

ORDINANCE NO. 3155

AN ORDINANCE APPROVING CONDITIONAL USE PERMIT 20-CUP-02

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF PAOLA, KANSAS:

Section 1. **CONDITIONAL USE PERMIT GRANTED.** Pursuant to regulations set forth in the Paola Land Development Ordinance (LDO) permission is hereby granted to operate bed and breakfast type in-home lodging at property commonly known as 8 East Kaskaskia as provided in Section 2.

Section 2. **CONDITIONS AND STIPULATIONS.** The conditional use permit granted in Section 1 above, in addition to full compliance with any general provisions of the LDO, is hereby made contingent upon the performance and observation of the following conditions, of which the violation will be a basis for revocation:

- 1) The owner/proprietor is required to occupy the residence.
- 2) The number of bedrooms used for a Bed and Breakfast shall not exceed five (5).
- 3) Bed and Breakfast shall comply with County and State requirements/licenses as a food service or lodging facility.
- 4) Short-term overnight lodging shall be permitted. Monthly rentals or leasing shall be prohibited.
- 5) A minimum of one off-street parking space is required. The Planning Commission may permit on-street parking to be substituted upon determining that the street can accommodate the parking and the provision of off street parking would be detrimental to the area's appearance.
- 6) A review of compliance shall be made by the Zoning Officer to the Planning Commission one year after issuance. If deemed necessary, subsequent annual reviews may be requested by the Planning Commission. Such reviews are not subject to publication, notification and public hearing requirements. If property owner is requesting an amendment to the CUP, the notification shall follow the same procedures as the original CUP request.
- 7) At any time, the City may institute revocation of the Conditional Use Permit for violations of the conditions of approval, expiration, or the reasons specified in Section 21.225 of the Land Development Ordinance (LDO). The City shall provide notice to the landowner and public in the same manner as was provided for the establishment of the Conditional Use Permit.

Section 3. This ordinance shall take effect and be in force from and after its publication in the official City newspaper.

PASSED BY the Council this 10th day of March, 2020.

APPROVED BY the Mayor this 10th day of March, 2020.

Artie Stuteville, Mayor

ATTEST: (seal)

Stephanie Marler, City Clerk