



CONDITIONAL USE INSTRUCTIONS

A **Conditional Use** approval can permit specific uses not permitted by-right in a zoning district based on an approved site plan and supplementary use regulations. The Wichita-Sedgwick County Unified Zoning Code details when and where Conditional Uses are permitted.

Pre-Application Consultation

All applicants desiring to submit an application are encouraged to consult with the Planning Department prior to submittal. This consultation can be in-person or over the phone. The purpose of the consultation is to advise the applicant of the rights and responsibilities in submitting such an application.

Application Submittal

All application materials and the filing fee are submitted to the Planning Department. Applications must be submitted no later than 4 p.m. on an application deadline to allow time for application review and processing prior to the close of business. **Incomplete applications will not be accepted.** Refer to the Metropolitan Area Planning Commission (MAPC) calendar of public hearing dates to determine the application deadline by which an application must be submitted to be heard on a specific date. Following submittal, the applicant will be notified by mail of the scheduled hearing dates and the planner assigned to the case. Questions regarding the application process may be directed to the Planning Department at (316) 268-4421 or Planning@Wichita.gov.

Process after Application Submittal

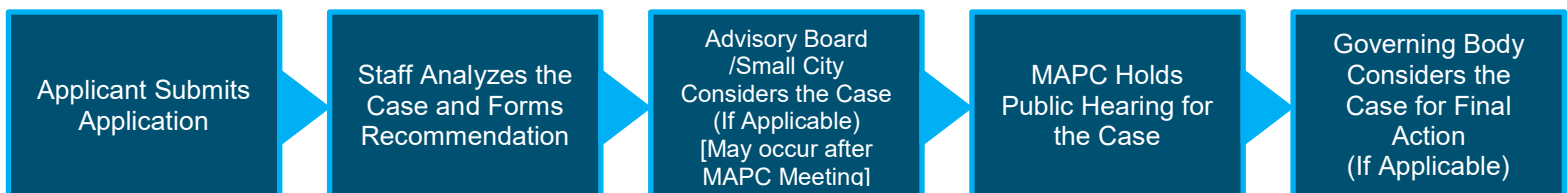
Following application submittal, the case will be scheduled for Public Hearing. Planning Department staff will analyze the request and form a recommendation to be presented at the Public Hearing. The process from submittal to final action can take between 60 and 90 days.

Small City: If the subject property is within the Urban Area of Influence (as identified in the Zoning Code) of a neighboring city, the application may be scheduled for consideration by the small city’s Planning Commission. This is a formal process that provides the small city an opportunity to review and provide input on a case near their boundaries. Applicants or their designated agents are notified about and expected to attend these meetings.

Advisory Board: If the subject property is with the City of Wichita, the application will be scheduled for consideration by the District Advisory Board for the City Council district in which the property is located. If the subject property is located in unincorporated Sedgwick County, the application may be scheduled for consideration by the Citizens Advisory Board for the County Commission district in which the property is located. These meetings typically occur prior to the MAPC meeting, but may occur after. Applicants or their designated agents are notified about and expected to attend these meetings.

Planning Commission: The application is referred to the MAPC for a public hearing. The MAPC may approve, approve with conditions or modifications, or deny the request. The MAPC typically meets twice a month. Applicants or their designated agents are notified about and expected to attend this meeting.

Governing Body: The MAPC decision is final unless the Conditional Use is accompanied by a rezoning application, the MAPC’s action is different from the small city/advisory board recommendation, or if an appeal/protest is filed. In these cases, the MAPC’s action becomes a recommendation forwarded to the Governing Body for final action. The Governing Body typically considers requests one month after the MAPC hearing.



Complete Application

The applicant shall submit a completed application form with all required documents and fees. **Incomplete applications will not be accepted.** An application must be signed by **all** property owners and by the authorized agent(s) of such owner(s), if any.

Site Plan: The application shall be accompanied by a site plan that meets criteria established in the attached "Site Plan Guidelines."

