



City of Spring Hill, KS | Community Development | 401 N. Madison | Phone: (913) 592-3657 | planning@springhillks.gov

Conditional-Use Permits

A Conditional-Use Permit (CUP) allows a city or county to consider special uses which may be useful or desirable to a particular community but which are not allowed as a matter of right within a zoning district. A conditional-use permit can provide flexibility within a zoning district.

Within each zoning district of the Spring Hill Zoning Regulations, there are land uses that are allowed after approval through the conditional-use process.

Application

Application forms are available at City Hall and must be submitted along with all required documents to the Community Development Department at least 30 days prior to a scheduled hearing.

The application must include the following:

- Completed and signed application
- Detailed site plan
- Certified list of neighboring property owners
- Nonrefundable fee (\$600)

Site Plan

A detailed site plan as described in Section 17.340 of the Zoning Regulations must be prepared by a licensed architect or engineer unless waived by the Community Development Director.

Certified Ownership List

Prepared by a title company, the list must identify owners of land within 200 feet of the proposed use or 1,000 feet if adjacent to the city limits.

Public Hearing and Publication

Upon receiving a completed application, the Community Development Director will establish a date for a public hearing before the Planning Commission. The hearing date must be at least 20 days after publication in the official city newspaper. All owners identified on the ownership list must be notified of the hearing date.

Report of Community Development Director

The Director will prepare a staff report that reviews the proposed use with respect to the zoning code, comprehensive plan, and other required criteria. This report will be provided to the Planning Commission.

Planning Commission Action

The Planning Commission will hold a public hearing and forward a recommendation of action to the Governing Body. The recommendation may be to approve, approve with conditions, or deny the application.

Protest Petition

Following the public hearing, a 14-day protest period begins. Valid protest petitions may be submitted by those identified on the certified ownership list. City staff including the Community Development Director, City Engineer, and City Attorney, will validate the protest petition as provided in Section 17.354.I of the City Code.

Action by Governing Body

After the 14-day protest period, the Governing Body will take one of the following actions:

- Adopt the recommendation of the Planning Commission
- Override the recommendation of the Planning Commission with 2/3 vote
- Return recommendation to the Planning Commission for further review
- Deny
- Continuance

If a valid protest petition is filed in opposition to the proposed use, a 3/4 vote of the Governing Body is required to approve the application.

Amendments to Conditional Uses

Approved Conditional Uses may be amended by following the same procedure as the original application.

Appeals of Final Action

Appeals of Governing Body final action must be taken to the district court.

Conditional Use May Be Revoked

- An approved conditional-use permit may be revoked by the Governing Body after a hearing before the Planning Commission if:
- The applicant has made material misrepresentations or false statements.
- Provisions or conditions of the regulations have been violated.
- The standards of performance or conditions placed on the use as a part of the permit approval are not being met.