

# Piper Annex Zoning Code 1992

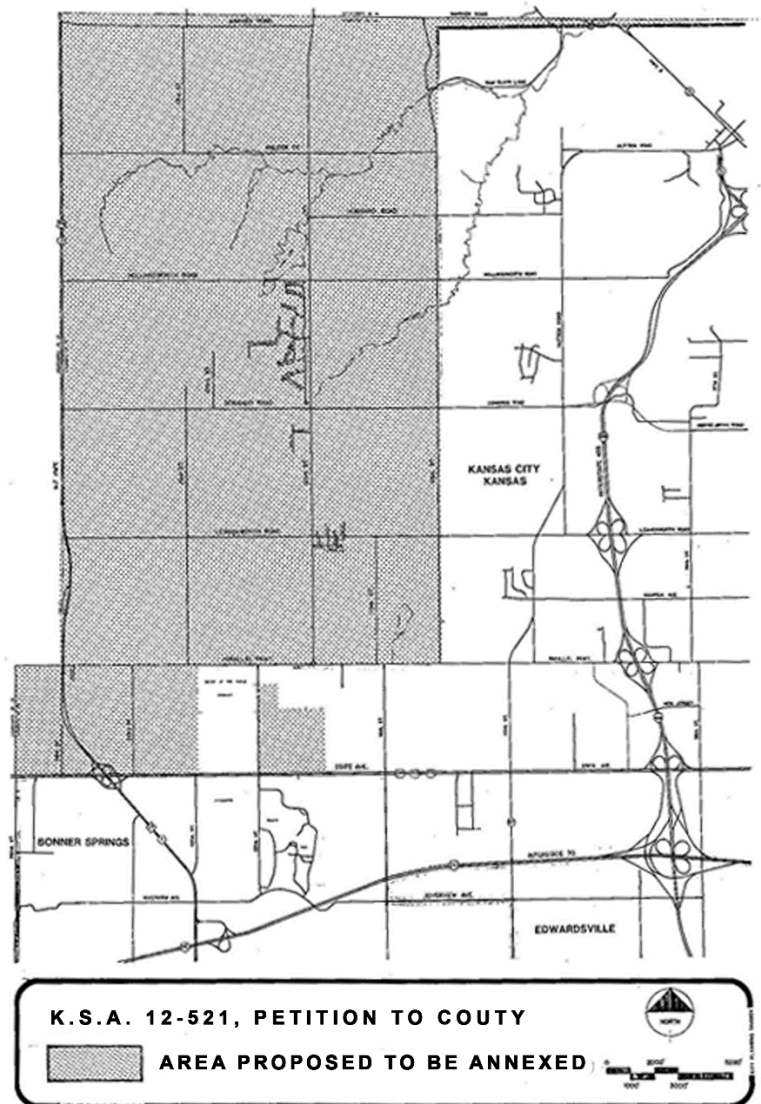
## ANNEXED

January 1, 1992

Interim

Zoning Ordinance

Kansas City, Kansas



CONTENTS	
ARTICLE	TITLE
<u>I.</u>	Purpose
<u>II.</u>	Title
<u>III.</u>	Districts and Boundaries Thereof
<u>IV.</u>	Definitions
<u>V.</u>	"A-G" Agriculture District Regulations
<u>VI.</u>	"R" Rural Residential District Regulations
<u>VII.</u>	"R-1" Large Lot Single-Family Residential District Regulations
<u>VIII.</u>	"R-1A" Suburban Residential District Regulations
<u>IX.</u>	"R-1B" Standard Single-Family Residential District
<u>X.</u>	"R-2" Two-Family Dwelling District
<u>XI.</u>	"R-3" Apartment Dwelling District Regulations

<a href="#"><u>XII.</u></a>	"R-4" High-Rise Apartment District
<a href="#"><u>XIII.</u></a>	"R-5" Townhouse District
<a href="#"><u>XIV.</u></a>	Procedure for Rezoning Property to a Planned Residential District - Refer to Sec. 27-1046 - 1048 - Amendments
<a href="#"><u>XV.</u></a>	"C-O" Professional District
<a href="#"><u>XVI.</u></a>	"C-1" Local Business District
<a href="#"><u>XVII.</u></a>	"C-2" General Business District
<a href="#"><u>XVIII.</u></a>	"C-3" Commercial District
<a href="#"><u>XIX.</u></a>	Planned Commercial and Office Districts
<a href="#"><u>XX.</u></a>	"M-1" Light Industrial District
<a href="#"><u>XXI.</u></a>	"M-2" Heavy Industrial District
<a href="#"><u>XXII.</u></a>	Planned Industrial Districts
<a href="#"><u>XXIII.</u></a>	Additional Height and Area Regulations
<a href="#"><u>XXIV.</u></a>	Additional Parking Regulations

	Non-Conforming Uses - Refer to Sec. 27-1066-1068 - Nonconformities
	Special Use Permits -Refer to Sec. 27-1251-1255 - Special Use Permits
	<u>Mobile Home</u> and <u>Trailer</u> Regulations - Refer to Sec. 27-1167 - R-M <u>Mobile Home Park</u>
	Board of Zoning Adjustments - Refer to Sec. 27-1082-1085 - Appeals and Variances
	Construction and Occupancy Permits - Refer to Sec. 27-1026-1028 - Administration and Enforcement
	Plats, Plans and Specifications - Same
	Boundaries of Districts - Refer to Sec. 27-1103 - Rules for Determining District Boundaries
	Flood Plain Management - Refer to Sec. 27-1226 - 1234 - Floodplain District
	Interpretation, Purpose and Conflict - Refer to Section 1003 - Application of Zoning Regulations
	Amendments - Refer to Sec. 1046 - Amendments
	Enforcement - Refer to Sec. 27-1026 - 1028 - Administration and Enforcement
	Validity - Refer to Sec. 1-6 - Severability

**NOTE:** This book applies only to areas annexed to the City of Kansas City, Kansas, effective January 1, 1992. References are to the Zoning Ordinance and Subdivision Regulations of the City of Kansas City, Kansas.

### **27-203. Application of Wyandotte County Zoning Resolution; Procedures.**

The Zoning Resolution and Subdivision Regulations, Wyandotte County, incorporated by this Ordinance, as amended, are adopted in order to assure the stability and continuity of zoning for properties zoned pursuant to such regulations prior to the properties' annexation into the City of Kansas City, Kansas, effective January 1, 1992. All properties zoned pursuant to such regulations shall be entitled to develop under the uses and regulations set forth therein. Appeals or requests for variances from the provisions of such regulations shall be made to the Kansas City, Kansas Board of Zoning Appeals in accordance with the provisions of Division 2, Part D, Section 27-1082 through 27-1100, of the Kansas City, Kansas Code of Ordinances. The provisions of Division 2, Part B, Section 27-1046 through 1065, Kansas City, Kansas Code of Ordinances, shall apply to plan approvals and any other action, as applicable. New subdivisions shall conform to the Kansas City, Kansas Subdivision Regulations. No property may be rezoned to a Zoning District or be given a special use permit pursuant to the Wyandotte County Zoning Resolution and Subdivision Regulations after the effective date of this ordinance.

### **27-204.**

Division 2. Part C. Nonconformities, Sections 27-1066 - 27-1081; Section 27-1167(c); Division 5, Sections 27-1201 - 27-1250; Division 2, Part A, Sections 27-1026 - 27-1045; and Section 1001 Halfway house; are hereby incorporated by reference as new sections of the Wyandotte County Zoning Resolution and Subdivision Regulations as if set out fully herein.

### **27-205.**

Should any of the provisions set out here in conflict with State Law, State Law shall control.

### **27-206.**

Zoning District Boundaries. The properties annexed into the City of Kansas City, Kansas by Ordinance No. 65653 effective on January 1, 1992, shall retain the Wyandotte County zoning district classifications in effect prior to annexation, as shown on the official map designated as the "Zoning District Map of Wyandotte County, Kansas." Such property shall be added to the Kansas City, Kansas official Zoning District Map incorporated by reference in Kansas City, Kansas Code of Ordinances, Section 27-1102, and the Wyandotte County zoning district boundaries shall be reflected thereon.

### **27-207.**

Penalty. Any person violating the provisions of the Wyandotte County Zoning Resolution and Subdivision Regulations, Revised January, 1988, as amended as of January 1, 1991, as incorporated herein and as amended, shall be subject to the penalty provisions of Section 27-1005 of the Kansas City, Kansas Code of Ordinances.

## **ZONING RESOLUTION OF WYANDOTTE COUNTY, KANSAS**

Revised January, 1988

An amended Resolution dividing the unincorporated area in Wyandotte County, Kansas, into districts; to regulate and restrict therein the location, erection, construction, reconstruction, alteration and use of buildings, structures and land, for industry, business, residence and other uses; to regulate and restrict the height, number of stories, and size of all buildings, and the size of yards, courts and other open spaces

surrounding buildings; to regulate and restrict the density of population; to provide for the change and amendment of such regulations and boundaries of districts; to provide for a Board of Zoning Adjustment; to provide for enforcement of and to prescribe penalties for violation of the provisions hereof.

Be it resolved by the County Commissioners of Wyandotte County, Kansas, as follows:

## **ARTICLE I - PURPOSE**

### **Section 1.**

This Resolution is made in accordance with a comprehensive plan and is designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; and to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements. These regulations also are made with reasonable consideration, among other things, for the character of the district, and its peculiar suitability for particular uses, and with a view toward conserving the value of buildings and encouraging the most appropriate use of land throughout Wyandotte County, Kansas. To accomplish these objectives and to facilitate adequate provisions of Section Supplement to General Statutes of Kansas 19, it is hereby provided as follows:

## **ARTICLE II**

### **Section 1.**

This Resolution shall be known and may be cited and referred to as the "1988 Revised Zoning Resolution" to the same effect.

## **ARTICLE III - DISTRICTS AND BOUNDARIES THEREOF**

### **Section 1.**

In order to regulate and restrict the location of businesses, trades, industries, residences and other land uses and the location of buildings designed for specified uses; to regulate and limit the height and bulk of buildings hereafter erected, reconstructed or altered; to regulate and limit the intensity of the use of lot areas, and to regulate and determine the area of yards, courts, and other open spaces within and surrounding such buildings, the unincorporated area of Wyandotte County, Kansas, is hereby divided into fifteen (15) classes of "Districts." The use, height, and area regulations are uniform throughout each class of district, and said districts shall be known as:

AG	Agriculture District
R	Rural Residential District
R-1	Large Lot Single Family District
R-1A	Suburban Single Family District
R-1B	Standard Single Family District
R-2	Two Family Dwelling District
R-3	Apartment Dwelling District

R-4	High Rise Apartment District
R-5	Townhouse District
C-O	Professional District
C-1	Local Business District
C-2	General Business District
C-3	Commercial District
M-1	Light Industrial District
M-2	Heavy Industrial District

Each of the above districts, with the exception of the "AG" Agricultural District, shall have a counterpart known as a Planned District. These shall be identified by a "P" following the letter designation of the respective districts above. The "P" designation shall apply to tracts of land for which a development plan has been approved, as explained in Articles [XIV](#), [XIX](#) and [XXII](#) of this resolution.

## **Section 2.**

The boundaries of these districts are indicated upon the district maps of the unincorporated area of Wyandotte County, Kansas, which maps are made a part of this Resolution. The said district maps of the unincorporated area of Wyandotte County, Kansas, and all the notations, references and other matters shown thereon shall be as much a part of this Resolution as if the notations, references and other matters set forth by said map were all fully described herein; which district map is properly attested and is on file in the office of the County Planning Board.

## **Section 3.**

All territory which may hereafter become a part of the unincorporated area of Wyandotte County by the disincorporation of any village, town, or city shall automatically be classed as being in the "AG" Agricultural District until such classification shall have been changed by an amendment to the Zoning Resolution as provided by law.

Whenever any street, alley, or other public way is vacated by official action of the Board of County Commissioners of Wyandotte County, the zoning district adjoining each side of such street, alley, or public way shall be automatically extended to the center of such vacation, and all area included in the vacation shall then and henceforth be subject to all appropriate regulations of the extended districts.

## **Section 4.**

Except as hereinafter provided:

1. No building shall be erected, converted, enlarged, reconstructed or structurally altered, nor shall any building or land be used except in conformity with the regulations for the district in which the premises are located.
2. Every building hereafter erected, enlarged or structurally altered shall be located on a lot as herein defined and in no case shall there be more than one (1) main building on one (1) lot having its principal frontage upon a county approved road. In applying the area regulations for a building erected, enlarged, structurally altered or moved, land formerly part of another lot and not in excess of the area requirements for such other lot shall not be counted.

3. Nothing contained in these regulations shall prevent the use of any land for farming or agricultural purposes located on a farm consisting of thirty (30) acres or more, and used for the usual farming purposes, provided however, that the provisions of this section shall not prevent the enforcement of the front yard regulation.
4. A mobile home shall be located on ten (10) acres or more for living quarters for caretakers, watchmen or in hardship cases after inspection and approval of the Executive Director of the Planning Board, provided a permit is obtained for one (1) year subject to conforming to the Zoning Resolutions and renewal upon expiration. All other mobile homes shall be located in mobile home courts authorized by a special permit issued in accordance with Article XXVII of this Resolution and any other County Regulations, except that unoccupied travel or camping trailers of not more than eighteen (18) feet in length may be stored on private property in the rear yards.
5. No person, firm or corporation, nor any employer or agent of such person, firm or corporation, shall undertake the work of installing, altering or furnishing any water, light, gas, or assist in the installing of plumbing or other utility services in any dwelling, commercial building or industrial structure, without first requiring the property owner to exhibit a valid building permit issued by the Building Inspection Department of Wyandotte County authorizing such owner to make such improvements or alterations in any existing building or to erect a new dwelling or structure. Any failure or neglect by any such person in doing such work as herein specified for any owner to whom a valid building permit has not been issued shall be deemed a violation of this resolution.
6. No person shall construct a basement or a portion of a residence and occupy or let to another for occupancy for dwelling purposes until said building is completed.
7. No auto wrecking, junk, iron, or rags, or operations of a similar character shall be permitted unless under "M-2" Heavy Industrial Zoning and authorized by a Special Permit Issued in accordance with Article XXVI of this Resolution and any other County Regulation.
8. It shall be unlawful for any person to move any building within Wyandotte County, Kansas (exclusive of the City Limits), without first obtaining a permit to do so, as required by the Zoning Resolution of Wyandotte County, Kansas. All applications for permits to move buildings through streets, avenues, roads or highways of the county shall be made to the Planning Board and shall bear the written approval of the Executive Director of the Planning Board. Every such application shall state the location of the building proposed to be moved, its length, width, height and principal material of its exterior sides and of its roof and shall definitely describe the route over which it is to be moved and the length of time that will be required to move it. Every such application shall include a plot plan certificate by registered surveyor showing the dimension of the lot to which the structure is to be moved and the exact location of the structure on the lot with the exact distance of the structure from all property lines. The movers shall have thirty days after the moving permit is issued to remove all equipment, timbers, cribbing and debris used in moving from said premises.



Buildings being moved from any county to Wyandotte County shall be comparable to buildings or homes in that area to which they are being moved as determined by the building official/inspector.

Buildings that are sold to be moved from the County to a new location shall be moved within 30 days.

A buyer of a building being sold to be disassembled will have 30 days to tear down and move all materials, rubbish and trash from its location. No one will be allowed to strip a building of such items as plumbing, heating, or any partial materials and leave the remains of a building for over a 30-day period.

The Executive Director of the Planning Board shall inspect the property and approve the location to which the house is to be moved.

A structure shall not depreciate the value of other structures in the neighborhood to which it may be moved.

Any violation of this ordinance shall be deemed a misdemeanor and punishable by fine not to exceed \$200.00 for each offense or by imprisonment in the County Jail for not more than one year or by both such fine and imprisonment and each day's violation shall constitute a separate offense. Any such violation shall be declared a common nuisance and the District Attorney shall be authorized to abate said nuisance in the manner in which he is authorized to abate other nuisances and shall be entitled to reasonable fees and court costs for doing so.

## ARTICLE IV - DEFINITIONS

### Section 1.

For the purpose of this resolution, certain terms and words are hereby defined. Words used in the present tense shall include the future; the singular number shall include the plural and the plural shall include the singular. The word "building" shall include the word "structure" and the word "shall" is mandatory and not directory.

**Accessory Buildings.** A subordinate building or a portion of the main building; the use of which is incidental to that of the main building or to the use of the premises.

**Adult Bookstore or Adult Video Store.** An establishment having as a predominant part of its stock in trade or predominant portion of its revenues: books, magazines, photographs, pictures, periodicals, recordings or video tapes, which are distinguished or characterized by their emphasis on matter depicting, describing or relating to "specified sexual activities" or specified anatomical areas" (as defined herein) and limited in sale of such sexual material to adults. **(Amended 1-25-91 by Resolution #2831).**

**Adult Theater.** A facility with a capacity of two or more persons used predominately for presenting material distinguished or characterized by an emphasis on matters depicting, describing or relating to "specified sexual activities" or "specified anatomical areas," (as defined herein), for observation by patrons therein. **(Amended 1-25-91 by Resolution #2831).**

**Adult Night Club or Cabaret.** A night club or cabaret which features topless dancers, go-go dancers, exotic dancers, strippers, male or female impersonators, similar entertainers or waiters, waitresses, or features material relating to "specified sexual activities" or "specified anatomical areas." **(Amended 1-25-91 by Resolution #2831).**

**Alley.** A thoroughfare which affords only a secondary means of access to abutting property.

**Apartment.** A room or suite of rooms in a multiple dwelling intended or designed for use as a residence by a single family.

**Apartment House.** See Dwelling, Multiple.

**Basement.** A story having part but not more than one-half (1/2) its height below grade. A basement is counted as a story for the purpose of height regulation if subdivided and used for business or dwelling purposes other than by a janitor employed on the premises.

**Boarding House or Lodging House.** A building other than a hotel where, for compensation, meals and/or lodging are provided for four (4) or more persons.

**Building.** Any structure designed or intended for the support, enclosure, shelter or protection of persons, animals or property.

**Cellar.** A story having more than one-half (1/2) of its height below grade. A cellar is not included in computing the number of stories for the purpose of height measurement.

**Children's Day Care and Nursery Facilities.** Facilities where part-time lodging and meals are provided, excluding permanent or overnight lodging, for six (6) or more children in return for compensation.

**Clinic, Medical.** An establishment where patients who are not lodged overnight are admitted for examination and treatment by a group of physicians or dentists practicing medicine together.

**Club.** A building or premises used for social, recreational, dining or philanthropic purposes, the normal use of which is limited to specific members, patrons or otherwise listed persons.

**Condominium.** A building containing defined and divided units which are intended to be separately owned in fee under the condominium laws of the State of Kansas.

**Distance.** Measurement of distances where required as a separation between uses shall be over the usual and common route of travel from the nearest portion of the exterior of the building in which the specified business is to operate.

**District.** An area or areas of the unincorporated area of Wyandotte County, Kansas, for which the zoning regulations governing the use of buildings and premises, the height of buildings, the size of yards, and the intensity of use are uniform.

**Drive-in Establishments.** Any restaurant, financial institution or product vending enterprise where the patron does not enter and remain within a building during the transaction of his business. Food vending establishments where the food is not normally consumed within a building or where facilities are provided for eating outside a building, shall be included in this definition.

**Dwelling.** Any building, or portion thereof, which is designed to conform to this Zoning Resolution and used for residential purposes.

**Dwelling, Senior Citizen.** A dwelling unit in a single family or multifamily building, which unit or building is designed and intended for exclusive occupancy by persons 55 years of age and over. Assurances and guarantees that the said exclusive occupancy by persons in this age group will continue for a major portion of the life of the building may be required by the Planning Board.

**Dwelling, Single Family.** A building designed for or occupied by one family.

**Dwelling, Two-Family, or Duplex.** A building designed for or occupied exclusively by two (2) families living independently of each other.

**Dwelling, Multiple Family.** A building or portion thereof arranged, intended or designed for occupancy as a residence for three (3) or more families living independently of each other. Any building so arranged which exceeds 3 stories shall be defined as a high rise dwelling. Any building containing three or more dwelling units which are intended for separate ownership shall be known as a townhouse dwelling.

**Family.** Means one (1) or more persons who are related by blood or marriage, and including any foster children, or a group of not more than five (5) persons living together by joint agreement on a non-profit cost sharing basis, or a combination of persons related by blood or marriage along with no more than two (2) unrelated adults to a maximum number of five (5) persons, living together and occupying a single housekeeping unit with single kitchen facilities. In addition, up to ten (10) person including eight (8) or fewer persons with a disability or handicap and not to exceed two (2) staff residents residing in a dwelling shall be considered to be a family.

**Farm.** An area containing 30 acres or more which is used for the growing of the usual farm products such as vegetables, fruit trees, and grain, and their storage on the area, as well as for the raising thereon of the usual farm poultry and farm animals, such as horses, cattle, sheep and swine. The term farming includes the operating of such an area for one or more of the above uses, including dairy farms with the necessary accessory uses for treating or storing the product; provided, however, that the operation of an such accessory uses shall be secondary to that of the normal farming activities.

**Floor Area.** The square foot area of all space within the outside line of a wall including the total area of all floor levels, but excluding porches, garages, or unfinished space in a basement or cellar.

**Floor Area, Contributing.** A figure in square feet consisting of the total floor area in a building, including basements, mezzanines and all floors whether finished or not, measured from the centerline of partitions and from the exterior surface of outside walls. Pedestrian malls and service corridors which are common to several tenants in a shopping center; stairways restrooms, elevator shafts and mechanical rooms shall not be included.

**Floor Area, Service.** The total floor area of a building or portion thereof, measured as described under Floor Area, Contributing, above, but excluding stairways, storage rooms, restrooms, hallways, and other floor areas not regularly used by visitors, clients, customers, patients or patrons in their normal everyday use of the place of business.

**Frontage.** The length of a property along one side of a street between two intersecting streets (crossing or terminating) measured along the line of the street, or if the street is dead ended, then all of the property abutting on one side between an intersecting street and the dead end of the street.

**Garage, Private.** An accessory building with storage capacity for not more than three (3) self-propelled vehicles.

**Garage, Public.** Any premises, except those on residential property, used for the storage or care of self-propelled vehicles, or where any such vehicles are equipped for operation, repaired or parked for remuneration, hire or sale.

**Garage, Storage.** Any premises used exclusively for the storage of self-propelled vehicles.

**Garden Apartment Building.** An apartment building, located on a lot either singly or grouped with other similar buildings, normally requiring not more than one level of stairs to reach any dwelling unit and having maximum exposure to outside light and air, as opposed to a center hallway plan.

**Gross Floor Area.** The total floor area designed for tenant occupancy and exclusive use, including basements, mezzanines, and upper floors, if any, but excluding stairways, elevator shafts, mechanical rooms, expressed in square feet measured from the centerline of joint partitions and from the exterior surface of outside walls.

**Gross Leasable Floor Area.** See Gross Floor Area.

**Group home.** Means a residential dwelling occupied as a residence by persons who do not constitute a family.

**Height of Building or Structure.** The vertical distance from the average ground level abutting a building or structure to the highest point of a building or highest point of any permanent part of a structure other than a building. Height, where not regulated in feet, shall be regulated by stories and a story shall be equal to twelve feet for purposes of measuring structures other than buildings.

**Home Occupation.** A gainful occupation or profession conducted in a dwelling by a member of the family residing on the premises.

**Hotel or Motor Hotel.** A building occupied as the temporary abode of individuals, in which there are twenty (20) or more sleeping rooms usually occupied singly, with or without meals, and where there is no provision made for cooking in any individual room or apartment.

**Inoperable Vehicle.** Any automobile, truck, van, pickup, recreational vehicle or other self-propelled equipment which is not in such condition of maintenance as to be operated in a normal and safe manner; or, if eligible for a State Motor Vehicle license or registration; which is not so licensed or registered, or the major parts of such a vehicle, such as body, chassis, engine, frame or running gear.

**Landscaping.** Improvement to the ground surface, including but not limited to grass, shrubs, flowers, trees, hedges, and vines.

**Lot.** A parcel of land occupied or intended for occupancy by one main building together with its accessory structures, including the open spaces and parking spaces required by this resolution, and having its principal frontage upon a street or upon an officially approved place. In any case, such street or place must be approved and accepted by the County Planning Board and the County Engineer as regards compliance with all requirements governing such streets and places.

**Lot, Corner.** A lot abutting upon two (2) or more streets at their intersection. Such lot shall be deemed to front on that street on which the lot has its smallest dimension.

**Lot, Depth of.** The mean horizontal distance between the front and rear lot lines.

**Lot, Double Frontage.** A lot having a frontage on two (2) non-intersecting streets, as distinguished from a corner lot.

**Lot, Interior.** A lot whose side lines do not abut a street.

**Lot Lines.** The lines bounding a lot as defined herein.

**Lot of Record.** A lot which is a part of a subdivision, the map of which has been recorded in the office of the Register of Deeds to Wyandotte County; or a parcel of land, the deed to which was recorded in the office of the Register of Deeds prior to the adoption of this resolution.

**Lot, Width.** The horizontal distance between side lot lines, measured at the front building line.

**Maneuvering Space.** Maneuvering space is the unobstructed area needed for a truck to back in a single movement directly from the access street into a loading space, the depth of which is measured perpendicular to the actual or intended curb location of the loading space to the rear of the furthest edge of the loading space.

**Major Street and Highway Plan.** The plan showing the present and long range street and roadway pattern for the County, including highways, major arterial streets and roads, secondary streets and roads and collector streets and as adopted by the County Planning Board.

**Massage.** Means any method of pressure or friction against, or stroking, kneading, rubbing, tapping, pounding, vibrating or stimulating of the external parts of the human body with the hands or with the aid of any mechanical electrical apparatus or appliance with or without such supplementary aids as rubbing alcohol, liniments, antiseptics, oils, powder, creams, lotion, ointment or other similar preparations commonly used in the practice of massage, and under such circumstances that it is reasonably expected that the person to whom the treatment is provided or some third person on such person's behalf will pay money or give any other consideration or gratuity therefore. This definition shall also include treatment of the human body by means of baths of all kinds, including all forms and methods of hydrotherapy. **(Amended 1-25-91 by Resolution #2831).**

**Massage Parlor.** Means any establishment having a source of income or compensation derived from the practice of massage and which has a fixed place of business where any person engages in or carries on any massage activities. **(Amended 1-25-91 by Resolution #2831).**

**Mobile Home.** A vehicle designed for use as a permanent single family residential living unit with separate sleeping, dining, bath and living rooms for the exclusive use of the occupant and which is transported over the road by truck to be located on a site with connection to on-site sewer, water, and electrical utilities.

**Mobile Home Park.** A tract of land subdivided into drives and lots to permanently accommodate mobile homes and whereas each lot has provision for a semi-permanent connection to on-site sewer, water and electrical utilities.

**Mobile Home Space.** A lot within a mobile home park for the exclusive use of one mobile home and which contains improvements for semi-permanent connections to sewer, water, and electrical utilities by a mobile home.

**Mobile Home, Street.** For the purposes of these regulations, the streets within a mobile home or trailer park and/or subdivision are one of two types. Each is described as follows:

**Drive.** A right of way within a mobile home or trailer park which serves as the principal means of access to or through the park, and which is owned and maintained by the owner or operator of the park.

**Street.** A dedicated public right of way within a mobile home park or subdivision which serves as the principal means of vehicular access to or through the park or subdivision.

**Mobile Home Subdivision.** A tract of land containing a minimum of ten (10) acres which has been subdivided into lots and blocks for the purpose of selling individual lots for the location of mobile homes. The subdivision shall be in accordance with the regulations governing the subdivision of land in Wyandotte County.

**Mobile Home, Type.** For the purposes of these regulations, mobile homes shall be considered of two types. Each is defined as follows:

**Mobile Home, Double Wide.** A mobile home which has been constructed in two sections at a factory and transported over the road separately and assembled into one structure with a width of not less than twenty (20) feet.

**Mobile Home, Single Wide.** A mobile home having a width of not more than fourteen (14) feet measured between the mobile home's permanent sidewalls.

**Motel, Motor Court, Motor Hotel, or Motor Lodge.** Same as "Hotel," except that the building or buildings are designed primarily to serve tourists travelling by automobile and that ingress and egress to rooms need not be through a lobby or office.

**Non-Conforming Use.** Any building or land lawfully occupied by a use at the time of passage of this Resolution or amendments thereto, which does not conform to the use regulations of the district in which it is situated.

**Nursing Homes.** A home for the aged, chronically ill or incurable persons in which three or more persons not of the immediate family are received, kept and provided with food or shelter and care for compensation, but not including hospitals, clinics or similar institutions devoted primarily to the diagnosis and/or treatment of the sick or injured.

**Planned Zoning District.** The zoning applied to a lot or tract which permits development only as is depicted on a development plan duly approved by the County Planning Board and Board of County Commissioners.

**Parking Lot.** A parcel of land devoted to unenclosed parking spaces for motor vehicles.

**Parking Space.** A permanently surfaced nine (9) foot by twenty (20) foot area, enclosed or unenclosed, to store one (1) automobile, together with a permanently surfaced driveway connecting the parking space with a street or alley and permitting ingress and egress of an automobile.

**Private Club.** An organization licensed hereunder to which the club members shall be permitted to resort for the purpose of consuming alcoholic liquor. **(Amended 1-25-91 by Resolution #2831).**

**Sign.** For the purpose of this article, a sign shall be defined as any outdoor announcement device, documentation or insignia used for decoration, information, identification or to advertise or promote any business, product, activity, service, or interest. Where a sign decorates, informs, identifies, advertises or promotes business products, activities services or interest offered on the zoning lot on which it is located, it shall be known as an incidental or business identification sign and shall be subject to specific conditions set forth in this Resolution. Where a sign advertises or directs attention to a name, business, product, activity, service or interest offered at a location other than the zoning lot on which it is located, the sign shall be known as a billboard and shall be subject to conditions set forth in the granting of a special permit.

**Sign, Flashing.** Any sign which is internally or externally illuminated by flashing, flowing, alternating, or blinking lights.

**Sign, Rotating.** Any sign surface or sign structure or any portion thereof which rotates, moves, or is animated.

**Sign Structure.** The support, upright bracing and framework for the sign.

**Sign Surface.** The entire area within a single continuous perimeter enclosing all elements of the sign which form an integral part of the display including the perimeter border.

**Specified Sexual Activities.** For the purpose of this section, "specified sexual activities: is defined as:

- A. Human genitals in a state of sexual stimulation or arousal.
- B. Acts of human masturbation, sexual intercourse or sodomy. **(Amended 1-25-91 by Resolution #2831).**

**Specified Anatomical Area.** For the purpose of this section, "specified anatomical areas" is defined as:

- A. Less than completely or opaquely covered:
  - 1. Human genitals, pubic region
  - 2. Buttocks
  - 3. Any portion of the areola of the female breast
- B. Human male genitals in a discernible turgid state even if completely and opaquely covered. **(Amended 1-25-91 by Resolution #2831).**

**Stable, Private.** An accessory building and premises for the keeping of horses, ponies, mules or cows, owned by occupants of the premises, and not kept for remuneration, hire or sale.

**Stable, Public.** A stable other than a private or riding stable as defined herein.

**Stable, Riding.** A structure and premises in which horses or ponies, used exclusively for pleasure riding or driving, are housed, boarded, or kept for remuneration, hire or sale.

**Story.** That portion of a building, other than a cellar, included between the surface of any floor and the surface of the floor next above it or if there be no floor above it, then the space between the floor and the ceiling next above it.



**Story, Half.** A space under a sloping roof which has the line of intersection of roof decking and wall face not more than three feet above the top floor level, and in which space not more than two-thirds of the floor area is finished off for use. A half-story containing independent apartment or living quarters shall be counted as a full story.

**Street.** All property dedicated for the purpose of providing right-of-way for public streets, highways, freeways or roadway purposes. The term street shall be construed in all cases to include the lands dedicated for right-of-way purposes, as described above, and the physical improvements constructed or scheduled for construction within the limits of said right-of-way. In any case, the street shall be approved and accepted only through due process by the County Planning Board, the County Engineer and the Board of County Commissioners. The physical improvements included as a part of any street, as defined herein, shall be constructed according to the specification of the County Engineer, or bond sufficient to insure such construction shall be posted with the County Clerk before any street shall be approved and accepted by the county.

**Street Line.** A dividing line between a lot, tract or parcel of land and a contiguous street.

**Structure.** Anything constructed or erected, the use of which requires permanent location on the ground or attached to something having permanent location on the ground which includes advertising signs.

**Structural Alterations.** Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams or girders, or any complete rebuilding of the roof or exterior walls.

**Trailer.** A vehicle equipped with wheels and normally towed over the road behind an automobile or truck.

**Trailer, Advertising.** A device equipped with wheels making it capable of being towed over-the-road, the primary purpose and use of which is to advertise or promote a place, product or activity.

**Trailer, Camping.** A trailer designed to provide temporary sleeping quarters for purposes of camping and/or traveling on trips of short duration, and intended for temporary location at various sites.

**Trailer, Hauling.** A trailer designed and normally used for over-the-road transportation of belongings, equipment, merchandise, livestock and other objects, but not equipped for human habitation.

**Trailer Park.** A tract of land containing individual spaces for overnight and/or short-term parking of camping trailers.

**Trailer, Camping Space.** A space located within a trailer park and for the exclusive use of a camping trailer.

**Yard.** An open space on the same lot with a building, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard or the depth of a rear yard, the minimum horizontal distance between the lot line and the main building shall be used.

**Yard, Front.** A yard extending across the front of a lot between the side yard lines and being the minimum horizontal distance between the street line and the main building or any projection hereof, other than the projection of the usual steps or entrance-way.

**Yard, Rear.** A yard extending across the rear of a lot between the side lot lines and being the minimum horizontal distance between the rear lot line and the rear of the main building or any projections other than steps, unenclosed balconies or unenclosed porches. On corner lots, the rear yard shall be considered as parallel to the street upon which the lot has its least dimension. On both corner lots and interior lots the rear yard shall in all cases be at the opposite end of the lot from the front yard.



**Yard, Side.** A yard extending from the front lot line to the rear yard line, and being the minimum horizontal distance between the side lot line and the side of the main building or any projections thereof.

**Zoning District Map.** A map, drawn to appropriate scale, covering the entire unincorporated section of Wyandotte County, and having shown thereon the current zoning district applied to all property.

# ARTICLE V - "AG" AGRICULTURE DISTRICT REGULATIONS

## Section 1.

The regulations set forth in this article or set forth elsewhere in this resolution, where referred to in this article, are the district regulations in the "AG" Agriculture Districts.

## Section 2. Use Regulations.

A building or premises shall be used only for the following purposes:

1. The following agricultural operations:
  - A. Nurseries, green houses and horticulture.
  - B. Orchards, truck gardening, vineyards, growing of bush and berry crops and general farming.
  - C. Keeping, breeding and raising of fowl, cattle (including dairies), pigs, sheep, goats and horses.
  - D. Keeping, breeding and raising of rabbits, foxes, minks, rodents, primates and other small fur bearing animals for any commercial or laboratory purpose.
  - E. Kennels, fish hatcheries, aviaries or apiaries.
  - F. Raising of grains, hay, grasses and other forage commonly classed as agricultural in Wyandotte County.
  - G. Experimental and demonstration farming.
2. One principal detached residence with not more than one principal building on each plot.
3. Churches and similar places of worship, Sunday school buildings and weekday religious schools, parish houses, rectories, and parsonages.
4. Libraries, museums and public art galleries.
5. Public parks and playgrounds.
6. Public utility substations or pumping stations and municipal and civic buildings.
7. Railroad and public utility rights-of-way.
8. Schools of general instruction.
9. Commercial Forestry.
10. Nursery schools and child care centers.
11. The following uses may be permitted by special permit after hearing by the County Planning Board and the Board of County Commissioners:
  - A. Cemeteries.
  - B. Airports and heliports including landing fields and accessory hangers, terminal buildings and auxiliary facilities.
  - C. Agricultural feeding or disposal of garbage, rubbish or offal.

- D. Recreational facilities such as golf courses, tennis and swimming clubs, community theaters and facilities on plots of 5 acres or more.
- E. Reservoirs, water works, water towers and water tanks.
- F. Telephone exchanges, radio and television stations and communication towers, both transmitting and receiving.
- G. Public and private hospitals and sanitariums for general medical care on plots of not less than 10 acres, duly authorized by appropriate state agencies. Buildings may occupy no more than 20% of the plot area.
- H. Nursing home and dwellings for senior adults authorized by the state whether or not operated for profit. Buildings and required parking area shall occupy no more than 50% of the plot area.

12. Accessory buildings and uses are permitted as follows:

- A. Accessory to any agricultural use: repair shops, tool sheds, garages, barns, silos, bunkhouses and buildings or stands for display and sale, storage, washing, grading and packing (but not processing) of agricultural products grown primarily on the premises.
- B. The following private structures: garages, tool sheds, tennis courts, swimming pools, recreational structures, and other similar structures.
- C. Storing not more than one of each of the following: unoccupied camper trailer or boat.
- D. Keeping domestic animals as follows: Not more than a total of 5 cats or dogs over one year old; not more than 2 horses over six months old, not more than 10 [ow]; not more than 2 of any other species of domestic animals, excluding, however, all pigs and cattle. No domestic animal shall be maintained within 75 feet of any plot line except for dogs and cats.
- E. Home occupations.
- F. Accessory parking.
- G. Accessory loading.
- H. Temporary structures for storage of equipment and materials used in connection with construction of a lawfully authorized use not to exceed 2 years.
- I. On a single premises or on a plot of not less than 5 acres, one guest or caretakers cottage.

### **Section 3. Height Regulations.**

No building shall exceed two and one-half (2 1/2) stories or thirty-five (35) feet in height, except as provided in [ARTICLE XIX](#).

### **Section 4. Area Regulations.**

The following area regulations shall apply to the "AG" Agriculture District.

1. **Front Yard.**

- A. There shall be a front yard having a depth of not less than fifty (50) feet for residential dwellings and a front yard of not less than one-hundred (100) feet for all other permitted uses.
- B. Where lots have a double frontage, the required front yard shall be provided on both streets.
- C. Where a lot is located at the intersection of two or more streets, there shall be a front yard on each street side of a corner lot. No accessory building shall project beyond the front yard line on either street.

2. **Side Yard.** Except as hereinafter provided in Article XXIII, there shall be a side yard on each side of a building having a width of not less than thirty (30) feet for residential dwellings and one-hundred (100) feet for all other permitted uses.

3. **Rear Yard.** Except as hereinafter provided in Article XXIII, there shall be a rear yard having a depth of not less than fifty (50) feet for residential dwellings and one-hundred (100) feet for all other permitted uses.

4. **Intensity of Use.**

- A. Every lot or tract of land upon which a residential building is to be erected shall have an area of not less than twenty (20) acres and a minimum road or street frontage of six-hundred sixty (660) feet.
- B. Every lot or tract of land which is used for any other permitted use within the "AG" Agriculture District shall have a minimum area of not less than 80,000 square feet.
- C. Any lot or tract that has less area or frontage than herein required and was of record at the time of passage of this Resolution the lot or tract may be used for any of the uses permitted within the "AG" Agriculture District.

5. **Parking Regulations.** The following off-street parking requirements shall apply to all new land uses, new buildings and to increased floor areas in existing buildings which are approved or erected after the passage of this resolution.

- A. Parking shall not be permitted in required yards adjacent to street rights of way.
- B. At least one parking space for each of the permitted uses shall be provided in accordance with the specifications listed below unless otherwise specified:

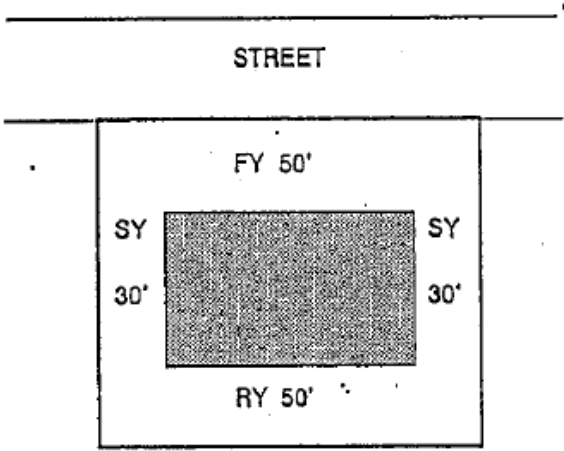
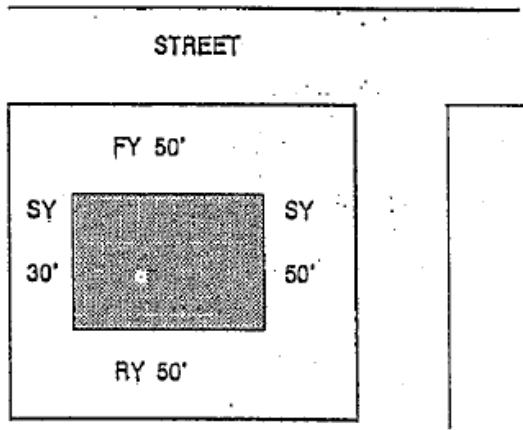

LAND USE	PARKING SPACE SPECIFICATION
1. Residences	2 spaces per dwelling unit, plus 2 spaces for any accessory house occupation or principal agriculture use.
2. Buildings or stands for display and sale of agricultural products.	1 space or each 5 feet of front wall or 300 square feet of floor area, whichever is whichever is greater.
3. Churches and church buildings, public buildings, libraries, community and recreational buildings and theaters.	1 space for each 200 square feet of floor area, but not less than one space for each 6 seats.
4. Schools and nursery schools and childcare centers.	1 space for each 12 seats or students for public elementary schools and 1 space for each 6 seats or students for other schools.
5. Camp, Day Camps, Summer colonies or recreational facilities	1 space for each 5 persons for which there are accommodations, and in every case sufficient spaces to assure complete off-street parking at all times.
6. Hospitals, sanitariums, <u>nursing homes</u> and homes for the aged.	1 space for each 3 beds.
7. Golf courses or country <u>clubs</u> .	1 space for each 2 members, or accommodations, such as lockers, whichever is greater.
8. Telephone exchanges, public utility substations, and municipal and civic buildings, radio and television stations.	1 space for each 2 employees or 300 square feet of floor area, whichever is less.
9. Airports and heliports.	1 space for each 2 employees plus one for each private aircraft and parking space and 5 per scheduled aircraft arrival or departure within the peak 3-hour period.

6. **Minimum Floor Area Requirement.** In the "AG" Agriculture District the minimum floor area of all residential dwelling structures shall be twelve hundred fifty (1,250) gross square feet, measured at the outside of the building, excluding basement and garage area; provided, however, the minimum floor area of all structures shall be one thousand (1,000) gross square feet if the lot was platted prior to the adoption of this resolution.
7. **Additional Regulations.** The following additional regulations shall apply to uses in the "AG" Agriculture District:
  - A. For a public library, museum, art gallery, public building, community facility, recreational buildings, hospitals, sanitariums, nursing homes for the aged and schools, one loading berth for the first 10,000 square feet of floor area and one additional berth for each 25,000 square feet or fraction thereof of additional floor area.

- B. There shall be no stable or similar animal housing or poultry housing, or storage of manure or other odor or dust-producing substances within a distance of 200 feet of any line.
- C. No smoke stack shall exceed the height regulations authorized in the zoning resolution.
- D. No commercial slaughter or processing shall be permitted.
- E. All buildings and structures for fur farming and kennels shall be located at least 200 feet from any lot line.
- F. No accessory agricultural building shall be located within 30 feet of any plot line and all roadside stands for sale of agricultural products shall not exceed 200 square feet.
- G. Public utility rights-of-way substations, pumping stations and municipal and civic buildings shall be housed in structures that harmonize with the character of the neighborhood, and where these adjoin a residential zone they shall have a buffer of 50 feet and be adequately screened and shall be subject to performance standards procedure and site plan approval by the Planning Board.
- H. In addition to the particular requirements listed for any use by special permit, the Planning Board may require where reasonable or appropriate, fences, and other safety devices, landscaping, screening access roads, and buffer areas as required.
- I. Buffer areas of 50 feet shall be required for special permit uses, except that the Planning Board may reduce the width of buffer areas to no less than 25 feet where local conditions and substitute protection for neighboring properties is reasonably indicated. Buffer areas shall always be landscaped, screened, and maintained in harmony with the landscaping and natural growth in the neighborhood.
- J. All area not covered by buildings or paved area shall be landscaped, and such landscaping shall be continuously maintained.
- K. Subdivisions Prohibited. The subdivision of land into lots, tracts or parcels of less than twenty (20) acres in size is prohibited in district "AG".
- L. Water and Wastewater requirements. Individual water wells and on-site septic systems are allowed in this District provided approval on each lot is given in the form of a construction permit by the City-County Health Department.

### **"AG" AGRICULTURE DISTRICT**

Wells and on-site septic systems are allowed in this district provided approval on each lot is given in the form of a construction permit by the City-County Health Department.

<p><u>Interior Lot</u></p>	<p><u>Corner Lot</u></p>
 <p>Diagram of an Interior Lot showing setbacks: Front Yard (FY) 50', Side Yard (SY) 30', and Rear Yard (RY) 50'. A shaded rectangle represents the buildable area.</p>	 <p>Diagram of a Corner Lot showing setbacks: Front Yard (FY) 50', Side Yard (SY) 30' on one side and 50' on the other, and Rear Yard (RY) 50'. A shaded rectangle represents the buildable area.</p>
<p><u>Double Frontage Lot</u></p>	<p><b>LEGEND</b></p> <p> Buildable Area</p> <p>FY . . . Front Yard  SY . . . Side Yard  RY . . . Rear Yard</p> <p><b>OTHER AREA REGULATIONS</b></p> <p>Minimum Land Area . . . 20 Acres  Minimum Frontage . . . 660 ft.  Minimum Floor Area . . . 1250 sq.ft.  <i>Off-Street Parking Required</i></p>

**NOTE:** All setbacks are minimums and are from property lines, not curbs or pavement.

**This diagram is a guide only.** The appropriate articles of the zoning resolution should be consulted for detailed information.

# ARTICLE VI - "R" RURAL RESIDENTIAL DISTRICT REGULATIONS

## Section 1.

The regulations set forth in this article, or set forth elsewhere in this Resolution when referred to in this article, are the district regulations in the "R" Rural Residential District.

## Section 2. Use Regulations.

The use regulations shall include single family residences and those in the "AG" Agriculture District, except that a private stable shall not be erected or used on any lot containing less than one (1) acre, no raising of poultry or livestock shall be permitted upon any farm or truck garden of less than five (5) acres or on a scale that would be objectionable because of noise or odor to surrounding residences; and any detached accessory building shall be located not less than sixty (60) feet from the front lot line.

## Section 3. Height Regulations.

The height regulations are the same as those in the "AG" Agriculture District.

## Section 4. Area Regulations.

### 1. **Front Yard.**

- A. There shall be a front yard having a depth of not less than fifty (50) feet, unless forty (40) percent or more of the frontage on one side of the street between two intersecting streets is improved with buildings that have observed a front yard line with a variation in depth of not more than twenty (20) feet, in which case no building shall project beyond the average front yard so established, but this regulation shall not be interpreted to require a front yard of more than seventy-five (75) feet.
- B. Where lots have a double frontage the required front yard shall be provided on both streets.
- C. Where a lot is located at the intersection of two or more streets, there shall be a side yard on the side street frontage of such corner lot of not less than fifty (50) feet, except that the buildable width of such lot shall not be reduced to less than thirty-five (35) feet. No accessory building shall project beyond the front yard line of lots in the rear.

### 2. **Side Yard.**

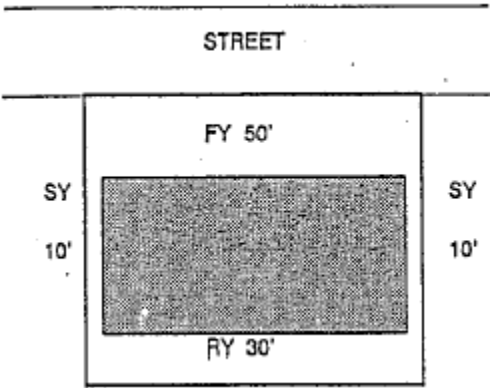
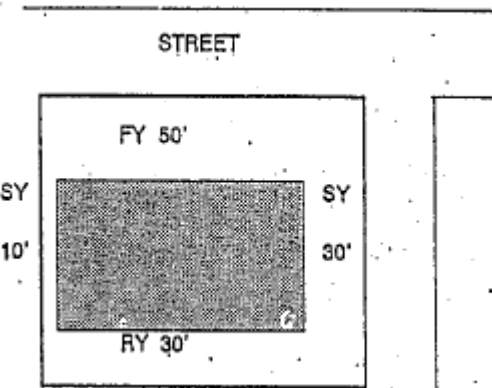

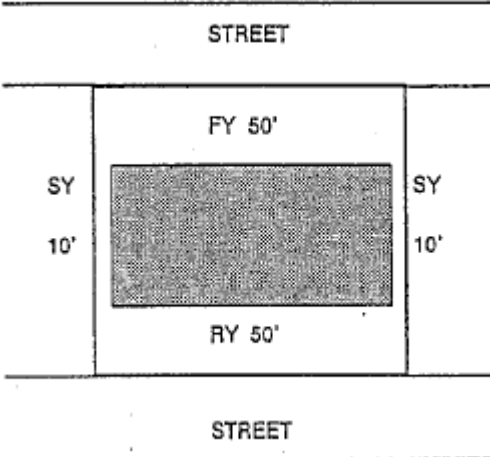
- A. Except as hereinafter provided in the following paragraph, and in Article XXIII there shall be a side yard on each side of a building having a width of not less than ten (10) feet or ten (10) percent of the average width of the lot, whichever amount is larger, but the side yard need not exceed twenty (20) feet.
- B. The side yard on each side of a building on a lot of record having a width of forty (40) feet or less at the time of the passage of this article, and Article XXIII of this Resolution shall have a width of not less than four (4) feet.

- 3. **Rear Yard.** Except as hereinafter provided in [ARTICLE XXIII](#), there shall be a rear yard having a depth of not less than thirty (30) feet or twenty (20) percent of the depth of the lot, whichever amount is larger, but it need not exceed forty-five (45) feet.



4. **Intensity of Use.** Every lot or tract of land shall have an area of not less than five (5) acres and a minimum frontage of three hundred thirty (330) feet except that if a lot or tract has less area or frontage than herein required, and was of record at the time of the passage of this resolution, that lot or tract of land may be used for a single family dwelling.
5. **Parking Regulations.** The parking regulations are the same as those in the "AG" Agriculture District.
6. **Minimum Floor Area Requirements.** The minimum floor area requirement regulations shall be one thousand two hundred and fifty (1,250) gross square feet, measured at the outside of the building, excluding basement and garage area.
7. **Additional Regulations.** The additional regulations for the "R" Rural Residential District shall be the same as those in the "AG" Agriculture District.
8. **Wastewater Requirements.** On-site septic systems are allowed in this district provided approval on each site is given in the form of a construction permit by the City-County Health Department.

## "R" RURAL RESIDENTIAL DISTRICT

Interior Lot	Corner Lot
 <p>Diagram of an Interior Lot showing setbacks: Front Yard (FY) 50', Side Yard (SY) 10' on both sides, and Rear Yard (RY) 30'. The lot is bounded by a street on the top and bottom.</p>	 <p>Diagram of a Corner Lot showing setbacks: Front Yard (FY) 50', Side Yard (SY) 10' on the left, 30' on the right, and Rear Yard (RY) 30'. The lot is bounded by a street on the top and right.</p>
Double Frontage Lot	<p><b>LEGEND</b></p> <p> Buildable Area</p> <p>FY .... Front Yard SY .... Side Yard RY .... Rear Yard</p> <p><b>OTHER AREA REGULATIONS</b></p> <p>Minimum Land Area ... 5 Acres Minimum Frontage .... 330 ft. Minimum Floor Area ... 1250 sq.ft. <i>Off-Street Parking Required</i></p>
 <p>Diagram of a Double Frontage Lot showing setbacks: Front Yard (FY) 50', Side Yard (SY) 10' on both sides, and Rear Yard (RY) 50'. The lot is bounded by streets on the top and bottom.</p>	

**NOTE:** All setbacks are minimums and are from property lines, not curbs or pavement.

**This diagram is a guide only.** The appropriate articles of the zoning resolution should be consulted for detailed information.

# ARTICLE VII - "R-1" LARGE LOT SINGLE-FAMILY RESIDENTIAL DISTRICT REGULATIONS

## Section 1.

The regulations set forth in this article, or set forth elsewhere in this resolution, when referred to in this article, are the district regulations in the "R-1" Large Lot Single Family Residential District.

## Section 2. Use Regulations.

The use regulations shall include single family residences and those in the "R" Rural Residential District, except that a private stable shall not be erected or used on any lot containing less than one (1) acre, no raising of poultry or livestock shall be permitted upon any farm or truck garden of less than five (5) acres or on a scale that would be objectionable because of noise or odor to surrounding residences; and any detached accessory building shall be located not less than sixty (60) feet from the front lot line.

## Section 3. Height Regulations.

The height regulations are the same as those in the "R" Rural Residential District.

## Section 4. Area Regulations.

### 1. **Front Yard.**

- A. There shall be a front yard having a depth of not less than fifty (50) feet, unless forty (40) percent or more of the frontage on one side of the street between two intersecting streets is improved with buildings that have observed a front yard line with a variation in depth of not more than ten (10) feet, in which case no building shall project beyond the average front yard so established, but this regulation shall not be interpreted to require a front yard of more than seventy-five (75) feet.
- B. Where lots have a double frontage the required front yard shall be provided on both streets.
- C. Where a lot is located at the intersection of two or more streets, there shall be a side yard on the side street frontage of such corner lot of not less than thirty (30) feet, except that the building width of such lot shall not be reduced to less than thirty-five (35) feet. No accessory building shall project beyond the front yard line of lots in the rear.

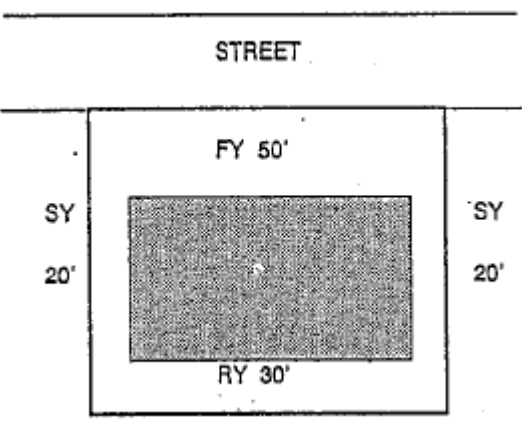
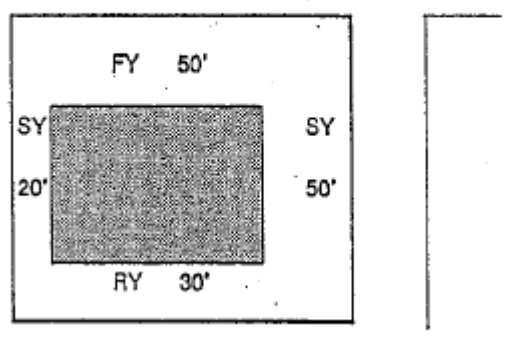

### 2. **Side Yard.**

- A. Except as hereinafter provided in the following paragraph and in Article XXIII there shall be a side yard on each side of a building of not less than twenty (20) feet.
- B. The side yard on each side of a building on a lot of record having a width of forty (40) feet or less at the time of the passage of this article, and Article XXIII of this Resolution shall have a width of not less than four (4) feet.

- 3. **Rear Yard.** Except as hereinafter provided in Article XXIII, there shall be a rear yard having a depth of not less than thirty (30) feet or twenty (20) percent of the depth of the lot, whichever amount is larger, but it need not exceed forty-five (45) feet.

4. **Intensity of Use.** Every lot or tract of land shall have an area of not less than one acre (43,560) square feet and a minimum frontage of one hundred fifty (150) feet except that if a lot or tract has less area or frontage than herein required, and was of record at the time of the passage of this resolution, that lot or tract of land may be used for a single family dwelling.
5. **Parking Regulations.** The parking regulations are the same as those in the "R" Rural Residential District.
6. **Minimum Floor Area Requirement.** The minimum floor area requirement regulations shall be one thousand two hundred fifty (1,250) gross square feet, measured at the outside of the building, excluding basement and garage area.
7. **Additional Regulations.** The additional regulations for the "R-1" Large Lot Single Family Residential District shall be the same as those in the "R" Rural Residential District.
8. **Water and Waste Water Requirements.** A public water system, approved by the state of Kansas is required for all uses except agricultural. Individual on-site septic systems may be allowed provided approval in the form of a construction permit is given by the City-County Health Department.

## "R-1" LARGE LOT SINGLE FAMILY RESIDENTIAL

Interior Lot	Corner Lot
 <p>Diagram of an interior lot showing setbacks: Front Yard (FY) 50', Side Yard (SY) 20' on both sides, and Rear Yard (RY) 30'.</p>	 <p>Diagram of a corner lot showing setbacks: Front Yard (FY) 50', Side Yard (SY) 20' on one side and 50' on the other, and Rear Yard (RY) 30'.</p>
Double Frontage Lot	<p><b>LEGEND</b></p> <p> Buildable Area</p> <p>FY . . . Front Yard SY . . . Side Yard RY . . . Rear Yard</p> <p><b>OTHER AREA REGULATIONS</b></p> <p>Minimum Land Area . . . 43,560 sq.ft. Minimum Frontage . . . 150 ft. Minimum Floor Area . . . 1250 sq.ft. <i>Off-Street Parking Required</i></p>

**NOTE:** All setbacks are minimums and are from property lines, not curbs or pavement.

**This diagram is a guide only.** The appropriate articles of the zoning resolution should be consulted for detailed information.

# ARTICLE VIII - "R-1A" SUBURBAN RESIDENTIAL DISTRICT REGULATIONS

## Section 1.

The regulations set forth in this article, as set forth elsewhere in this resolution, when referred to in this article, are the district regulations in the "R-1A" Suburban Residential Districts.

## Section 2. Use Regulations.

The use regulations shall be the same as those in the "R-1" Large Lot Single-Family Residential District except for the following which shall not be allowed by special permit or as an accessory use:

1. Agricultural operations or related accessory uses.
2. Commercial Forestry.
3. Nursery schools and child care centers unless operated in conjunction with one of the institutional uses allowed.
4. Airports and heliports including landing fields and accessory hangers, terminal buildings and auxiliary facilities.
5. Agriculture feeding on disposal or garbage or refuse.
6. Travel trailer camps or plots of five (5) acres or more.
7. Not more than two pets of any species of domestic animals, excluding, however, all pigs and cattle.
8. Cemeteries on plots not exceeding 15 acres.
9. Telephone exchanges, radio and television stations and communication towers, both transmitting and receiving.
10. Camps on plots of 20 acres or more.

## Section 3. Height Regulations.

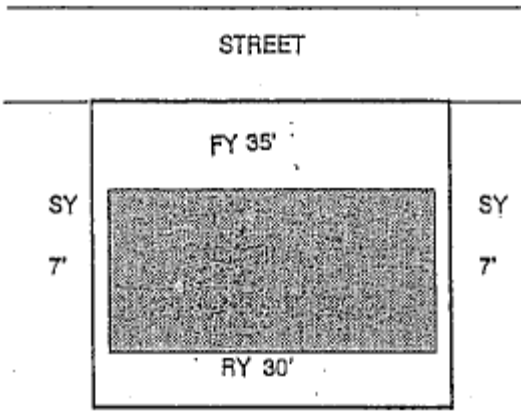
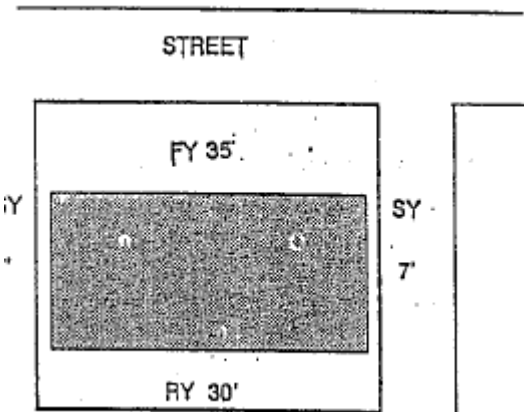

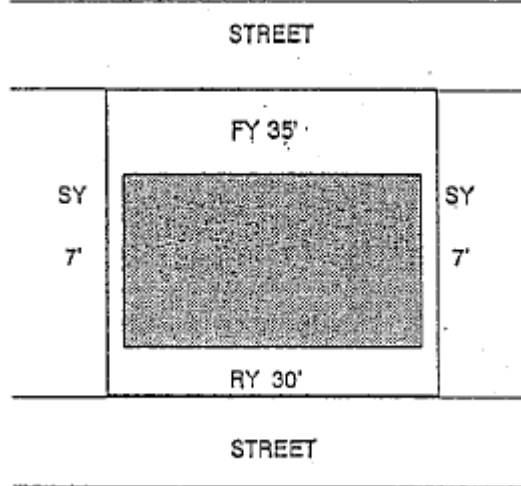
The height regulations are the same as those in the "R-1" Large lot single-family residential district.

## Section 4. Area Regulations.

1. **Front Yard.** A front yard of not less than thirty-five (35) feet shall be provided. (Amended 6-21-90 by Resolution #2778).
2. **Side Yard.**
  - A. Except as provided in the following paragraph and in Article XXIII, there shall be a side yard on each side of a building having a width of not less than seven (7) feet or ten (10) percent of the average width of the lot, whichever amount is larger, but the side yard need not exceed ten (10) feet.
  - B. The side yard on each side of a building on a lot of record having a width of thirty (30) feet or less at the time of the passage of this Resolution shall have a width of not less than three (3) feet.

- C. Where a lot is located at the intersection of two or more streets, there shall be a side yard on the side street frontage of such corner lot of not less than twenty (20) feet.
- 3. **Rear Yard.** The rear yard regulations are the same as those in the "R-1" Large Lot Single-Family Residential District.
- 4. **Intensity of Use.** Every lot or tract of land shall have an area of not less than fifteen thousand (15,000) square feet and a minimum frontage of eighty-five (85) feet except that if a lot or tract of land has less area or frontage than herein required, and was of record at the time of the passage of this resolution, that lot may be used for a single-family dwelling.
- 5. **Parking Regulations.** The parking regulations are the same as those in the "R-1" Large Lot Single-Family Residential District.
- 6. **Minimum Floor Area Requirement.** In the "R-1A" Suburban Residential District the minimum floor area of all dwelling structures shall be twelve hundred fifty (1,250) gross square feet, measured at the outside of the building, excluding basement and garage area.
- 7. **Additional Regulations.** The additional regulations for the "R-1A" Suburban Residential District shall be the same as those in the "R-1" Large Lot Single-Family Residential District.
- 8. **Water and Wastewater Requirements.** A public water supply, and a public sewer system, both approved by the state of Kansas are required for all uses except Agricultural.

## "R-1A" SUBURBAN RESIDENTIAL

Interior Lot	Corner Lot
	
Double Frontage Lot	<p><b>LEGEND</b></p> <p> Buildable Area</p> <p>FY .... Front Yard SY .... Side Yard RY .... Rear Yard</p> <p><b>OTHER AREA REGULATIONS</b></p> <p>Minimum Land Area ... 15,000 sq.ft. Minimum Frontage .... 85 ft. Minimum Floor Area ... 1,250 sq.ft. <i>Off-Street Parking Required</i></p>
	

**NOTE:** All setbacks are minimums and are from property lines, not curbs or pavement.

**This diagram is a guide only.** The appropriate articles of the zoning resolution should be consulted for detailed information.



# ARTICLE IX - "R-1B" STANDARD SINGLE-FAMILY RESIDENTIAL DISTRICT

## Section 1.

The regulations set forth in this article as set forth elsewhere in this resolution, when referred to in this article, are the district regulations in the "R-1B" Standard Single-Family Residential District.

## Section 2. Use Regulations.

The Use Regulations shall be the same as those in the R-1A Suburban Residential District except for the following which shall not be allowed by special permit or as an accessory use:

1. Agricultural Operations or related accessory uses.
2. Commercial Forestry.
3. Nursery Schools and Child Care Centers unless operated in conjunction with one of the institutional uses allowed.
4. Airports and Heliports including landing fields and accessory hangers, terminal buildings and auxiliary facilities.
5. Agriculture feeding or disposal of garbage or refuse.
6. Travel Trailer camps on plots of five (5) acres or more.
7. Not more than two pets of any species of domestic animals, excluding, however, all pigs and cattle.
8. Cemeteries on plots not exceeding 15 acres.
9. Telephone exchanges, radio and television stations and communication towers, both transmitting and receiving.
10. Camps on plots 20 acres or more.

## Section 3. Height Regulations.

The Height Regulations are the same as those in the "R-1A" Suburban Residential District.

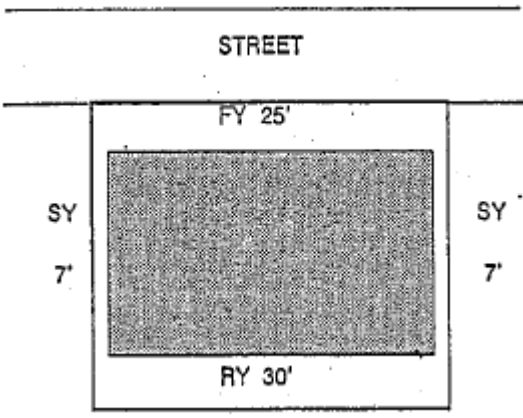
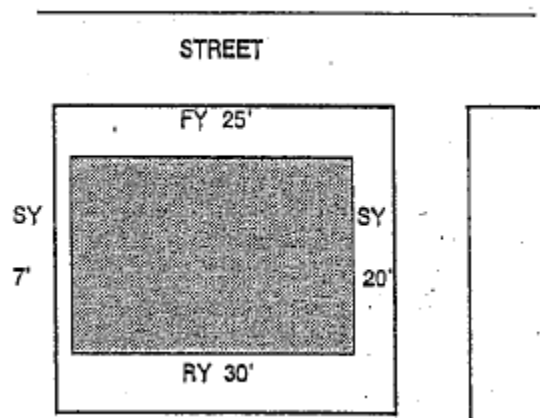

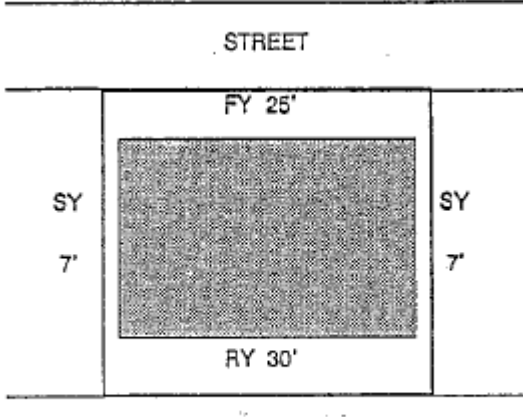
## Section 4. Area Regulations.

1. **Front Yard.** A front yard of not less than twenty-five (25) feet shall be provided.
2. **Side Yard.**
  - A. Except as provided in the following paragraph and in Article XXIII, there shall be a side yard on each side of a building having a width of not less than seven (7) feet or ten (10) percent of the average width of the lot, whichever amount is larger, but the side yard need not exceed ten (10) feet.
  - B. Where a lot is located at the intersection of two or more streets, there shall be a side yard on the side street frontage of such corner lot of not less than twenty (20) feet.
3. **Rear Yard.** A rear yard of not less than thirty (30) feet shall be provided.
4. **Intensity of Use.** Every lot or tract of land shall have an area of not less than eight thousand (8000) square feet and minimum frontage of seventy (70) feet except that if a lot or tract of

land has less area or frontage than herein required, and was of record at the time of the passage of this resolution, that lot may be used for a single-family dwelling.

5. **Parking Regulations.** The parking regulations are the same as those in the "R-1A" Suburban Residential District.
6. **Minimum Floor Area Requirement.** In the "R-1B" Standard Single-Family Residential District the minimum floor area of all dwelling structures shall be one thousand (1000) square feet, measured at the outside of the building, excluding basement and garage area.
7. **Additional Regulations.** The additional regulations for the "R-1B" Standard Single Family Residential District shall be the same as those in the "R-1A" Suburban Residential District.
8. **Water and Waste Water Requirements.** A public water system and a public sewer system are required for all uses in this District except for agricultural uses.

## "R-1B" STANDARD SINGLE FAMILY RESIDENTIAL

Interior Lot	Corner Lot
 <p>Diagram of an Interior Lot showing setbacks: Front Yard (FY) 25', Side Yard (SY) 7' on both sides, and Rear Yard (RY) 30'. A shaded rectangle represents the buildable area.</p>	 <p>Diagram of a Corner Lot showing setbacks: Front Yard (FY) 25', Side Yard (SY) 7' on the left, 20' on the right, and Rear Yard (RY) 30'. A shaded rectangle represents the buildable area.</p>
Double Frontage Lot	<p><b>LEGEND</b></p> <p> Buildable Area</p> <p>FY . . . Front Yard</p> <p>SY . . . Side Yard</p> <p>RY . . . Rear Yard</p> <p><b>OTHER AREA REGULATIONS</b></p> <p>Minimum Land Area . . . 8,000 sq.ft.</p> <p>Minimum Frontage . . . 70 ft.</p> <p>Minimum Floor Area . . . 1000 sq.ft.</p> <p><i>Off-Street Parking Required</i></p>
 <p>Diagram of a Double Frontage Lot showing setbacks: Front Yard (FY) 25', Side Yard (SY) 7' on both sides, and Rear Yard (RY) 30'. A shaded rectangle represents the buildable area.</p>	

**NOTE:** All setbacks are minimums and are from property lines, not curbs or pavement.

**This diagram is a guide only.** The appropriate articles of the zoning resolution should be consulted for detailed information.

# ARTICLE X - "R-2" TWO-FAMILY DWELLING DISTRICT

## Section 1.

The regulations set forth in this article, as set forth elsewhere in this resolution, when referred to in this article, are the district regulations in the "R-2" Two-Family Dwelling Districts.

## Section 2. Use Regulations.

The use regulations are the same as those in the "R-1A" Suburban Residential District except that a lot or premises may be occupied by a two-family dwelling whenever the lot contains a minimum area of ten thousand (10,000) square feet and whenever there is a minimum side yard on each side of the two-family dwelling of not less than eight (8) feet in width. This lot area requirement shall apply only in those areas of the county where sanitary sewer connections are available.

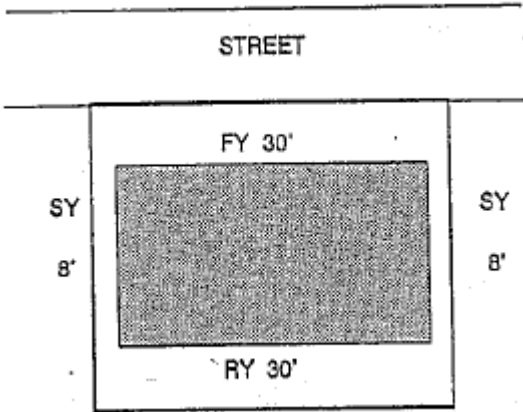
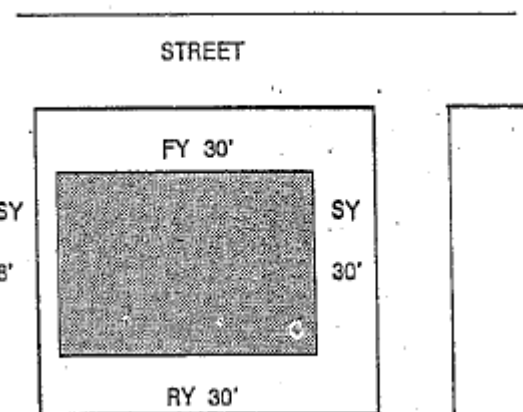

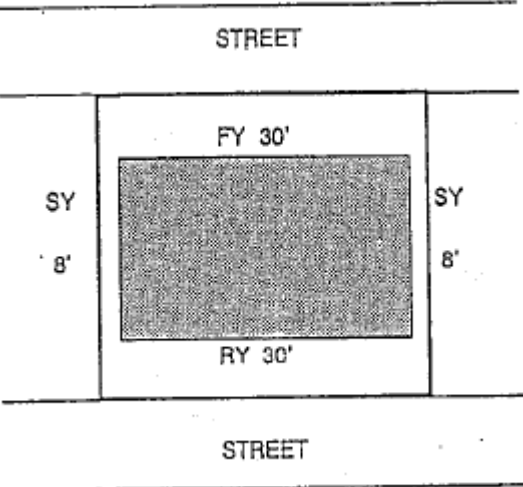
## Section 3. Height Regulations.

The height regulations are the same as those in the "R-1A" Suburban Residential District.

## Section 4. Area Regulations.

1. **Front Yard.** The front yard regulations are the same as those in the "R-1A" Suburban Residential District.
2. **Side Yard.**
  - A. There shall be a side yard on each side of a building having a width of not less than eight (8) feet or ten percent (10%) of the average width of the lot whichever amount is larger, but the side yard need not exceed ten (10) feet.
  - B. Where a lot is located at the intersection of two or more streets, there shall be a side yard on the side street frontage of such corner lot of not less than thirty (30) feet.
3. **Rear Yard.** The rear yard regulations are the same as those in the "R-1A" Suburban Residential District.
4. **Intensity of Use.** Every lot shall have an area of not less than ten thousand (10,000) square feet and a minimum frontage of eighty (80) feet except that if a lot has less area than herein required, and was of record at the time of the passage of this resolution, that lot may be used for a two-family dwelling.
5. **Parking Regulations.** Whenever a structure is erected, converted or structurally altered, two off-street parking spaces shall be provided and maintained on the lot for each one (1) dwelling unit.
6. **Minimum Floor Area Requirement.** In the "R-2" Two-Family Dwelling District, the minimum floor area of all dwelling units shall be seven hundred fifty (750) gross square feet, measured at the outside of the building, excluding basement and garage area.
7. **Additional Regulations.** The additional regulations for the "R-2" Two-Family Dwelling District shall be the same as those in the "R-1A" Suburban Residential District.

## "R-2" TWO FAMILY DWELLING DISTRICT

Interior Lot	Corner Lot
	
Double Frontage Lot	<p><b>LEGEND</b></p> <p> Buildable Area</p> <p>FY .... Front Yard SY .... Side Yard RY .... Rear Yard</p> <p><b>OTHER AREA REGULATIONS</b></p> <p>Minimum Land Area ... 10,000 sq.ft. Minimum Frontage, ... 80 ft. Minimum Floor Area, ... 750 sq. ft. (Per Dwelling Unit) <i>Off-Street Parking Required</i></p>
	

**NOTE:** All setbacks are minimums and are from property lines, not curbs or pavement.

**This diagram is a guide only.** The appropriate articles of the zoning resolution should be consulted for detailed information.

# ARTICLE XI - "R-3" APARTMENT DWELLING DISTRICT REGULATIONS

## Section 1.

The regulations set forth in this article, or set forth elsewhere in this Resolution when referred to in this article, are the district regulations in the "R-3" Apartment Dwelling District.

## Section 2. Use Regulations.

The use regulations are the same as those in the "R-2" Two-Family Dwelling District, except that a lot or premises may be occupied by a structure having three (3) or more dwelling units.

## Section 3. Height Regulations.

No building shall exceed two and one-half (2 1/2) stories or thirty-five (35) feet in height.

## Section 4. Area Regulations.

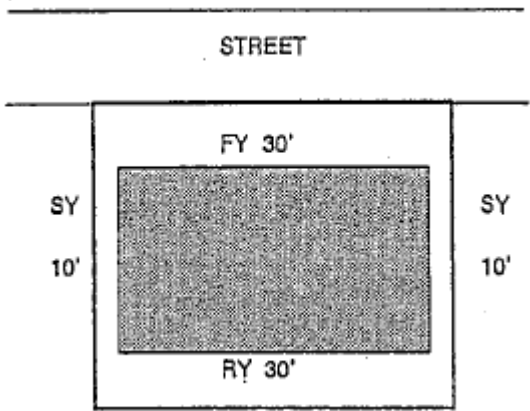
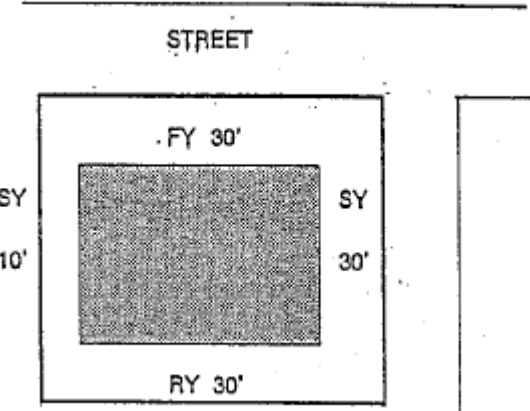

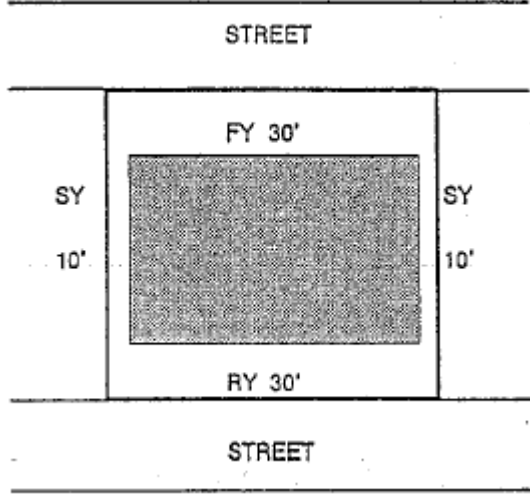
1. **Front Yard.** The front yard regulations are the same as those in the "R-1A" Suburban Residential Districts.
2. **Side Yard.** Except as provided in Article XIX, there shall be a side yard on each side of a building having a width of not less than ten (10) feet or ten (10) percent of the average width of the lot, whichever amount is larger, but the side yard need not exceed twenty (20) feet.
3. **Rear Yard.** The rear yard regulations are the same as those in the "R-1A" Suburban Residential Districts.
4. **Intensity of Use.** The minimum lot area for apartment dwellings shall be 3,500 square feet per family.
5. **Parking Regulations.** Apartment structures shall provide off-street parking for each dwelling unit as follows:
  - A. Efficiency apartment: one (1) space.
  - B. One bedroom apartment: One and one-half (1 1/2) spaces.
  - C. Two or more bedrooms per apartment: two and one-half (2 1/2) spaces.
6. **Minimum Floor Area Requirements.** The minimum floor area per dwelling unit for an apartment dwelling unit shall be:

efficiency unit	450 square feet
one bedroom	550 Square feet
two bedroom	650 Square feet
three bedroom	750 Square feet

7. **Additional Regulations.** The following additional use regulations shall apply in the "R-3" Apartment Dwelling District:

- A. Same as "R-2"
- B. No home occupations shall be permitted in multiple family dwellings.
- C. Adequate storage facilities for equipment, toys, luggage and other property of tenants and necessary for maintenance of the multiple family dwelling shall be provided.
- D. In addition to required yards where a multiple family dwelling adjoins a nonresidential district, a buffer area as specified in Article V, "AG" Agriculture District, Section 4, Part 7-I shall be required.
- E. All area not covered by buildings or paved area shall be landscaped and such landscaping shall be continuously maintained.

## "R-3" APARTMENT DWELLING DISTRICT

Interior Lot	Corner Lot
	
Double Frontage Lot	<p><b>LEGEND</b></p> <p> Buildable Area</p> <p>FY . . . Front Yard SY . . . Side Yard RY . . . Rear Yard</p> <p><b>OTHER AREA REGULATIONS</b>  Minimum Land Area . . . 3,500 sq.ft.  (per dwelling unit)  <b>Minimum Floor Area</b>  --Efficiency Unit . . . . . 450 sq. ft.  --1 Bedroom Unit . . . . . 550 sq. ft.  --2 Bedroom Unit . . . . . 650 sq. ft.  --3 Bedroom Unit . . . . . 750 sq. ft.]  <b>Off-Street Parking</b>  --Efficiency Unit . . . . . 1 space  --1 Bedroom Unit . . . . . 1 1/2 spaces  --2 or More Bedrooms . . 2 1/2 spaces</p>
	

**NOTE:** All setbacks are minimums and are from property lines, not curbs or pavement.

**This diagram is a guide only.** The appropriate articles of the zoning resolution should be consulted for detailed information.



## ARTICLE XII - "R-4" HIGH-RISE APARTMENT DISTRICT

### Section 1.

The regulations set forth in this article, or set forth elsewhere in this resolution, when referred to in this article, are the district regulations in the "R-4" High-Rise Apartment Districts.

### Section 2. Use Regulations.

In the "R-4" High-Rise Apartment District, no building or land shall be used and no building shall be hereafter erected, converted, or structurally altered, unless otherwise provided in this article, except for the following use: multiple family dwellings having three or more stories in height.

### Section 3. Height and Area Regulations.

In the "R-4" High-Rise Apartment District, yards surrounding buildings erected, converted, or structurally altered, or yards created in any new land use shall conform to the following minimum requirements provided that enclosed off-street garage structures below the finished ground level may extend to the property lines:

1. **Front Yard.** There shall be a distance of not less than thirty (30) feet from the front line of the building, and not less than twenty (20) feet from the front line of an open porch, roof, canopy, or paved terrace to the front property line. One (1) foot shall be added to this required yard for each additional story above ten (10) stories.
2. **Interior Side Yard.** There shall be a side yard on each side of every building and off-street garage structure with a minimum width of ten (10) feet, except that for each story above three (3) stories, one (1) foot shall be added to this required yard up to and including ten (10) stories. For each story in addition to ten (10) stories, one-half (1/2) foot shall be added to the minimum side yard required for ten (10) stories. Any surface parking shall set back at least fifteen (15) feet from the side property line. Where accessory off-street parking facilities are provided on adjoining lots with common lot lines such off-street parking facilities may jointly extend to the common lot lines.
3. **Corner Side Yard.** On corner lots, there shall be a side yard on the side street frontage of such corner lot not less than twenty-five (25) feet from the front line of any structure, and not less than twenty (20) feet from the front line of an open porch, roof, canopy, or paved terrace to the side street property line.
4. **Rear Yard.** There shall be a rear yard in this district having a minimum depth of twenty-five (25) feet, except, for buildings exceeding ten (10) stories in height, one (1) foot shall be added to this required yard for each additional story above ten (10) stories. Any off-street surface parking lot shall be set back a minimum of fifteen (15) feet from any rear property line. Where accessory off-street parking facilities are provided on adjoining lots with common lot lines, such off-street parking facilities may jointly extend to the common lot lines, except that any garage structure which extends above the mean grade of property adjoining the rear property line shall set back a distance of ten (10) feet from the rear property line. On those lots where the rear yard abuts on a street right-of-way, the rear yard setbacks shall be the same as required for corner side yards.

## **Section 4. Screening.**

In the "R-4" High-Rise Apartment District, the screening requirements shall be as follows:

1. **Screening from adjoining properties.** There shall be provided permanent screening by a wall, fence, or densely planted, compact hedge not less than five (5) feet nor more than eight (8) feet in height along any property line of any development that is contiguous to the boundary of a single or two-family residential district. Shrubbery or trees may be substituted for the hedge.
2. **Screening for off-street surface parking.** There shall be provided permanent screening by a wall, fence, or densely planted compact hedge not less than three (3) feet nor more than five (5) feet in height along any street right-of-way line of that portion of a zoning parcel which is used for off-street surface parking.

## **Section 5. Intensity of Use.**

In the "R-4" High Rise Apartment District, every building hereafter erected or structurally altered shall be constructed or altered only on building sites with minimum lot areas for each dwelling unit as follows, provided, that buildings three (3) stories or less in height shall conform to the area regulations of the "R-3" Apartment Dwelling District.

1. Each building having four (4) or more stories in height, shall provide fifteen hundred (1500) square feet of building site or tract area per dwelling unit.

## **Section 6. Parking Regulations.**

In the "R-4" High-Rise Apartment District, the parking requirements shall apply to all new land uses, new buildings and to increased floor areas in existing buildings; not less than two off-street parking spaces shall be provided for each dwelling unit, provided that in the case of special housing for senior adults, only one space for each three units need be improved.

## **Section 7. Off-Street Loading Requirements.**

In the "R-4" High-Rise Apartment District, the following off-street loading requirements shall apply to all new land uses, structures hereafter built, converted or structurally altered, and to existing structures in which existing floor area is increased:

1. No loading areas shall be permitted in required front yard areas.
2. No loading space shall restrict or interfere with streets, alleys, access roads or dedicated right-of-way.
3. Off-street loading space shall be adequate to serve the development. In determining adequacy, the following shall be considered.
  - A. Gross floor area.
  - B. Use of structure.
  - C. Number of occupants or employees.
  - D. Frequency of delivery.
  - E. Size of delivery vehicles.

## **Section 8. Additional Regulations.**

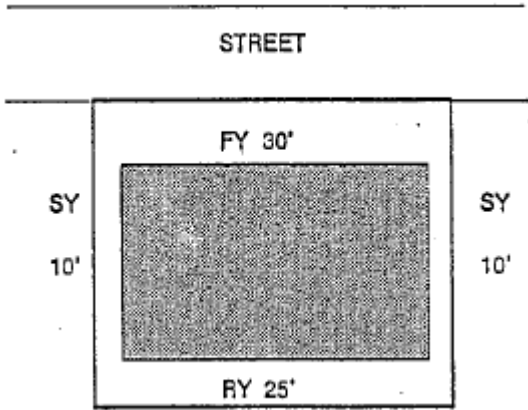
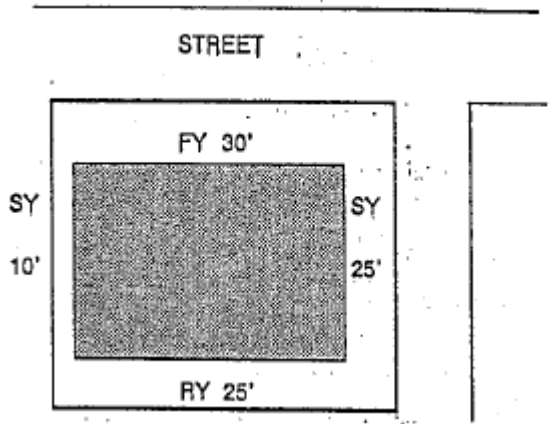
In the "R-4" High-Rise Apartment District, the following additional regulations shall apply to all new land uses, new buildings and to existing structures in which existing floor area is increased:

1. All areas not covered by buildings or paved areas shall be landscaped, and such landscaping continuously maintained.
2. Accessory parking for nonresidential uses shall be in addition to the minimum required parking spaces for the dwelling units.
3. No advertising or display of any nonresidential use shall be visible from outside the building.

## **"R-4" HIGH-RISE APARTMENT DISTRICT**

Note: Add 1' to FY and RY for each story over 10 stories.

Add 1' to SY for each story from 3 to 10 stories and 1/2' for each story over 10'.

Interior Lot	Corner Lot
 <p>The diagram shows a rectangular lot with a central building footprint. The top boundary is labeled "STREET". The building footprint is labeled "FY 30'" on the top and "RY 25'" on the bottom. The setbacks on the left and right sides are labeled "SY 10'".</p>	 <p>The diagram shows a rectangular lot with a central building footprint. The top boundary is labeled "STREET". The building footprint is labeled "FY 30'" on the top and "RY 25'" on the bottom. The setbacks on the left and right sides are labeled "SY 10'" and "SY 25'" respectively.</p>
Double Frontage Lot	

- A. There shall be a side yard on each side of a group of townhouses having a minimum width of ten (10) feet, measured from the end of the group of townhouses to the Interior lot line. Where more than one group of townhouses is located on a single lot, there shall be a side yard between the ends of each group of townhouses

having a minimum width of twenty (20) feet. Where a driveway is provided between such groups, an additional ten (10) feet shall be provided. Such separation between groups of townhouses shall be unencumbered by walls, fences or other structures or buildings.

- B. Where a lot is located at the intersection of two or more streets, there shall be a side yard on the side street frontage of such a lot having a minimum width of fifteen (15) feet. This side yard is to be unencumbered by walls, fences or other structures or buildings.
3. **Rear Yard.** There shall be a rear yard of not less than 25 feet.

## **Section 5. Intensity of Use.**

- 1. **Lot Area.** Minimum lot area per unit shall be 3500 square feet.
- 2. **Minimum Floor Area Requirements.** Minimum unit size for each townhouse shall be 750 square feet, and the average size of the townhouses in any group shall be a minimum of 900 square feet.

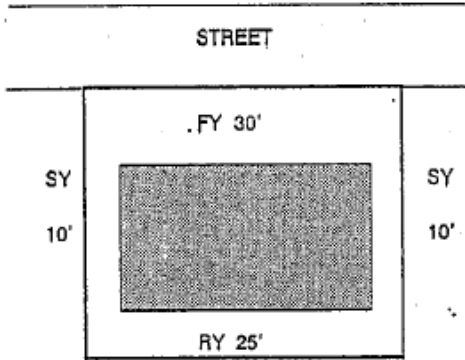
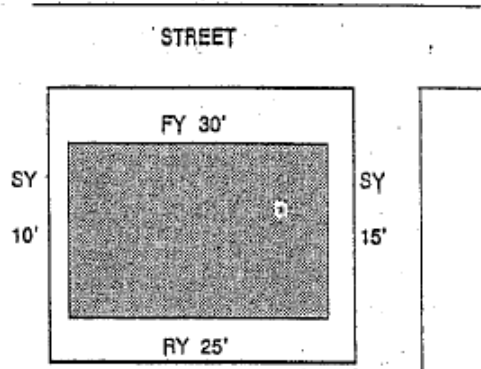

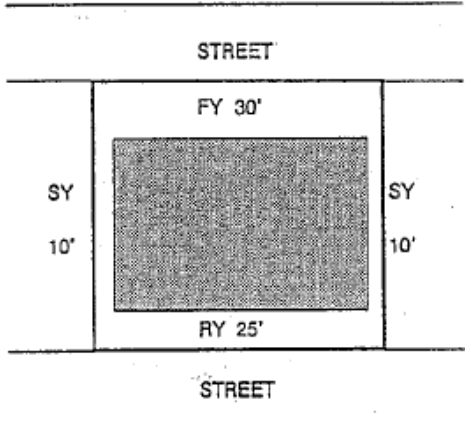
## **Section 6. Special Considerations.**

- 1. **Grouping Length.** A grouping of townhouses shall not exceed 200 feet in length.
- 2. **Street Access.** Each group of townhouse sites must have a clear, direct access to public streets.
- 3. **Right-of-way.** The right-of-way width of streets serving a group of townhouses and the improvements therein shall conform to all applicable minimum County standards and requirements for such streets.
- 4. **Patios and Service Areas.** There shall be provided on each Townhouse site at least 200 square feet of patio living area exclusive of parking and service areas for each townhouse; such footage may consist of one or more patio, balconies, roof areas.
- 5. **Walls.** All patio or outdoor living areas on each townhouse site shall be enclosed by a wall affording complete screening except in cases where a natural feature of the site would suggest a special exception, which shall be determined by review of the site plan for the development. Such wall shall be of masonry or other material having a life expectancy of not less than 10 years and the minimum height of such wall shall be 6 feet; such walled-in patio may include a screen roof.
- 6. **Accessory Buildings.** No accessory structure shall be permitted in unwalled or unscreened areas on sites containing a townhouse, and where located within an area enclosed with walls, shall not extend above the height of the walls.
- 7. **Common Areas.** In addition to the area required for each unit site, an area consisting of either:
  - A. The difference in area between 5000 square feet and the square foot area for each unit site; or
  - B. 20% of the gross land area of the townhouse development whichever is greater, shall be provided along with such lands commonly owned and permanently maintained open space.
- 8. **Maintenance of Common Areas.** Provisions satisfactory to the Planning Board shall be made to assure that nonpublic areas and facilities for common use of townhouse development occupants shall be maintained in a satisfactory manner without County expense.

## Section 7. Parking Regulations.

A minimum of 2 off-street parking spaces shall be provided for each townhouse. Such parking spaces may be provided on the townhouse lot, or in a commonly owned or maintained off-street parking facility. No parking space shall be more than 150 feet from the door of the townhouse it is intended to serve.

### "R-5" TOWNHOUSE DISTRICT

Interior Lot	Corner Lot
 <p>Diagram of an Interior Lot showing setbacks: Front Yard (FY) 30', Side Yard (SY) 10' on both sides, and Rear Yard (RY) 25'.</p>	 <p>Diagram of a Corner Lot showing setbacks: Front Yard (FY) 30', Side Yard (SY) 10' on the left and 15' on the right, and Rear Yard (RY) 25'.</p>
Double Frontage Lot	<p><b>LEGEND</b></p> <p> Bulldable Area</p> <p>FY . . . Front Yard SY . . . Side Yard RY . . . Rear Yard</p> <p><b>OTHER AREA REGULATIONS</b></p> <p>Minimum Land Area . . . 3,500 sq. ft. (per dwelling unit)</p> <p>Minimum Floor Area . . . 750 sq. ft. (per dwelling unit)</p> <p>Minimum Avg. Floor Area for a Townhouse Group 900 sq. ft.</p> <p>Off-Street Parking . . . . 2 spaces (per dwelling unit)</p>
 <p>Diagram of a Double Frontage Lot showing setbacks: Front Yard (FY) 30', Side Yard (SY) 10' on both sides, and Rear Yard (RY) 25'.</p>	

**NOTE:** All setbacks are minimums and are from property lines, not curbs or pavement.

**This diagram is a guide only.** The appropriate articles of the zoning resolution should be consulted for detailed information.

## ARTICLE XIV

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## ARTICLE XV - "C-0" PROFESSIONAL DISTRICT

### Section 1.

The regulations set forth in this article or set forth elsewhere in this Resolution when referred to in this Article are the district regulations in the "C-0" Professional District.

### Section 2. Use Regulations.

No buildings or premises shall be hereafter erected, structurally altered, enlarged or maintained, except for one or more of the following uses:

1. Multiple family dwellings.
2. Medical or dental clinics, except veterinary clinics.
3. Offices for the conduct of professional pursuits such as medicine, dentistry, architecture, law, engineering and all other recognized professions dealing in services only, as determined by the Planning Board. No commercial enterprises shall be conducted within this district, except that an apothecary may be located in any building which contains doctors' or dentists' offices.
4. Photographers.
5. Banks.
6. Telephone Exchanges.
7. Barber or Beauty Shops.
8. Custom Dressmaking, Millinery or Tailoring.
9. Schools or special instruction.

### Section 3. Signs.

For any use allowed under the terms of this article, there shall be allowed one sign not to exceed ten (10) square feet to be attached to the principal facade of the main structure occupying the premises. Signs attached to windows to be read from the outside shall be construed to be outdoor advertising and shall therefore be governed by the ten (10) square feet maximum sign area as outlined above.

### Section 4. Height Regulations.

No building or structure shall exceed two and one half (2 1/2) stories or thirty-five (35) feet.

### Section 5. Area Regulations.

1. **Front Yard.** There shall be a distance of not less than thirty (30) feet from the front line of the building to the front property line and not less than ten (10) feet from any parking lot to the front property line.
2. **Interior Side Yard.** There shall be a side yard on each side of a building with a minimum width of ten (10) feet on lots adjoining commercial or industrial districts and twenty (20) feet on lots adjoining residential districts.

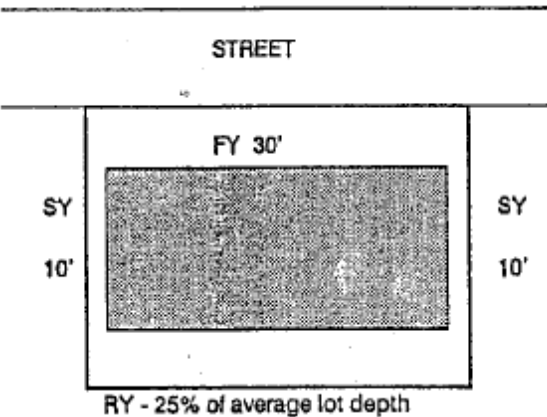
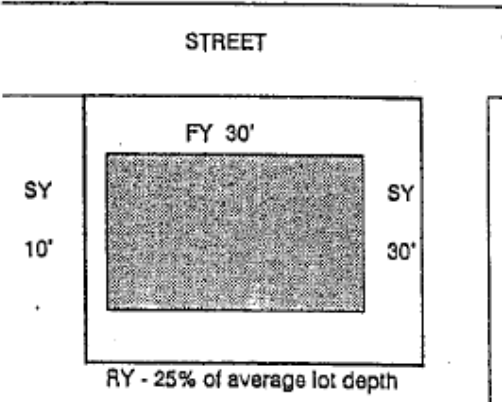
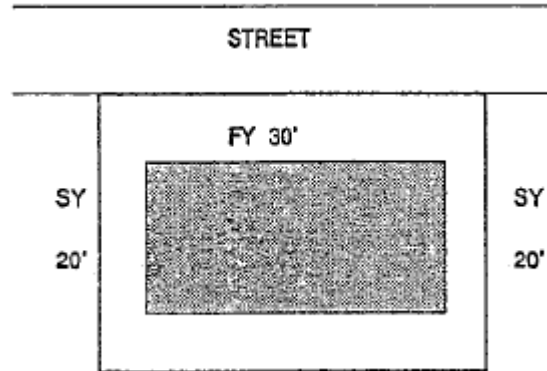
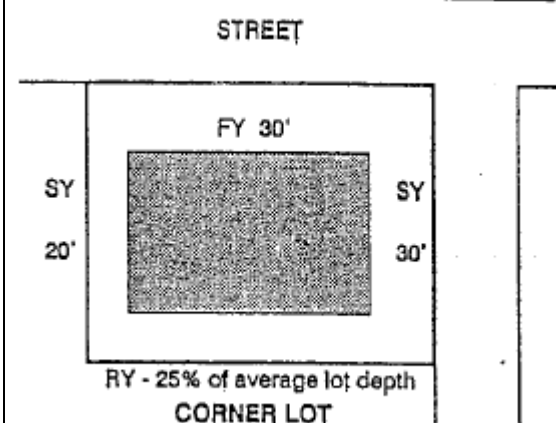



3. **Corner Side Yard.** There shall be a side yard on the street frontage of a corner lot with a minimum width of thirty (30) feet.
4. **Rear Yard.** There shall be a rear yard with a minimum depth of twenty five (25) feet.

## **Section 6. Parking & Loading Regulations.**

1. In the "C-0" Professional District, the following off-street parking requirements shall apply to any new land uses, to all buildings constructed or structurally altered and to increased floor areas in existing buildings, provided that residential buildings three (3) stories or less shall conform to the parking requirements of the "R-3" Apartment District. Parking shall not be permitted in required yards adjacent to street rights-of-way.
  - A. Each zoning lot used for dwelling purposes shall provide two (2) off-street parking spaces for each dwelling unit.
  - B. Each zoning lot used for nonresidential purposes shall provide four (4) off-street parking spaces for each one thousand (1000) square feet of contributing floor area.
2. **Off-street Loading Requirements.** In the "C-0" Professional District, the following off-street loading requirements shall apply to all new land uses, to all structures built or structurally altered, and to existing structures in which existing floor area is increased:
  - A. No loading areas shall be permitted in required front yard areas.
  - B. No loading space shall restrict or interfere with streets, alleys, access roads or dedicated rights-of-way.
  - C. Off-street loading space shall be adequate to serve the development. In determining adequacy, the following shall be considered:
    1. Gross floor area.
    2. Use of structure.
    3. Number of occupants or employees.
    4. Frequency of delivery.
    5. Size of delivery vehicles.

## "C - 0" PROFESSIONAL DISTRICT

Interior Lot	Corner Lot
 <p>STREET</p> <p>FY 30'</p> <p>SY 10'</p> <p>SY 10'</p> <p>RY - 25% of average lot depth</p>	 <p>STREET</p> <p>FY 30'</p> <p>SY 10'</p> <p>SY 30'</p> <p>RY - 25% of average lot depth</p>
Interior Lot	Corner Lot
 <p>STREET</p> <p>FY 30'</p> <p>SY 20'</p> <p>SY 20'</p> <p>RY - 25% of average lot depth</p>	 <p>STREET</p> <p>FY 30'</p> <p>SY 20'</p> <p>SY 30'</p> <p>RY - 25% of average lot depth</p> <p>CORNER LOT</p>

<div data-bbox="204 235 506 499"> <p><b>LEGEND</b></p> <p> Buildable Area</p> <p>FY Front Yard</p> <p>SY Side Yard</p> <p>RY Rear Yard</p> </div>	<p><b>Height Regulations</b></p> <p>Maximum Height-2 ½ Stories</p> <p>--or 35'</p>
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**NOTE:** *All setbacks are minimums and are from property lines, not curbs or pavement.*

**This diagram is a guide only.** *The appropriate articles of the zoning resolution should be consulted for detailed information.*

## ARTICLE XVI - "C-1" LOCAL BUSINESS DISTRICT

### Section 1.

The regulations set forth in this article, or set forth elsewhere in this resolution, when referred to in this article, are the district regulations in the "C-1" Local Business District.

### Section 2. Use Regulations.

In the "C-1" Local Business District, no building or land shall be used and no building shall be hereafter erected, converted, or structurally altered, unless otherwise provided in this article, except for one or more of the following uses:

1. Any use permitted in the "C-O" Professional District.
2. Retail drug, dry-goods, variety, food, hardware, stationery, and tobacco stores.
3. Newsstands, music stores and supplies, bookstores, gifts and novelties.
4. Pick-up and delivery stores for dry-cleaning.
5. Laundry (Pick-up or coin operated).
6. Banks.
7. Clothing and department stores.
8. Home appliance stores.
9. Jewelry and art shops.
10. Package liquor stores.
11. Barber and beauty shops.
12. Tailoring and shoe repair establishments.
13. Pet shops.
14. Restaurants, tea-rooms and taverns.
15. Theatres.
16. No adult motion picture stores or adult video stores shall be established within 1000 feet of any church, schools, by those permitted in residential districts, or any residentially zoned area. **(Amended 1-25-91 by Resolution #2831).**

### Section 3. Signs.

In the "C-1" Local Business District, after the adoption date of this Zoning Resolution, only incidental signs and business identification signs shall be hereafter erected, installed, or altered, subject to the following requirements:

1. **Type of sign placement.** Only ground signs, building signs and free standing signs shall be allowed in this district.
2. **Surface Restrictions.** All signs shall be nonflashing and nonrotating; provided, however, that flashing signs identifying only time and temperature and signs having less than 25% rotating sign surface may be permitted.
3. **Content.** Signs shall advertise only the name, type of business and products sold on the site.

4. **Area.** The gross area in square feet of all signs on a zoning lot shall not exceed one and one-fourth (1 1/4) times the lineal feet of street frontage of such zoning lot. Both sides of a free-standing sign shall be included when computing gross area.
5. **Dimensions.** No sign shall be more than thirty (30) feet in height measured from curb level, or more than fifteen (15) feet at the widest point; provided, however, that one major business identification sign may be permitted for each zoning lot with more than three hundred (300) lineal feet of total street frontage.

No major business identification sign shall be more than fifty (50) feet in height or more than twenty (20) feet at the widest point; provided, however that the height shall not exceed one (1) foot for each ten (10) lineal feet of total street frontage.

6. **Setback.** No sign shall be closer than fifteen (15) feet to any property line of the zoning lot, except where permanently attached to buildings. Signs permanently attached to buildings shall not project more than twelve (12) inches beyond the property line of the zoning lot into a public right-of-way.

#### **Section 4. Height Regulations.**

No building shall exceed two (2) stories or thirty-five (35) feet in height except as otherwise provided in Article XXIII, Additional Height and Area Regulations.

#### **Section 5. Area Regulations**

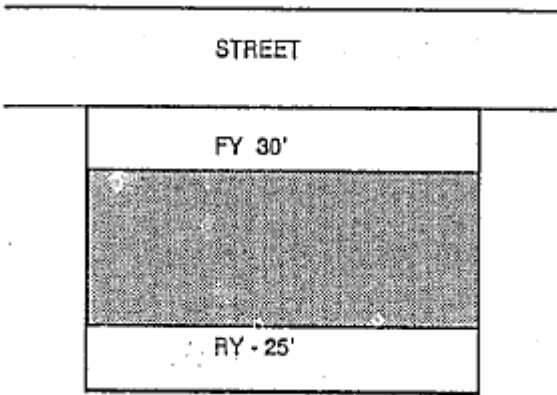
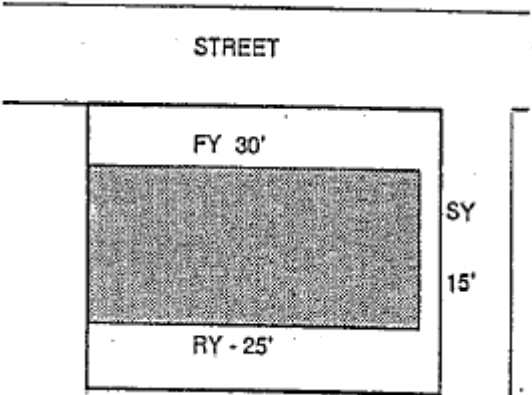
1. **Front Yard.** There shall be a distance of not less than thirty (30) feet from the front line of the building, and not less than twenty-five (25) feet from the front line of an open porch, roof, canopy, or paved terrace to the front property line.
2. **Interior Side Yard.** For lots adjoining commercial or industrial districts no side yard is required. For lots adjoining residential districts a side yard shall be provided with a minimum width equal to that of the side yard width in the district which the lot adjoins.
3. **Corner Side Yard.** A side yard of fifteen (15) feet shall be provided on the side street frontage of a corner lot.
4. **Rear Yard.** There shall be a rear yard having a depth of not less than twenty-five (25) feet from the rear line of the building to the rear property line.
5. **Intensity of Use.**
  - A. A lot on which there is erected a single-family dwelling shall contain an area of not less than seventy-five hundred (7500) square feet.
  - B. A lot on which there is erected a two-family dwelling shall contain an area of not less than five thousand (5,000) square feet per family.
  - C. A lot upon which there is erected a multiple dwelling or upon which dwelling units are erected above stores, shall contain an area of not less than thirty-five hundred (3,500) square feet per family.
6. **Parking Regulations.** There shall be four (4) off-street parking spaces provided on the premises for each one thousand (1,000) square feet of contributing floor area except as otherwise provided in Article XXIV, Additional Parking Regulations.

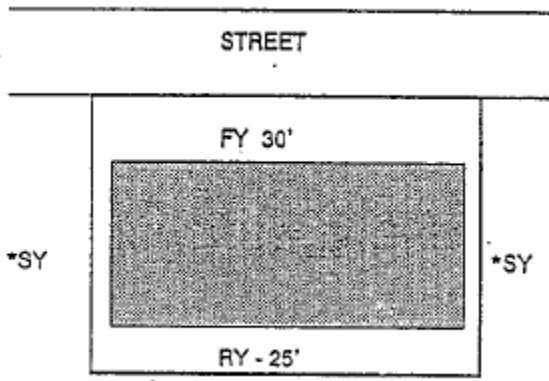
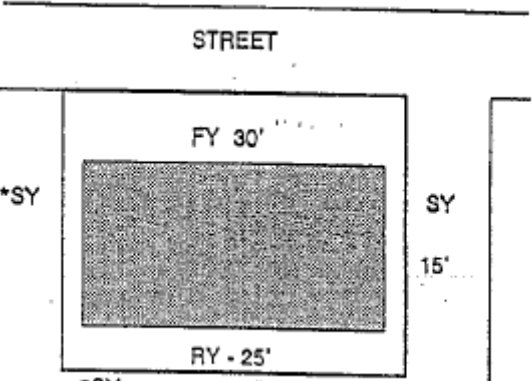
7. **Street Loading Requirements.** In the "C-1" Local Business District, the following off-street loading requirements shall apply to all new land uses, to buildings erected, converted or structurally altered and to all existing buildings in which the gross floor area is increased.
- A. No loading areas shall be permitted in required front yards.
  - B. No loading space shall restrict or interfere with streets, alleys, access roads or dedicated rights-of-way.
  - C. Off-street loading space shall be adequate to serve the development. In determining adequacy, the following shall be considered:
    - 1. Gross floor area.
    - 2. Use of structure.
    - 3. Number of occupants or employees.
    - 4. Frequency of delivery.
    - 5. Size of delivery vehicle.
  - D. Buildings having a gross floor area in excess of five thousand (5,000) square feet shall provide one (1) loading space within the zoning lot for each fifty thousand (50,000) square feet of floor area or fraction thereof. If a vehicle must back directly into the loading space from a street, alley, access road or dedicated right-of-way, there shall be provided a maneuvering space of not less than fifty (50) lineal feet.


## **Section 6. Screening and Landscaping.**

- 1. **Screening.** In the "C-1" Local Business District, there shall be provided permanent screening by a wall, fence or densely planted hedge not less than five (5) feet or more than eight (8) feet in height along any zoning boundary line adjacent to land used for single-family, two-family or multiple-family dwelling purposes. Compact shrubbery or trees of equal height may be substituted for the hedge.
- 2. **Landscaping.** All areas not covered by buildings or paved shall be landscaped, with such landscaping continuously maintained.

## "C - 1" LOCAL BUSINESS DISTRICT

Interior Lot	Corner Lot
	

Interior Lot	Corner Lot
 <p data-bbox="345 1738 678 1770">*SY - same as adjoining district</p>	 <p data-bbox="946 1738 1279 1770">*SY - same as adjoining district</p>

<div data-bbox="209 363 514 627"> <p><b>LEGEND</b></p> <p> Buildable Area</p> <p>FY Front Yard</p> <p>SY Side Yard</p> <p>RY Rear Yard</p> </div>	<p><b>Other Area Regulations</b></p> <p>Off-Street Parking - 4 spaces per 1,000 sq. ft. of floor area</p>

**NOTE:** *All setbacks are minimums and are from property lines, not curbs or pavement.*

**This diagram is a guide only.** *The appropriate articles of the zoning resolution should be consulted for detailed information.*



## **ARTICLE XVII - "C-2" GENERAL BUSINESS DISTRICT**

### **Section 1.**

The regulations set forth in this article, or set forth elsewhere in this resolution, when referred to in this article, are the district regulations in the "C-2" General Business District.

### **Section 2. Use Regulations.**

In the "C-2" General Business District, no building or land shall be used and no building shall be hereafter erected, converted, or structurally altered, unless otherwise provided in this article, except for one or more of the following uses:

1. Any use permitted in the "C-1" Local Business District.
2. Shops and stores for the sale at retail or wholesale of department store or discount house merchandise.
3. New automobiles and trucks (including used car lots).
4. Automobile supplies.
5. Bicycles.
6. Motorcycles.
7. Petroleum Products (Bulk Plants not permitted).
8. Newspapers.
9. Automobile muffler installation.
10. Automobile washing facility.
11. Restaurant with drive-in facilities.
12. Other establishments of a drive-in nature.
13. Lawn and Garden sales.
14. Moving trailer rental.
15. Radio and television service and repair.
16. Travel trailer rental and sales.
17. Veterinary clinics (not including kennels).
18. Public or private entertainment and recreation.
19. Radio and television broadcasting studios.
20. Appliance and small equipment repair.
21. Custom maintenance and delivery services.
22. Vocational and trade schools.
23. Accessory uses customarily incidental to the uses enumerated above and on the same parcel as the principal use.

### **Section 3. Signs.**

In the "C-2" General Business District, incidental signs shall be permitted and exterior business Identification signs shall be permitted in accordance with the following requirements:

1. **Type of Sign Placement.** Only ground signs, building signs, and free standing signs shall be allowed. Projecting building signs shall not be allowed.
2. **Surface Restrictions.** All signs shall be nonflashing and nonrotating; provided, however, that flashing signs identifying only time and temperature and signs having less than twenty-five (25) percent rotating sign surface may be permitted.
3. **Area.** The gross area in square feet of all signs on a zoning lot shall not exceed an area equal to one and one-quarter (1 1/4) times the lineal feet of street frontage of the zoning parcel. Both sides of a freestanding sign, or sign located below a roof canopy sign, shall be included when computing gross area.
4. **Dimensions.** No freestanding sign shall be more than twenty-five (25) feet in height measured from curb level or wider than fifteen (15) feet at the widest point.
5. **Setback.** No sign shall be closer than fifteen (15) feet to any property line of the zoning lot, except where permanently attached to buildings. Signs permanently attached to buildings shall not project more than twelve (12) inches beyond the property line of the zoning lot.

#### **Section 4. Height Regulations.**

No building shall exceed three stories or forty-five (45) feet in height, except that in a planned district, C-2-P, buildings and structures shall not exceed ten stories, or 144 feet in height. Or except as otherwise provided in Article XXIII, Additional Height and Area Regulations.

#### **Section 5. Area Regulations.**

1. **Front Yard.** There shall be a distance of not less than thirty (30) feet from the front line of the building, and not less than twenty-five (25) feet from the front line of an open porch, roof, canopy, or paved terrace to the front property line.
2. **Side Yard.** No side yard is required except that where a side property line is adjacent to a residential or the "C-O" Professional Zoning District, a side yard shall then be provided the same as required in the district it abuts. Side yards may be required under the additional following conditions:
  - A. The Planning Board or Board of County Commissioners may require a side yard in a District "C-2" if it is deemed that such side yard will improve traffic flow, parking or the effect on neighboring property.
  - B. A parcel in the "C-2" General Business Zoning Classification with side street frontage which abuts upon property in a one-family, two-family, apartment, professional, or other commercial/business zoning district, shall provide a corner side yard which meets the corner side yard requirements of the zoning classification of such abutting property, or twenty-five (25) feet from the line of the building to the side property line and not less than twenty (20) feet from the side line of an open porch or roof canopy to the side property line, whichever is less.
3. **Rear Yard.** There shall be a rear yard having a depth not less than twenty-five (25) feet from the rear line of the building to the rear property line.
4. **Intensity of Use.**
  - A. A lot on which there is erected a single family dwelling shall contain an area of not less than seventy-five hundred (7500) square feet.

- B. A lot on which there is erected a two-family dwelling shall contain an area of not less than five thousand (5,000) square feet per family.
  - C. A lot upon which there is erected a multiple-family dwelling or upon which dwelling units are erected above stories, shall contain an area of not less than thirty-five hundred (3500) square feet per family.
- 5. **Parking Regulations.** There shall be not less than four (4) off-street parking spaces provided on the premises for each one thousand (1000) square feet of contributing floor area, except as provided in Article XXIV, Additional Parking Regulations.
- 6. **Off-Street Loading Requirements.** In the "C-2" General Business District, the following off-street loading requirements shall apply to all new land uses, to buildings, erected, converted, or structurally altered and to all existing buildings in which the gross floor area is increased:
  - A. No loading areas shall be permitted in required front yards.
  - B. No loading space shall restrict or interfere with streets, alleys, access roads or dedicated rights-of-way.
  - C. Off-street loading space shall be adequate to serve the development. In determining adequacy, the following shall be considered:
    - 1. Gross floor area.
    - 2. Use of structure.
    - 3. Number of occupants or employees.
    - 4. Frequency of delivery.
    - 5. Size of delivery vehicle.
  - D. Buildings having a gross floor area in excess of five thousand (5,000) square feet shall provide one (1) loading space within the zoning lot for each fifty thousand (50,000) square feet of floor area or fraction thereof. If a vehicle must back directly into the loading space from a street, alley, access road or dedicated right-of-way, there shall be provided a maneuvering space of not less than fifty (50) lineal feet.

## **Section 6. Screening and Landscaping.**

- 1. **Screening.** In the "C-2" General Business District, there shall be provided permanent screening by wall, fence, or densely planted hedge not less than five (5) feet or more than eight (8) feet in height along any zoning boundary line adjacent to land use for single-family, two-family or multiple family dwelling purposes. Compact shrubbery or trees of equal height may be substituted for the hedge.
- 2. **Landscaping.** All areas not covered by buildings or paved shall be landscaped with such landscaping continuously maintained.

## "C - 2" GENERAL BUSINESS DISTRICT

Interior Lot	Corner Lot
<p>STREET</p> <p>FY 30'</p> <p>RY - 25'</p>	<p>STREET</p> <p>FY 30'</p> <p>RY - 25'</p> <p>SY 25'</p>

Interior Lot	Corner Lot
<p>STREET</p> <p>FY 30'</p> <p>RY - 25'</p> <p>*SY</p> <p>*SY</p> <p>*SY - same as adjoining district</p>	<p>STREET</p> <p>FY 30'</p> <p>RY - 25'</p> <p>*SY</p> <p>*SY</p> <p>*SY - same as adjoining district</p> <p>CORNER LOT</p>

	<p><b>Other Area Regulations</b></p> <p>Off-Street Parking - 4 spaces per 1,000 sq. ft. of floor area</p>

**NOTE:** *All setbacks are minimums and are from property lines, not curbs or pavement.*

**This diagram is a guide only.** *The appropriate articles of the zoning resolution should be consulted for detailed information.*

## ARTICLE XVIII - "C-3" COMMERCIAL DISTRICT

### Section 1.

The regulations set forth in the Article, or set forth elsewhere in this resolution, when referred to in this Article, are the District Regulations for the "C-3" Commercial District.

### Section 2. Use Regulations.

In the "C-3" Commercial District, no building or land shall be used and no building shall be hereafter erected, converted, or structurally altered, unless otherwise provided in this Article, except for one or more of the following uses:

1. Any use permitted in the "C-2" General Business District except dwellings.
2. Catering establishments.
3. Contractor or construction offices.
4. Garages for storage, repair and servicing of motor vehicles not over one and one-half (1 1/2) tons capacity, including body repair, spot painting, and engine rebuilding.
5. Greenhouses.
6. Mobile home sales.
7. Billboards.
8. Outdoor motion picture theatre.
9. Plumbing, heating and air conditioning shops.
10. Second-hand stores and rummage shops.
11. Vending machine sales.
12. Accessory uses customarily incidental to the uses enumerated above and located on the same zoning parcel as the principal use.

All storage other than vehicles in operating condition shall be placed within completely enclosed buildings or screened by solid walls or fencing at least five (5) feet in height.

### Section 3. Signs.

In the "C-3" Commercial District, only incidental signs shall be permitted and exterior business Identification signs shall be permitted for each zoning lot which shall conform to the following requirements:

1. **Type of sign placement.** Only ground signs, building signs, and freestanding signs shall be allowed.
2. **Surface Restrictions.** All signs shall be nonflashing, nonrotating; provided, however, that flashing signs identifying only time and temperature and signs having less than twenty-five (25) percent rotating sign surface may be permitted.
3. **Area.** The gross area in square feet of all signs on a zoning lot shall not exceed an area equal to one (1) times the lineal feet of street frontage of such zoning lot. Both sides of a free standing sign, projecting building sign, or sign located below a roof canopy shall be included when computing gross area.

4. **Dimensions.** No freestanding sign shall be more than twenty (20) feet in height measured from curb level, or wider than ten (10) feet at the widest point.
5. **Setback.** No sign shall be closer than ten (10) feet to any property line of the zoning lot, except where permanently attached to buildings. Signs permanently attached to buildings shall not project more than twelve (12) inches beyond the property line of the zoning lot into a public right-of-way.

#### **Section 4. Height Regulations.**

No building shall exceed three (3) stories or forty-five (45) feet in height except as otherwise provided in Article XXIII, Additional Height and Area Regulations.

#### **Section 5. Area Regulations.**

1. **Front Yard.** There shall be a front yard having a depth of not less than fifteen (15) feet from the front line of the building, open porch, or roof canopy to the front property line except for the following.
  - A. Where a zoning parcel is adjacent to property in a one-family, two-family, apartment, office and professional, or other commercial zoning district, the front yard setback of the most restrictive adjacent zoning parcel shall apply.
  - B. Where a proposed structure will be built upon a lot less than one hundred (100) feet wide and will abut at least one side of an existing structure in the "C-3" Commercial District built to the front property line, no setback shall be required. For all zoning parcels used for outdoor display of new or used vehicles, there shall be provided a permanent landscape yard area not less than five (5) feet in depth from the front property line of such zoning parcel, exclusive of a dedicated right-of-way. There shall be maintained within the area permanent screening by wall, fence, or densely planted, compact hedge not less than one (1) foot in height, measured from the finished grade.
2. **Side Yard.** No side yard is required except where a property line of the lot in this district abuts upon the property line of a lot in a residential or professional district, a side yard shall then be provided the same as required in the district it abuts. A side yard of fifteen (15) feet shall be provided on the street side of a corner lot. The Planning Board or Board of County Commissioners may require a side yard in the Zoning District if it is deemed such side yard will improve parking, traffic flow or the effect on the neighboring property.
3. **Rear Yard.** No rear yard shall be required except that those zoning parcels with a rear yard which abuts or is across an alley from a one-family, two-family, apartment, professional, or other business/commercial zoning district shall provide a rear yard not less than twenty-five (25) feet in length from the rear line of the building to the rear property line.
4. **Intensity of Use.** No building hereafter erected, converted, or structurally altered for multiple dwelling purposes shall be placed on a lot with an area of less than thirty-five hundred (3500) square feet per dwelling unit; provided, however, that the lot area for single and two-family dwellings shall conform to the "R-2" Two-family District Requirements.
5. **Parking Regulations.** There shall be not less than four (4) off-street parking spaces provided on the premises for each one thousand (1,000) square feet of contributing floor area except as provided in Article XXIV, Additional Parking Regulations.

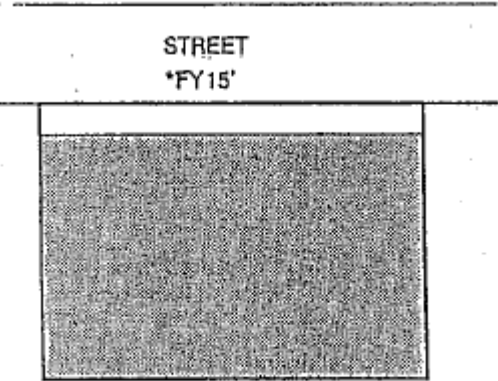
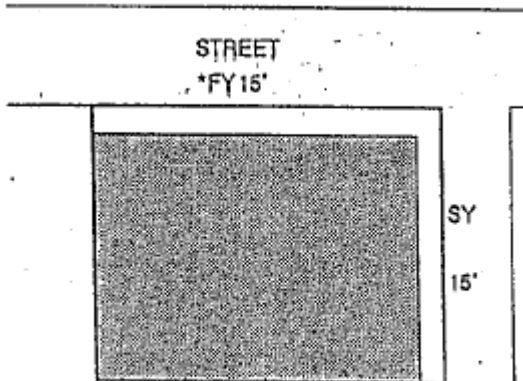
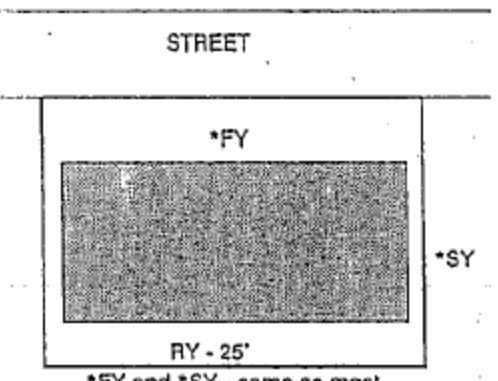
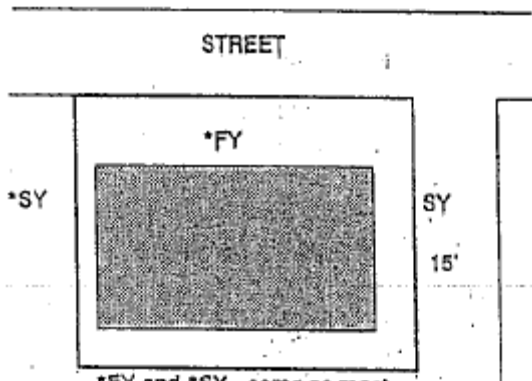
6. **Off-Street Loading Requirements.** In the "C-3" Commercial District, no land shall hereafter be used and no building shall hereafter be erected, converted, or structurally altered which does not conform to the following off-street loading requirements:
- A. No loading area shall be permitted in required front yards.
  - B. No loading space shall restrict or interfere with streets, alleys, access roads, or dedicated rights-of-way.
  - C. Off-Street loading space shall be adequate to serve the development. In determining adequacy, gross floor area, use of structure, number of occupants or employees, frequency of delivery, and size of delivery vehicle shall be considered.
  - D. Buildings having a gross floor area in excess of five thousand (5000) square feet shall provide one (1) loading space within the zoning parcel for each fifty thousand (50,000) square feet of floor area or fraction thereof. If the vehicle must back directly into the loading space from a street, alley, access road, or dedicated right-of-way, there shall be provided a maneuvering space of not less than fifty (50) lineal feet.


## **Section 6. Screening and Landscaping.**

- 1. **Screening.** In the "C-3" Commercial District, there shall be provided permanent screening by wall, fence, or densely planted hedge not less than five (5) feet or more than eight (8) feet in height along any zoning boundary line adjacent to land use for single-family, two-family, or multiple-family dwelling purposes. Compact shrubbery or trees of equal height may be substituted for the hedge.
- 2. **Landscaping.** All area not covered by buildings or paved shall be landscaped with such landscaping continuously maintained.



## "C - 3" COMMERCIAL DISTRICT

Lots Adjoining Business, Commercial or Industrial Districts	
Interior Lot	
 <p>STREET *FY15'</p> <p>*FY must be 15' or equal to the most restrictive adjacent setback</p>	 <p>STREET *FY15'</p> <p>SY 15'</p> <p>*FY must be 15' or equal to the most restrictive adjacent setback</p>
Interior Lot	Corner Lot
 <p>STREET</p> <p>*FY</p> <p>*SY</p> <p>RY - 25'</p> <p>*FY and *SY - same as most restrictive adjacent setback</p>	 <p>STREET</p> <p>*FY</p> <p>*SY</p> <p>SY 15'</p> <p>*FY and *SY - same as most restrictive adjacent setback</p>

<div data-bbox="212 365 511 577"> <p><b>LEGEND</b></p> <p> Buildable Area</p> <p>FY Front Yard</p> <p>SY Side Yard</p> <p>RY Rear Yard</p> </div>	<p><b>Other Area Regulations</b></p> <p>Off-Street Parking - 4 spaces per 1,000 sq. ft. of floor area</p>

**NOTE:** *All setbacks are minimums and are from property lines, not curbs or pavement.*

**This diagram is a guide only.** *The appropriate articles of the zoning resolution should be consulted for detailed information.*

## ARTICLE XIX - PLANNED COMMERCIAL AND OFFICE DISTRICTS

### Section 1.

Each of the commercial and office districts (Districts C-0, C-1, C-2 and C-3) shall have a separate and distinct counterpart known and herein referred to as a Planned Commercial District. A planned district shall be for the purpose of permitting and regulating the uses herein before permitted in the equivalent district and further to provide for and encourage the grouping of business buildings into centers such as an office center, service center or shopping center. The intent is to reduce the need for strips of commercial development along thoroughfares and to encourage integrated commercial and office centers.

Deviations and departure from normal development practice may be permitted. Jointly used parking facilities may be permitted and setback requirements may be varied in keeping with good planning principles. A portion of the parking area required under this ordinance may remain unimproved until such time as the Planning Board deems it must be improved to serve the parking demand adequately.

### Section 2.

In general, the regulations for the planned commercial districts shall be at least equal to those in the corresponding commercial or office district. The uses permitted shall be the same as in the equivalent district.

### Section 3. Planned Commercial Districts.

The Planned Commercial Districts shall be as follows:

Planned District	Equivalent District
E-P-1	E-1
F-P	F
F-P-1	F-1
F-P-2	F-2

### Section 4. Procedure for Rezoning Property to a Planned Commercial or Office District.

1. A tract of land may be zoned C-0-P, C-1-P, C-2-P, C-3-P only upon approval of a development plan. A development plan shall be prepared and submitted to the County Planning Board. The plan shall include:
  - A. Plan showing the property to be included in the proposed development, plus the area within 200 feet thereof.
  - B. The following items shall be included on the property to be developed:
    1. Existing topography with contours at two foot intervals.
    2. Proposed location of buildings and other structures, parking areas, drives, walks, screening, drainage patterns, public streets, and any existing easements.
    3. Sufficient dimensions to indicate relationship between buildings, property lines, parking areas, and other elements of the plan.
  - C. The following items shall be shown on the same drawing within the 200 foot adjacent area:
    1. Any public streets which are of record.
    2. Any drives which exist or which are proposed to the degree that they appear on plans on file with the County Planning Board except those serving single and two-family houses.
    3. Any buildings which exist or are proposed to the degree that their location and size are shown on plans on file with the County Planning Board. Single and two-family residential buildings may be shown in approximate location and general size and shape.
    4. The location and size of any drainage structure, such as culverts, paved or earthen ditches or storm water sewers and inlets.

## **Section 2. Preliminary Sketches.**

Preliminary drawings depicting the general style, size and exterior, construction materials of the buildings proposed shall be indicated. In the event of several building types, such as apartments, commercial and office buildings, are proposed on the plan, a separate sketch shall be prepared for each type. Such sketches shall include elevation drawings and a floor plan, but detailed drawings and perspectives are not required.

## **Section 3. Planning Board Review.**

The Planning Board shall review the plan at the public hearing for the rezoning request. At such time as the development plan meets with the approval of the Planning Board, it shall be forwarded to the County Commissioners for action.

## **Section 4. Final Plans.**

Upon final approval of the plan and the rezoning of the parcel, construction may proceed and conformance with the plan and all supporting documentation is mandatory. All final plans shall be

submitted to the Planning Board and approved as to compliance with the development plan prior to the issuance of a building permit. If, in the judgement of the Planning Board, the concept of development, as depicted on the final plans, deviates substantially from the concept of the development plan submitted for zoning, the Planning Board may deny the requests for final plan approval. The applicant, in this case, may apply for a new hearing, with publication as required for a rezoning request, and the Planning Board and County Commissioners may approve or deny the final plans after said hearing. All decisions of the Planning Board may be appealed to the Board of County Commissions who may reverse or affirm the same.

## ARTICLE XX - "M-1" LIGHT INDUSTRIAL DISTRICT

### Section 1.

The regulations set forth in this article or set forth elsewhere in this resolution, when referred to in this article, are the regulations in the "M-1" Light Industrial District.

### Section 2. Use Regulations.

In the "M-1" Light Industrial District, no building or land shall be used and no building shall be hereafter erected, converted, or structurally altered, unless otherwise provided in this article, except for one or more of the following uses:

1. Any use permitted in the "C-3" Commercial District.
2. Bottling works.
3. Building material sales and storage yards.
4. Cabinet making shops
5. Contractor's plant, office or storage yard.
6. Heavy machinery sales.
7. Ice plant or storage house.
8. Freight Terminals.
9. Public Utility Facilities.
10. Railroad Yards.
11. Manufacturing, processing, fabrication or assembling of any commodity except junk or salvage.
12. Machine shop
13. Milk distributing station.
14. Stone yard.
15. Storage of operative vehicles.
16. 16 Warehousing, wholesaling, and storage of any commodity except junk or salvage.
17. Vending machine sales.
18. Tire recapping.
19. Structures and uses clearly accessory and necessary to the normal operation of the above uses, including signs as herein provided.
20. All storage other than vehicles in operative condition shall be placed within completely enclosed buildings or screened by solid walls or fencing at least five (5) feet in height.

### Section 3. Signs.

In the "M-1" Light Industrial District, incidental signs and exterior business identification signs shall be permitted and shall conform to the following requirements.

1. **Type of Sign Placement.** Only ground signs, building signs, and free-standing signs shall be allowed.

2. **Surface Restrictions.** No sign shall flash or rotate; provided, however, that flashing signs identifying only time and temperature may be permitted.
3. **Area.** The gross area in square feet of all signs on a zoning parcel shall not exceed an area equal to one (1) times the lineal feet of street frontage of such zoning parcel. Both sides of a freestanding sign or projecting building sign shall be included when computing gross area.
4. **Dimensions.** No sign shall be more than twenty (20) feet in height measured from curb level, or more than ten (10) feet at the widest point.
5. **Setback.** No sign shall be closer than ten (10) feet to any property line of the zoning parcel, except where permanently attached to buildings. Signs permanently attached to buildings shall not project more than twelve (12) inches beyond the property line of the zoning parcel into a public right-of-way.