Ownership List: The application shall be accompanied by a current ownership list obtained from and certified by a title company. The ownership list shall contain a legal description of the area in the application including the name(s) and address of the owner. The list shall also include the names and mailing addresses (with zip codes) of all property owners within the following prescribed distance measured from the perimeter of the application area:

For applications within unincorporated Sedgwick County: 1,000 feet

For applications within the city of Wichita, the notification distance is based on the size of the property as follows:

Up to and including 1 acre:	200 feet
Over 1 acre to 6 acres:	350 feet
Over 6 acres to 15 acres:	500 feet
Over 15 acres to 25 acres:	750 feet
Over 25 acres:	1,000 feet

Filing Fees: The application shall be accompanied by filing fees as follows:

Residential Use:	\$450 + sign fee
Non-Residential Use:	\$750 + \$30/Acre + sign fee
Renewal:	½ fee for conditional use + sign fee
Filed with rezoning application:	½ fee for conditional use + sign fee

The fee for each sign is \$5, and one sign is required for each street frontage. Checks, credit cards, and exact cash will be accepted as payment. All checks should be payable to the City of Wichita.

Development Application Sign

In accordance with local policy, the applicant shall post one or more development application signs on the application site for at least 13 days immediately prior to the scheduled public hearing of the application request. Signs are obtained from the Planning Department.

Deferral Fee

Request for a deferral of the hearing shall be submitted to the Planning Department at least 7 days prior to the scheduled hearing date. To cover the cost of preparing and mailing new notices, persons requesting a deferral will be charged \$150.

Background Details

The Zoning Code lists specific uses for each zoning district that may be permitted with the approval of a Conditional Use. The Supplementary Use Regulations of the Zoning Code list specific circumstances (such as distance from residential property) under which a use that may be otherwise permitted by-right in a zoning district is only permitted upon approval of a Conditional Use if that specific circumstance exists for the subject property. The development proposed by a Conditional Use should be consistent with the purposes of the Unified Zoning Code and the Comprehensive Plan. The proposed development should be a reasonable use for the surrounding context and conditions. The Planning Director may request the applicant to conduct additional studies or analysis on the application's impacts. Other plans, drawings or information that are deemed necessary to enable proper consideration of the request also may be required. Failure to provide required information in a timely manner may result in deferral of the case and a deferral fee as outlined above.

Conditional Use – Site Plan Guidelines

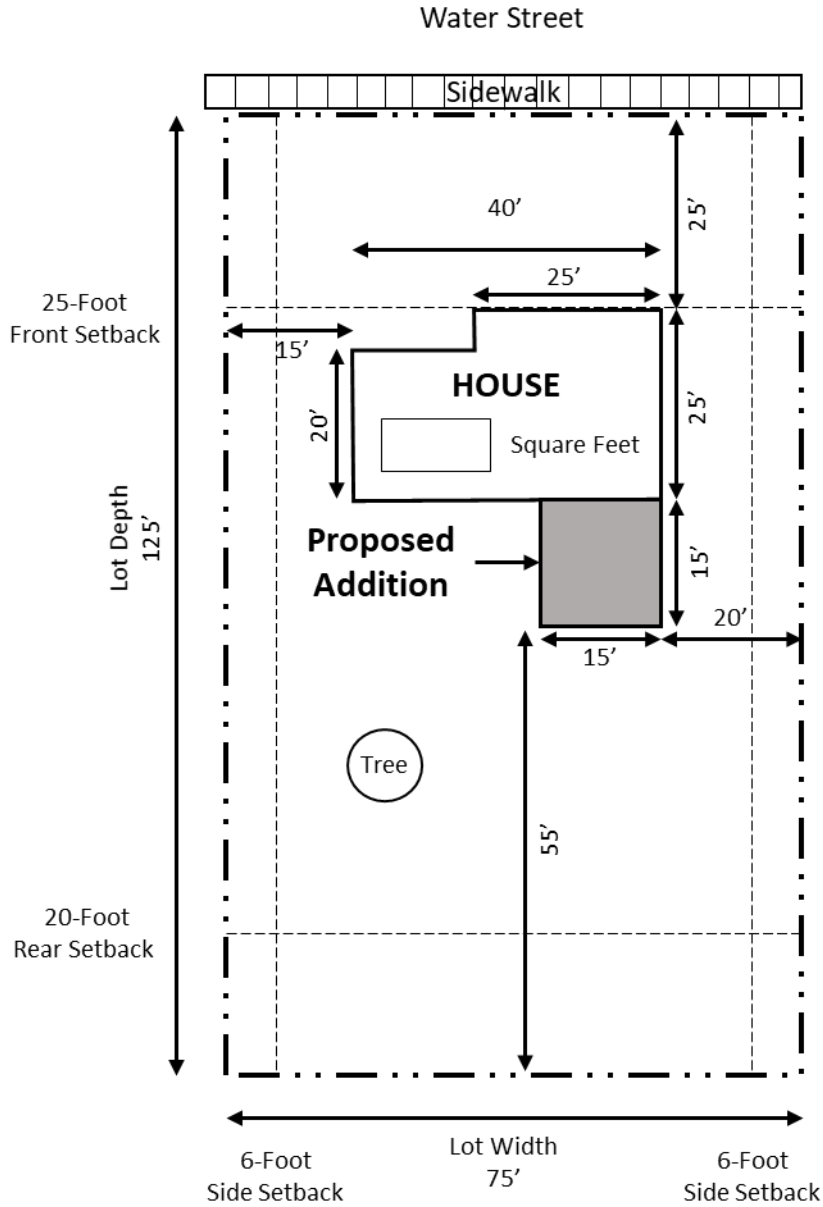
A site plan is required as part of every Conditional Use application submitted to the MAPD. This document will be used in public hearings regarding your request and should be neat, legible, well-labeled, and drawn to scale. The site plan must contain the following elements:

