you tell advise the surveyor your full plans for the property site, including buildings, etc, they will be unable to fully submit the required information. (A draftsman &/or engineer can assist you with part of the application process as well.)

In the application process there is the section "Development Plan Guidelines", this explains fully all required information that should appear on a development/site plan which would accompany the application.

(Zoning Web Site offers full articles for parking spaces, loading and unloading information, sign guidelines as well. Please reference "Zoning Regulation" to obtain that needed information". They are: Articles 10, 11, 12, 13, 14 and 15.)

\_\_\_ 1. When new construction or site grading is proposed, a topographic survey at no more than 2 foot contour intervals, drawn to scale of 1"= 100' or greater, indicating the legal description, property boundary, existing contours, existing utilities and easements, and natural and manmade features of the property. When no new construction or site grading is proposed this provision is not required.

\_\_\_ 2. A statement of intent shall accompany the application to explain the measures used to achieve compatibility of the proposed development with surrounding properties through the planning of the site and the location and design of structures. A statement of intent shall consist of the following:

- a. A site plan drawn to the same scale as the topographic survey, including
  1. When required, existing contours (shown as dashed lines)
  2. When required, proposed contours (shown as solid lines)
  3. Location and orientation of all existing and proposed buildings.
  4. Areas to be used for parking, including the number, arrangement of stalls and handicapped parking.
  5. Areas to be developed for screening, including the location of plan materials and screening structures and features.
  6. Pedestrian and vehicular circulation, and their relationship to

existing streets, alleys and public right of ways.

7. All points of ingress and egress
8. Location of all existing and proposed utilities. (sanitary sewage system, water system, storm drainage system, gas lines, water lines, telephone lines and electrical power lines)
9. Identification of all surface waters (i.e. name or other designations) showing floodplains and proposed drainage controls (retention or detention ponds).
10. Locations, size and characteristics of identification and business signs.
11. Lighting layout, appurtenances, and intensity of illumination.
12. Proposed finished floor elevation of all building or structures.

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(FOR OFFICE USE ONLY)

Date received: \_\_\_\_\_, 20\_\_ Receipt No.: \_\_\_\_\_

Planning Board:

Conditional Use Hearing Date: \_\_\_\_\_, 20\_\_

Notice published \_\_\_\_\_, 20\_\_

Notice mailed to adjacent land owners: \_\_\_\_\_, 20\_\_

(Names on file and supplied with application from \_\_\_\_\_ Abstract Co.)

Site plans or pre-plat submitted: \_\_\_\_\_, 20\_\_

(THIS MUST BE ADHERED TO PER REGULATIONS ENCLOSED WITH APPLICATION.

Plans/Pre-plats sent to board & respective  
offices on: \_\_\_\_\_, 20\_\_

( Water District, Soil Conservation Office, Respective City within 1 mile, Sheriff, Fire Depart.,  
Road and Bridge Dept. And Land Surfacing)

Publication and Affidavit NO: \_\_\_\_\_, 20\_\_ NO: \_\_\_\_\_

Planning Board Recommendation: \_\_\_\_ Approved, \_\_\_\_ Denied, \_\_\_\_ Aye, \_\_\_\_ Nays, \_\_\_\_ Abstain  
Meeting tabled until: \_\_\_\_\_, 20\_\_

Forward to Govern Body: \_\_\_\_\_, 20\_\_

Meeting tabled due to lack of quorum until \_\_\_\_\_, 20\_\_

New Public Meeting date: \_\_\_\_\_, 20\_\_

CC's Date of Meeting: \_\_\_\_\_, 20\_\_ Application: Approved \_\_\_\_ or  
Denied \_\_\_\_\_

Returned to Regional Planning Board \_\_\_\_\_, 20\_\_

Resolution Passed: \_\_\_\_\_, 20\_\_ RESOLUTION NO: 20 - \_\_\_\_\_

Publication date of Resolution: \_\_\_\_\_, 20\_\_

\*complete case on file in the County Clerk's Office as well as the Zoning Administration Office

Resolution Published in the Pittsburg Morning Sun: \_\_\_\_\_, 20\_\_

Affidavit NO: \_\_\_\_\_

Referencing Map number: \_\_\_\_\_

911 Address: \_\_\_\_\_

COMMENTS OR CONCERNS NOTED FOR FILE: