



# CONDITIONAL USE PERMITS MAKING IT SIMPLE

A Conditional Use Permit (CUP) is a permit that is granted for a particular use with conditions within certain zoning districts. The allowable uses are listed in the Town of Manhattan's Zoning Ordinance.

**This Cover sheet is a guide to assist in applying for a Conditional Use Permit and is not to be construed as legal advice by the Town or any of its employees or agents. You can expect the entire process to take around 2 months but be advised that it may take longer. After each statement below, the pertinent code section of the Manhattan Town Code is listed for easy reference.**

**1. Intent 10-11-1**

*A Conditional Use Permit is to provide for specific uses, other than those specifically permitted in each district with safeguards or conditions.*

**2. What Criteria needs to be met? 10-11-2**

*The Town Council may approve the CUP after considering facts presented on the application.*

**3. The pre-application meeting takes place. 10-11-3**

*Prior to making a formal application, the applicant shall meet with the Planning Board to discuss the proposal application.*

**4. The application must be completed in accordance of section 10-11-4 and comply with section 10-11-2.**

*The application is located at the end of Chapter 11, **CONDITIONAL USE PERMITS**, in this packet.*

**5. Planning Board Review 10-11-6**

*City-County Planning Board reviews the application and gives a recommendation to the Town Council.*

**6. Notice of public hearing will be held by the Town Council 10-11-5**

*Upon receipt of the application, notice of a public hearing will be scheduled.*

**7. Council Review 10-11-7**

*The Town Council reviews the application and takes the Planning Board's request into consideration.*

**8. Decision on permit issuance; Effect 10-11-8,10-11-9**

*The final decision on the application is made.*

**9. Time Limit for use 10-11-10 (see 10-11-11 for cancellation of a CUP and/or revocation of a CUP. 10-11-12)**

*The time limit for use is set. A copy of the decision is filed at the Town Office and a copy is mailed to the applicant. The applicant shall have submitted a verified and approved final site plan within 3 months after the Council has approved the CUP.*

**10. Revocation: 10-11-12 (The following points define the process of revocation should it occur.)**

*Violation, Initiation of revocation process. Notice of Hearing, Hearing, and decision of Council.*

**11. Fees:** Fee payment must accompany application. **Additional fees** may be assessed when professional services (attorneys, engineers, planners, etc.) are obtained in relation to your permit. **The applicant is responsible for these fees.**

**If you have questions, please call the Town Office at 284-3235 or stop in at 207 S 6<sup>th</sup> St. between the hours of 8:30am-5:00pm, Monday-Friday.**

Town Codes are available on our web site: [townofmanhattan.com](http://townofmanhattan.com)

email address: [townofmanhattan@gmail.com](mailto:townofmanhattan@gmail.com)



TOWN OF MANHATTAN
CITY-COUNTY PLANNING OFFICE
P. O. BOX 96
207 S 6th St.
406-284-3235---FAX 406-284-2090

CONDITIONAL USE PERMIT APPLICATION

Certain uses, while generally not suitable in a particular Zoning District, may, under certain circumstances, be acceptable. When such circumstances exist, a Conditional Use Permit may be granted subject to certain conditions. The permit is granted for a particular use and not for a particular person or firm. Conditional Use Permits shall not be granted for a use which is not specifically designated as a conditional use in the subject district regulations of the Manhattan Zoning Ordinance.

1. Name and address of property owner:
Phone:

2. Name and address of applicant/representative:
Phone:

3. Name and Address of Engineer/Architect/Planner:
Phone:

4. Name of project/development:

5. Address of proposed development:

6. Legal description:

7. Current Zoning Land Area sq. ft. acres.

8. Describe the proposed development (use additional sheets if necessary):



## SUBMITTAL CHECKLIST

Applicant: \_\_\_\_\_

Subject Property Address: \_\_\_\_\_

This checklist shall be completed and returned as part of the submittal. Any item checked "NO" or "N/A" (not applicable) must be explained in a narrative attached to the checklist. Incomplete submittals will be returned to the applicant. Twenty (20) copies of the site plan drawn to scale on paper not larger than 24" x 36" which contain the following:

1. GENERAL INFORMATION

- a. Name of project/development. YES \_\_\_\_\_ NO \_\_\_\_\_ N/A \_\_\_\_\_
- b. Location of project/development by street address. YES \_\_\_\_\_ NO \_\_\_\_\_ N/A \_\_\_\_\_
- c. Location map, including area within one half (½) mile of site. YES \_\_\_\_\_ NO \_\_\_\_\_ N/A \_\_\_\_\_
- d. Name and mailing address of developer/owner. YES \_\_\_\_\_ NO \_\_\_\_\_ N/A \_\_\_\_\_
- e. Name and address of engineer/architect, landscape architect and/or planner. YES \_\_\_\_\_ NO \_\_\_\_\_ N/A \_\_\_\_\_
- f. Date of plan preparation and changes. YES \_\_\_\_\_ NO \_\_\_\_\_ N/A \_\_\_\_\_
- g. North point indicator. YES \_\_\_\_\_ NO \_\_\_\_\_ N/A \_\_\_\_\_
- h. Suggested scale of 1" to 20', not less than 1" to 100' YES \_\_\_\_\_ NO \_\_\_\_\_ N/A \_\_\_\_\_
- i. Zoning Classification within 200' YES \_\_\_\_\_ NO \_\_\_\_\_ NA \_\_\_\_\_

2. SITE PLAN INFORMATION

- a. Boundary line of property with dimensions, YES \_\_\_\_\_ NO \_\_\_\_\_ N/A \_\_\_\_\_
- b. Location, identification and dimension of the following existing and proposed data, to a distance of 100 feet outside site plan boundary unless otherwise stated
  - 1. Topographic contours at a minimum interval of two feet, or as determined by the Zoning Administrator; YES \_\_\_\_\_ NO \_\_\_\_\_ N/A \_\_\_\_\_
  - 2. Adjacent streets and streets rights of way to a distance of 150 feet, except for sites adjacent to major arterial streets where the distances shall be 200 feet; YES \_\_\_\_\_ NO \_\_\_\_\_ N/A \_\_\_\_\_

3. On-site streets and rights-of-way; YES \_\_\_\_\_ NO \_\_\_\_\_ N/A \_\_\_\_\_
4. Ingress and egress points; YES \_\_\_\_\_ NO \_\_\_\_\_ N/A \_\_\_\_\_
5. Traffic flow on-site YES \_\_\_\_\_ NO \_\_\_\_\_ N/A \_\_\_\_\_
6. Traffic flow off-site; YES \_\_\_\_\_ NO \_\_\_\_\_ N/A \_\_\_\_\_
7. Utilities and utility rights-of-way  
and/or easements. (Main and service line  
Locations and sizes);  
(a) electric, natural  
electric, natural gas, telephone, Cable TV YES \_\_\_\_\_ NO \_\_\_\_\_ N/A \_\_\_\_\_
- (b) water and sewer (sanitary,  
treated effluent and storm); YES \_\_\_\_\_ NO \_\_\_\_\_ N/A \_\_\_\_\_
- (c) off-site fire hydrants; YES \_\_\_\_\_ NO \_\_\_\_\_ N/A \_\_\_\_\_
8. Building and structures; YES \_\_\_\_\_ NO \_\_\_\_\_ N/A \_\_\_\_\_
9. Parking facilities, including bike racks; YES \_\_\_\_\_ NO \_\_\_\_\_ N/A \_\_\_\_\_
10. Water bodies and wetlands; YES \_\_\_\_\_ NO \_\_\_\_\_ N/A \_\_\_\_\_
11. Surface water holding ponds, streams  
and irrigation ditches; YES \_\_\_\_\_ NO \_\_\_\_\_ N/A \_\_\_\_\_
12. Grading and drainage plan; YES \_\_\_\_\_ NO \_\_\_\_\_ N/A \_\_\_\_\_
13. Significant rock outcroppings YES \_\_\_\_\_ NO \_\_\_\_\_ N/A \_\_\_\_\_
14. Sidewalks, walkways, driveways,  
Loading areas and docks,  
Bikeways; YES \_\_\_\_\_ NO \_\_\_\_\_ N/A \_\_\_\_\_
15. Provision for handicapped accessibility,  
including, but not limited to,  
Wheelchair ramps, parking spaces,  
and hand rails, and curb cuts; YES \_\_\_\_\_ NO \_\_\_\_\_ N/A \_\_\_\_\_
16. Fences and walls; YES \_\_\_\_\_ NO \_\_\_\_\_ N/A \_\_\_\_\_
17. Exterior signs; YES \_\_\_\_\_ NO \_\_\_\_\_ N/A \_\_\_\_\_
18. Exterior refuse collection areas; YES \_\_\_\_\_ NO \_\_\_\_\_ N/A \_\_\_\_\_
19. Exterior lighting; YES \_\_\_\_\_ NO \_\_\_\_\_ N/A \_\_\_\_\_

20. Landscaping, detailed plan YES \_\_\_\_\_ NO \_\_\_\_\_ N/A \_\_\_\_\_

c. Number of employee and nonemployee parking spaces, existing and proposed, and total square footage of each.

YES \_\_\_\_\_ NO \_\_\_\_\_ N/A \_\_\_\_\_

d. Site statistics including site square footage, nonresidential building square footage, percent of site coverage (building and parking), net dwelling unit density, percent of park or open space.

YES \_\_\_\_\_ NO \_\_\_\_\_ N/A \_\_\_\_\_

e. A reproducible copy of the site plan with appropriate signatures shall be submitted upon approval.

YES \_\_\_\_\_ NO \_\_\_\_\_ N/A \_\_\_\_\_

3. BUILDING INFORMATION (ON-SITE):

a. Elevation: Building elevation of all exterior walls of the building(s) or structure(s).

YES \_\_\_\_\_ NO \_\_\_\_\_ N/A \_\_\_\_\_

b. Materials To Be Used: The applicant is encouraged to consider the effect of color in creating a design character that is appropriate for and compatible with the area.

YES \_\_\_\_\_ NO \_\_\_\_\_ N/A \_\_\_\_\_

c. Height Above Mean Sea Level: Height above mean sea level of the elevation of the lowest floor and location of lot outfall when the structure is proposed to be located in a flood way or flood plain area.

YES \_\_\_\_\_ NO \_\_\_\_\_ N/A \_\_\_\_\_

4. PERMITS:

A listing of all required and applicable permits and status of applications.

YES \_\_\_\_\_ NO \_\_\_\_\_ N/A \_\_\_\_\_

5. REVIEW FEES:

1. Conditional Use Permit application fee must accompany this application.

B. Filing of Application; Fee: After the applicant has met with the Planning Board, all applications for conditional uses, including all required supportive information, shall be filed with the Clerk/Treasurer of the Town Council. Applications shall be accompanied with appropriate filing fee. Additional fees may be assessed when professional services (attorneys, engineers, planners, etc.) are obtained in relation to the permit.

**The applicant is responsible for these fees.**