1. **Sheet Size:** The site plan should be no larger than 11" by 17" and no smaller than 8½ by 11". Site plans for larger projects (greater than 6 acres), may be larger, with the approval of the MAPD.
2. **Title:** A brief description of the Conditional Use.
3. **Applicant Name:** Name of the applicant and the agent who prepared the drawing, if applicable.
4. **North Arrow:** Indicate the north direction with respect to the project, lot, or structure.
5. **Scale:** The scale should be adequate to portray the project, lot, or structure on the sheet size required. For example, a lot that is 70 feet by 100 feet can adequately be portrayed at a scale of 1" = 20' (1 inch equals 20 feet) on an 11" by 17" sheet of paper. The scale should not be smaller than 1" = 60' for larger properties.
6. **Dimensions:** In addition to adequate scale representation, all key features (lots, buildings, driveways, etc.) on the site plan shall have dimensions in feet noted for all sides.
7. **Legal Description:** Legal description of lot(s) or parcels requiring a Conditional Use. This description can be in the form of lots and blocks or metes and bounds.
8. **Existing Conditions:** Indicate **all** structures and features as they exist on the property. These should be drawn to scale, as described above, and shall include, but not be limited to:

All structures and buildings	Parking spaces
Fences	Significant trees or stands of trees
Other landscaping	Floodplains
Water areas or features	Significant topographical features
Utilities, above or below ground	Drainage patterns
9. **All required zoning setbacks and easements:** Using a dashed line, indicate all required zoning setbacks and utility, drainage, or other easements relative to the project, lot(s), or structure.
10. **All roads/streets adjacent to the property and access points to or from those roads:** Indicate all roads/streets, including the rights-of-way that surround or intersect the property, including alleys. Indicate all points of access (driveways) from the streets to the project, lot(s), or structure. Indicate how each road/street is developed, e.g. paved, dirt, undeveloped.
11. **Surrounding structures and uses if appropriate:** Indicate surrounding uses and zoning as they apply to the Conditional Use request.
12. **Modifications by the Conditional Use:** Indicate any modifications to the existing structures or features that will result if the Conditional Use request is approved. If these modifications or additions are extensive, a second site drawing might be necessary so as to avoid confusion with the existing conditions. These modifications or new features may include, but are not limited to:

Buildings Structures	Parking areas
Vehicular drives	Pedestrian walks
Location and height of light fixtures	Location of trash receptacles and loading areas
Landscaped areas	Signage

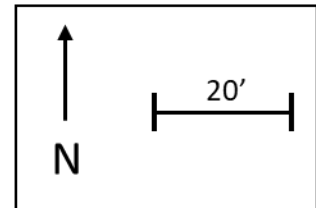
Conditional Use – Site Plan Example



Proposed Accessory Apartment

Jane Smith
1234 Water Street
Wichita, KS 67202
(316) 555-1234

Lot 1, Block 2, Third
Addition to Wichita, KS



Conditional Use – Application Requirements

- Application form – completed and including:
 - Property owner(s) signature(s)
 - Agent signature (if any)
 - Legal description

- Site plan – including:
 - Title
 - Applicant name
 - North arrow
 - Scale
 - Dimensions
 - Legal description
 - Existing conditions
 - Setbacks/easements
 - Roads/access points
 - Surrounding structures/uses
 - Modifications by the Conditional Use

- Certified ownership list (original document obtained from a title company)

- Fees (Filing fee and sign fee)

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APPLICATION

This form MUST be completed and filed at the Planning Department located on the 2nd floor of The Ronald Reagan Building, 271 W. 3rd Street, Wichita, KS, 67202 in accordance with directions on the accompanying instruction sheet. AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED. Check the appropriate box for type of application being submitted. A separate application form and filing fee is required for each application. A pre-application conference with the planning staff is recommended before filing this application.

SECTION I

This property is located within: Wichita Sedgwick County (unincorporated)

Metropolitan Area Planning Commission:

- Zone Change: From zoning district: _____ to _____
- Planned Unit Development: Approval Amendment to PUD _____ Adjustment to PUD _____
- Community Unit Plan: Approval Amendment to CUP _____ Adjustment to CUP _____
- Protective Overlay: Approval Amendment to PO _____ Adjustment to PO _____
- Conditional Use: To allow: _____ zone district: _____
 Adjustment to CU/CON#: _____
- Vacation of: _____ zone district: _____
(Use a separate sheet for legal description, if necessary)
- Administrative Permit: To allow: _____-foot high wireless communication facility. zone district: _____
- Off-Site Billboard Sign within _____ feet of a residential lot/structure. zone district: _____

Board of Zoning Appeals:

- Variance: To allow: _____ zone district: _____
- Appeal of: _____ zone district: _____
- Zoning Adjustment: To allow: _____ zone district: _____
- Sign Code Adjustment: To allow: _____ zone district: _____

SECTION II

1. The application area is legally described as Lot(s) _____; Block(s) _____, _____ Addition, (Wichita) Sedgwick County, KS. If appropriate, a metes and bounds description may be attached.
2. The application area contains _____ acres.
3. This property is located at (address) _____ which is generally located at (relation to nearest streets) _____
4. We are filing this request for the following reasons: _____
5. County control number: _____

6. The names of the owners of all property included in this application MUST be listed as applicants. Contract purchasers, lessees or others directly associated with the property may also be listed if they desire to be advised of the proceedings. (Use a separate sheet for additional applicants if needed.)

A. Applicant _____ Phone _____
 Address _____ Zip Code _____
 Email Address _____

Agent _____ Phone _____
 Address _____ Zip Code _____
 Email Address _____

B. Applicant _____ Phone _____
 Address _____ Zip Code _____
 Email Address _____

Agent _____ Phone _____
 Address _____ Zip Code _____
 Email Address _____

C. Applicant _____ Phone _____
 Address _____ Zip Code _____
 Email Address _____

Agent _____ Phone _____
 Address _____ Zip Code _____
 Email Address _____

7. We acknowledge receipt of the instruction sheet explaining the method of submitting this application. We realize that this application cannot be processed unless it is completely filled in; is accompanied by a current abstractor's certificate as required in the instruction sheet; and is accompanied by the appropriate fee. We further certify that the foregoing information is true and correct to the best of our knowledge. We authorize unannounced inspections of the subject property by City and/or County staff for the purpose of collecting information to review and analyze this request. We acknowledge that the MAPC, Governing Body, or Board of Zoning Appeals shall have authority to impose such conditions as it deems necessary in order to serve the public interest and welfare.

_____ By _____
 Applicant's signature Authorized Agent (if any)

_____ By _____
 Applicant's signature Authorized Agent (if any)

_____ By _____
 Applicant's signature Authorized Agent (if any)

The Petition must bear the signature(s) of the property owner(s). If an authorized agent signs on the owner's behalf, the agent shall sign his own name and attach the owner's written notarized authorization to this application.

