

APPLICATION – CONDITIONAL USE PERMIT (CUP)

This form must be completed, signed, and accompanied with the fee, a legal description of property, and a complete site plan before being placed on the Planning & Zoning Commission docket. If needed, attach extra sheets of paper to answer questions.

1.

Current Zoning District
Current Use
Proposed Use
Street Address of Property Subject to Proposal

OFFICE USE ONLY

Case #: _____

Date: _____

Zone: _____

Fee: **\$375**

Accepted forms of payment include cash, credit/debit, and check. **If paid by check, make out to the City of Rolla.**

2. DETAILED DESCRIPTION OF PROPOSED USE: _____

3. DESCRIBE HOW THE PROPOSED USE CONFORMS TO Sec. 42-234.2. Burden of Proof - Standards (Attached): _____

4. DESCRIBE HOW THE PROPOSED CONDITIONAL USE WILL BE DESIGNED, ARRANGED, AND OPERATED IN A WAY THAT ENSURES THAT FUTURE DEVELOPMENT THAT IS CONSISTENT WITH DISTRICT REGULATIONS WILL NOT BE PREVENTED OR MADE UNLIKELY AND THAT THE VALUE, USE, AND REASONABLE ENJOYMENT OF SUCH PROPERTY WILL NOT BE IMPAIRED OR ADVERSELY AFFECTED:

5. CONTACT INFORMATION: All property owners must be listed. Agent, if one, is main contact.

-PROPERTY OWNER(S): _____

Address of property: _____

Mailing address: _____

Email & phone: _____

-AGENT or SURVEYOR: _____

Address of property: _____

Mailing address: _____

Email & phone: _____

6. AUTHORIZATION: The undersigned owner(s) of the subject parcels understand and agree that this application will be declared incomplete if information or fees are missing, that the City of Rolla may enter and post a yard-sign on their property, and that if he/she/they does not maintain ownership throughout the review process, the application will be withdrawn.

 Signature of Owner or Authorized Agent

 Signature of Owner or Authorized Agent

NOTE: The petition must bear the signature of the property owner(s). If an authorized agent signs on the owner's behalf, the agent may be required to attach the owner's written notarized authorization to this application.

Site Plan Content (Subsection 42-234.1 (d) of the Rolla Planning and Zoning Code)

1. Approximate location of proposed and existing designated uses or buildings and other structures, including adjoining property, as well as parking and open areas shall be indicated for the proposed conditional use and adjacent property;
2. Existing and proposed contours at vertical intervals of not more than five (5) feet referred to sea level datum. Flood plain areas shall be delineated;
3. Approximate location of all isolated trees having a trunk diameter of six (6) inches or more, all tree masses and proposed landscaping/screening plan;
4. An elevation view of the site showing preliminary building form (new construction only);
5. Proposed ingress and egress to the site, including right-of-way and pavement width for proposed and existing streets;
6. A plan for the provision of sanitation and drainage facilities;
7. The location, lighting and type of signs and the relationship of signs to traffic control;
8. The location and number of required off-street parking areas; and
9. The location of existing utilities.

Burden of Proof/Standards (Section 42-234.2. of the Rolla Planning and Zoning Code)

In presenting any application for a Conditional Use Permit, the burden of proof shall rest with the applicant to clearly establish that the proposed conditional use shall meet the following standards:

- a. The proposed conditional use complies with all applicable provisions of the applicable District regulations.
- b. The applicant has demonstrated through the provision of a traffic impact study or other acceptable method that the proposed conditional use at the specified location will not adversely affect the safety of the motoring public and pedestrians using the facility and surrounding area from traffic congestion or other hazards.
- c. The location and size of the conditional use, the nature and intensity of operation involved in or conducted in connection with it, and the location of the site with respect to streets giving access to it are such that the conditional use will not dominate the immediate neighborhood so as to prevent development and use of neighboring property in accordance with the applicable zoning District regulations or the policies of the Rolla Comprehensive Plan. In determining whether the conditional use will so dominate the immediate neighborhood, consideration shall be given to:
 1. The location, nature and height of buildings, structures, walls, and fences on the site,
 2. The nature and extent of proposed landscaping and screening on the site,
 3. The noise characteristics of the use compared to the typical use in the District and any reduction solutions;
 4. The potential glare of vehicles and stationary lights on site and any measures employed to mitigate their impact;
 5. Sign location, type, size, and lighting, and
 6. The impact on or potential interference with any easements, roadways, driveways, rail lines, utilities and storm water management systems. Off-street parking and loading areas will be provided in accordance with the standards set forth in this Article.
- d. Adequate utility, drainage, and other such necessary facilities have been or will be provided.
- e. The proposed uses where such developments and uses are deemed consistent with good planning practice; can be operated in a manner that is not detrimental to the permitted developments and uses in the district; can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area; and are deemed essential, convenient, or desirable to preserve and promote the public health, safety, and general welfare of the City of Rolla. (Ord. 3414)