FOR OFFICE USE ONLY

Map _____ Zoning (N) _____ (S) _____ (E) _____ (W) _____ MAPC/BZA _____ Township _____
 Council/Commission District _____ DAB _____ Sm. City PC _____
 NA/HOA _____
 Date _____ Fee _____ Received By _____

Required Documents:

- Ownership List BZA Justification Legal Description Vacation Petition Site Plan Signs

**WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION
and BOARD OF ZONING APPEALS
2022 CALENDAR**

The Ronald Reagan Building, 271 West 3rd Street, Second Floor, Ste. 203, Wichita, Kansas

CLOSING DATE (By 4:00 p.m.)	NOTICE TO OFFICIAL NEWSPAPER (By 9:00 a.m.)	ADVERTISING DATE (No Later Than Thursday)	SUBDIVISION COMMITTEE HEARING DATE (Thursday at 9:30 a.m.)	MAPC/BZA HEARING DATE (Thursday at 1:30 p.m.)
November 29, 2021	December 13, 2021	December 16, 2021	December 22, 2021	January 6, 2022
December 13, 2021	December 27, 2021	December 30, 2021	January 13, 2022	January 20, 2022
December 27, 2021	January 10, 2022	January 13, 2022	January 27, 2022	February 3, 2022
January 10, 2022	January 24, 2022	January 27, 2022	February 10, 2022	February 17, 2022
January 24, 2022	February 7, 2022	February 10, 2022	February 24, 2022	March 3, 2022
February 7, 2022	February 21, 2022	February 24, 2022	March 10, 2022	March 17, 2022
February 28, 2022	March 14, 2022	March 17, 2022	March 24, 2022	April 7, 2022
March 14, 2022	March 28, 2022	March 31, 2022	April 14, 2022	April 21, 2022
March 28, 2022	April 11, 2022	April 14, 2022	April 28, 2022	May 5, 2022
April 11, 2022	April 25, 2022	April 28, 2022	May 12, 2022	May 19, 2022
April 25, 2021	May 9, 2022	May 12, 2022	May 26, 2022	June 2, 2022
May 9, 2022	May 23, 2022	May 26, 2022	June 09, 2022	June 16, 2022
May 23, 2022	June 13, 2022	June 16, 2022	June 23, 2022	July 7, 2022
June 13, 2022	June 27, 2022	June 30, 2022	July 14, 2022	July 21, 2022
June 27, 2022	July 11, 2022	July 14, 2022	July 28, 2022	August 4, 2022
July 11, 2022	July 25, 2022	July 28, 2022	August 11, 2022	August 18, 2022
July 25, 2022	August 8, 2022	August 11, 2022	August 25, 2022	September 1, 2022
August 8, 2022	August 22, 2022	August 25, 2022	September 8, 2022	September 15, 2022
August 29, 2022	September 12, 2022	September 15, 2022	September 22, 2022	October 6, 2022
September 12, 2022	September 26, 2022	September 29, 2022	October 13, 2022	October 20, 2022
September 26, 2022	October 10, 2022	October 13, 2022	October 27, 2022	November 3, 2022
October 10, 2022	October 24, 2022	October 27, 2022	November 10, 2022	November 17, 2022
October 24, 2022	November 7, 2022	November 10, 2022	November 23, 2022	December 1, 2022
November 7, 2022	November 18, 2022	November 23, 2022	December 8, 2022	December 15, 2022
November 28, 2022	December 12, 2022	December 15, 2022	December 21, 2022	January 5, 2023
December 19, 2022	December 30, 2022	January 5, 2023	January 12, 2023	January 19, 2023
December 30, 2022	January 13, 2023	January 19, 2023	January 26, 2023	February 9, 2023
January 13, 2023	January 30, 2023	February 2, 2023	February 16, 2023	February 23, 2023
January 30, 2023	February 13, 2023	February 16, 2023	March 2, 2023	March 9, 2023
February 13, 2023	February 24, 2023	March 2, 2023	March 16, 2023	March 23, 2023

The MAPC and the BZA meet at 1:30 p.m. on the dates indicated above. If you have questions contact the Metropolitan Area Planning Department at (316) 268-4421.

Red = date adjustment due to holiday