#### **Section 4. Height Regulations.**

No building shall exceed three stories or fifty (50) feet in height, except as otherwise provided in Article XXIII. A structure other than a building may be erected to a height not to exceed one hundred (100) feet, provided such structure is set back from all property lines a distance equal to or greater than its height. Where a building is located on a lot abutting or joining a dwelling district or a publicly owned area, other than an alley or street, it shall not exceed two stories or thirty-five (35) feet in height unless it is set back one (1) foot from all required yard lines for each foot of additional height above the thirty-five (35) feet.

#### **Section 5. Area Regulations.**

1. **Front Yard.** There shall be a front yard of not less than thirty (30) feet.
2. **Side Yard.** No side yard is required except that a side yard abutting a street in the case of a corner lot or a side yard abutting a zoned residential lot shall be provided and shall not be less than fifteen (15) feet.
3. **Rear Yard.** No rear yard shall be required except that those zoning parcels with a rear yard which abuts or is across an alley from a one-family, two family, apartment, professional, or other business/commercial zoning district shall provide a rear yard having not less than twenty-five (25) feet from the rear line of the building to the rear property line.
4. **Intensity of Use.** No building hereafter erected, converted, or structurally altered for multiple-family purposes shall be placed on a lot with an area of less than thirty-five hundred (3500) square feet per dwelling unit; provided, however, that the lot area for single and two-family dwellings shall conform to the "R-2" Two-Family District Requirements.
5. **Parking Regulations.** There shall be provided one (1) parking space for each two hundred (200) square feet of gross floor area, unless otherwise provided in Article XXIV, Additional Parking Regulations.
6. **Off-Street Loading Regulations.** The following off-street loading requirements shall apply to all buildings erected, converted, or structurally altered and to all existing buildings in which the gross floor area is increased:
  - A. No loading areas shall be permitted in required front yards.
  - B. No loading space shall restrict or interfere with sidewalks, streets, alleys, access roads, or dedicated rights-of-way.

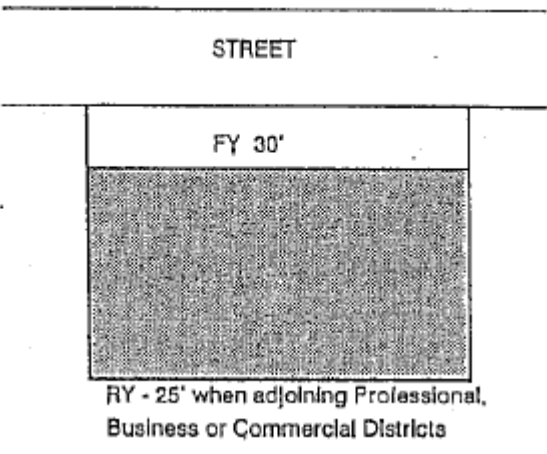
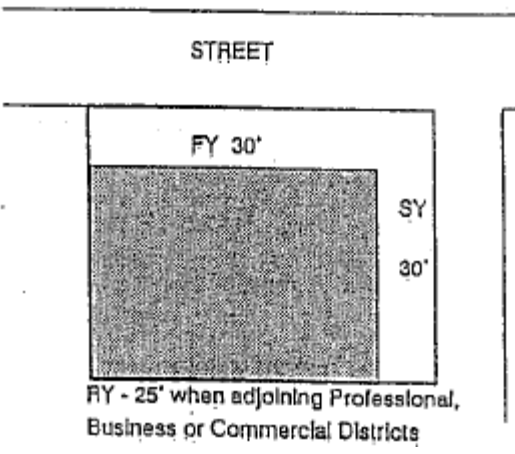
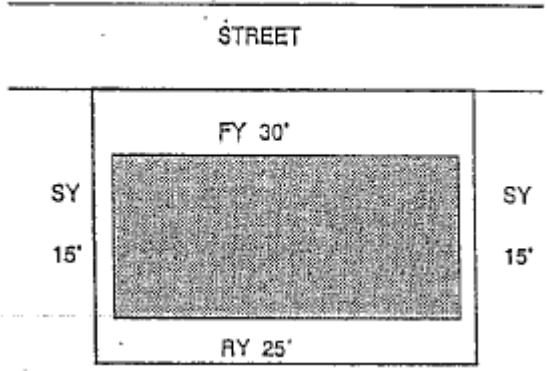
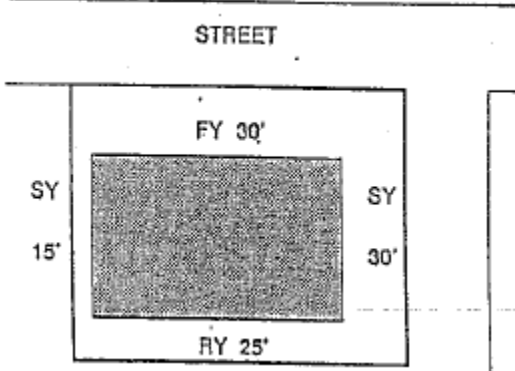
- C. Off-street loading space shall be adequate to serve the development. In determining adequacy, the following shall be considered:
  - 1. Gross floor area.
  - 2. Structure.
  - 3. Number of occupants or employees.
  - 4. Frequency of delivery.
  - 5. Size of delivery vehicle.
- D. Buildings having a gross floor area in excess of five thousand (5,000) square feet shall provide one (1) loading space within the zoning parcel for each fifty thousand (50,000) square feet of floor area or fraction thereof. If the vehicle must back directly into the loading space from a street, alley, access road, or dedicated right-of-way, there shall be provided a maneuvering space of not less than fifty (50) lineal feet.

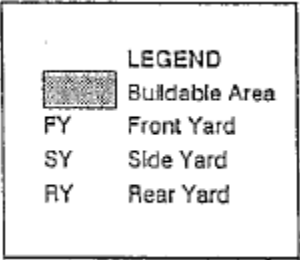
## **Section 6. Screening and Landscaping.**

- 1. **Screening.** In the "M-1" Light industrial District, there shall be provided permanent screening by wall, fence, or a densely planted hedge not less than five (5) feet or more than eight (8) feet in height along any zoning boundary line adjacent to land use for single-family, two-family, or multiple-family dwelling purposes. Compact shrubbery or trees of equal height may be substituted for the hedge.
- 2. **Landscaping.** All area not covered by buildings or paved shall be landscaped with such landscaping continuously maintained.



## "M - 1" LIGHT INDUSTRIAL DISTRICT

Interior Lot	Corner Lot
 <p>STREET</p> <p>FY 30'</p> <p>RY - 25' when adjoining Professional, Business or Commercial Districts</p>	 <p>STREET</p> <p>FY 30'</p> <p>SY 30'</p> <p>RY - 25' when adjoining Professional, Business or Commercial Districts</p>
Interior Lot	Corner Lot
 <p>STREET</p> <p>FY 30'</p> <p>SY 15'</p> <p>RY 25'</p> <p>SY 15'</p>	 <p>STREET</p> <p>FY 30'</p> <p>SY 15'</p> <p>RY 25'</p> <p>SY 30'</p>

	<p><b>Other Area Regulations</b></p> <p>Off-Street Parking - 1 spaces per 200 sq. ft. of floor area</p>

**NOTE:** *All setbacks are minimums and are from property lines, not curbs or pavement.*

**This diagram is a guide only.** *The appropriate articles of the zoning resolution should be consulted for detailed information.*

# ARTICLE XXI - "M-2" HEAVY INDUSTRIAL DISTRICT

## Section 1.

The regulations set forth in this article or set forth elsewhere in this resolution, when referred to in this article, are the district regulations in the "M-2" Heavy Industrial District.

## Section 2. Use Regulations.

In the "M-2" Heavy Industrial District, no building shall be converted or erected for dwelling purposes; provided, however, that dwelling quarters may be established in connection with any industrial establishment for watchmen and caretakers employed upon the premises.

No land shall hereafter be used, and no building shall hereafter be erected, converted, or structurally altered, unless otherwise provided in this article except for one or more of the following uses:

1. Any use permitted in the "M-1" Light Industrial District.
2. Any manufacture, production, processing, cleaning, servicing, testing, repair, or storage of materials, goods or products as hereafter provided and not in conflict with any orders of the County Commissioners regulating nuisances.
3. Animal Pound.
4. Brass, copper, Iron or steel smelting foundry or fabrication plant.
5. Distillation of bones, coal, or wood.
6. Waste paper baling and storage.
7. Auto wrecking and junk yards, provided such yard shall be screened on all sides by a solid fence or wall not less than eight (8) feet high.
8. Stone cutting.
9. Coal handling and storage. No building or occupancy permit shall be issued for any of the following uses until and unless the location of such shall have been approved by the County Commissioners after report by the County Planning Board.
10. Acid Manufacture.
11. Cement, Lime, Gypsum, or Plaster of Paris Manufacture.
12. Explosives manufacture or storage.
13. Fat rendering.
14. Fertilizer manufacture.
15. Gas manufacture.
16. Garbage, offal or dead animals, reduction or dumping.
17. Concrete plant.
18. Glue manufacture.
19. Packing plants or slaughter yards.
20. Petroleum or its products, refining of.
21. Stockyards
22. Auto wrecking, junk, iron or rags, storage or baling, and all operations of a similar character when conducted in the open shall be enclosed with a solid wall or fence, properly maintained

with necessary gates not less than eight (8) feet in height and no material or equipment shall be stored to a greater height than that of the wall or fence, which encloses the storage area; provided further that all salvage be stored on platforms eighteen (18) inches above the ground to prevent the nesting of rodents or a future health nuisance in the county.

23. Rock crusher.
24. Stone mill or quarry.
25. Tanning, curing, or storage of rawhides or skins.
26. Tar distillation or manufacture.
27. Tar roofing or water proofing manufacture.
28. Asphalt manufacturing or refining.
29. Activities involving the manufacture, storage, or utilization of materials or products which decompose by detonation.
30. Arsenal.

### **Section 3. Signs.**

In the "M-2" Heavy Industrial District, only incidental signs and exterior business identification signs shall hereafter be permitted and shall conform to the following requirements:

1. **Type of sign placement.** Only ground signs, building signs, and freestanding signs shall be allowed.
2. **Surface Restrictions.** No sign shall flash or rotate; provided, however, that flashing signs identifying only time and temperature may be permitted.
3. **Area.** The gross area and square feet of all signs on a zoning parcel shall not exceed an area equal to one (1) times the lineal feet of street frontage of such zoning parcel. Both sides of the free standing sign or projecting building sign shall be included when computing gross area.
4. **Dimensions.** No sign shall be more than twenty (20) feet in height, measured from the curb level, or more than ten (10) feet at the widest point.
5. **Set back.** No sign shall be located in or above a public right-of-way, except where permanently attached to buildings. Signs permanently attached to buildings shall not project more than twelve (12) inches beyond the property line of the zoning parcel into a public right-of-way.

### **Section 4. Height Regulations.**

No small building shall exceed three stories or fifty (50) feet in height, except as otherwise provided in Article XXIII. A structure other than a building may be erected to a height not to exceed one hundred (100) feet, provided such structure is set back from all property lines a distance equal to or greater than its height. Where a building is located on a lot abutting or joining a dwelling district or a publicly owned area, other than an alley or street, it shall not exceed two stories or thirty-five (35) feet in height unless it is set back one (1) foot from all required yard lines for each foot of additional height above the thirty-five (35) feet.

### **Section 5. Area Regulations.**

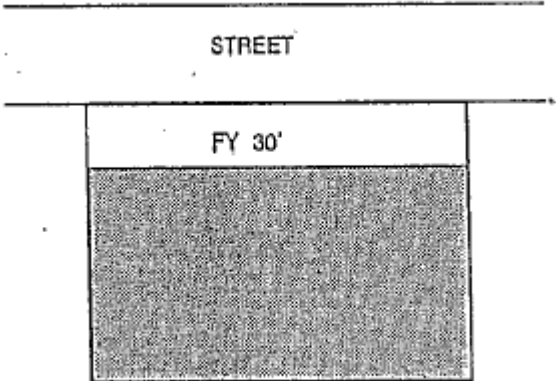
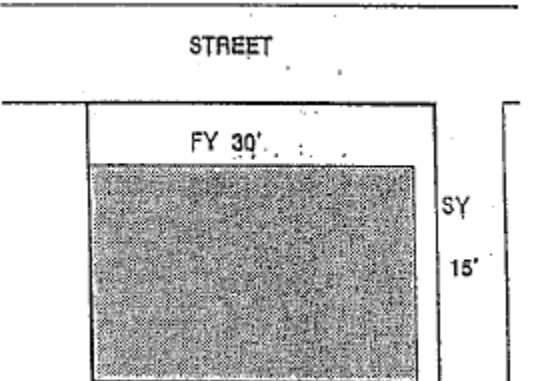
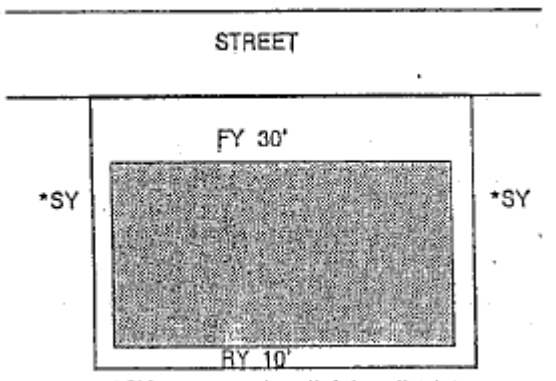
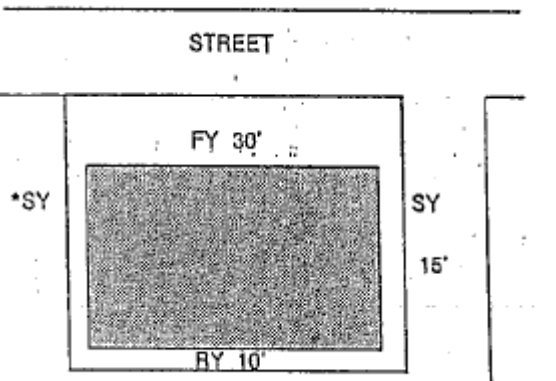
1. **Front Yard.** There shall be a front yard of not less than thirty (30) feet.
2. **Side Yard.**

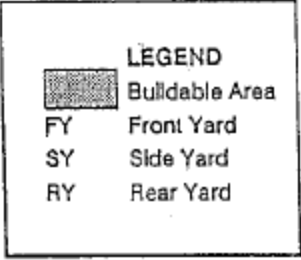
- A. No side yard is required on interior lots except where a property line of a lot abuts upon the property line of a lot in a residential or office and professional district in which case a side yard shall be provided, having the same dimensions as those required in the district which the lot abuts.
  - B. Where a lot is located at the intersection of two or more streets, there shall be a side yard on the side street frontage of such a lot having a minimum width of fifteen (15) feet.
- 3. **Rear Yard.** There shall be no rear yard required except that there shall be a rear yard having a depth of not less than ten (10) feet from the rear line of the building to the rear property line along a rear yard which abuts or is across an alley from a single-family or multiple-family dwelling district, professional district, or business/commercial district.
- 4. **Parking Regulations.** There shall be provided one (1) parking space for each two hundred (200) square feet of gross floor area, unless otherwise provided in Article XXIV, Additional parking Regulations.
- 5. **Off-Street Loading Regulations.** The following off-street loading requirements shall apply to all buildings erected, converted, or structurally altered and to all existing buildings in which the gross floor area is increased:
  - A. No loading areas shall be permitted in required front yards.
  - B. No loading space shall restrict or interfere with sidewalks, streets, alleys, access roads, or dedicated rights-of-way.
  - C. Off-street loading space shall be adequate to serve the development. In determining adequacy, the following shall be considered:
    - 1. Gross floor area.
    - 2. Structure.
    - 3. Number of occupants or employees.
    - 4. Frequency of delivery.
    - 5. Size of delivery vehicle.
  - D. Buildings having a gross floor area in excess of five thousand (5,000) square feet shall provide one (1) loading space within the zoning parcel for each fifty thousand (50,000) square feet of floor area or fraction thereof. If the vehicle must back directly into the loading space from a street, alley, access road, or dedicated right-of-way, there shall be provided a maneuvering space of not less than fifty (50) lineal feet.

## **Section 6. Screening and Landscaping.**

- 1. **Screening.** In the "M-2" Heavy Industrial District, there shall be provided permanent screening by wall, fence, or a densely planted hedge not less than five (5) feet or more than eight (8) feet in height along any zoning boundary line adjacent to land used for single-family, two-family, or multiple family dwelling purposes. Compact shrubbery or trees of equal height may be substituted for the hedge.
- 2. **Landscaping.** All area not covered by buildings or paved shall be landscaped with such landscaping continuously maintained.

## "M - 2" HEAVY INDUSTRIAL DISTRICT

Interior Lot	Corner Lot
 <p>FY 30'</p> <p>RY - 10' when adjoining a Business/Commercial District</p>	 <p>FY 30'</p> <p>RY - 10' when adjoining a Business/Commercial District</p> <p>SY 15'</p>
Interior Lot	Corner Lot
 <p>STREET</p> <p>FY 30'</p> <p>RY 10'</p> <p>*SY</p> <p>*SY</p> <p>*SY - same as in adjoining district</p>	 <p>STREET</p> <p>FY 30'</p> <p>RY 10'</p> <p>*SY</p> <p>SY 15'</p> <p>*SY - same as in adjoining district</p>

	<p><b>Other Area Regulations</b></p> <p>Off-Street Parking - 1 spaces per 200 sq. ft. of floor area</p>

**NOTE:** *All setbacks are minimums and are from property lines, not curbs or pavement.*

**This diagram is a guide only.** *The appropriate articles of the zoning resolution should be consulted for detailed information.*

## ARTICLE XXII - PLANNED INDUSTRIAL DISTRICTS

### Section 1.

Each of the industrial Districts hereinbefore set forth shall have a separate and distinct counterpart known and herein referred to as a Planned Industrial District. A planned district shall be for the purpose of permitting and regulating the uses heretofore permitted in the equivalent district and further to provide for and encourage flexibility in the location of buildings and other industrial structures, roads and drives, and variations in yard requirements subsequent to approval of the plan by the County Planning Board and Board of County Commissioners. The intent is to allow development of tracts of land to the fullest extent and at the same time observe the general intent and spirit of these regulations.

In general, regulations of the Planned Industrial Districts shall be equal to those in the corresponding District M-1 or M-2. The uses permitted shall be the same as in the equivalent District M-1 or M-2.

### Section 2. Planned Industrial Districts.

The Planned Industrial Districts shall be as follows:

Planned District	Equivalent District
M-P-1	M-1
M-P-2	M-2

### Section 3. Procedure for Rezoning Property to a Planned Industrial District.

A tract of land may be zoned M-P-1 or M-P-2 only upon approval of a development plan for the tract. A development plan shall be prepared and submitted to the Planning Board and shall contain the following elements:

1. The boundaries of the tract to be zoned and the area adjacent for a distance of not less than 200 feet. Such map shall show any existing buildings and other structures on the tract and any existing development of the land adjacent within 200 feet. Existing streets, alleys and easements on the tract and within 200 feet thereof shall be shown.
2. The location of setback lines which will regulate the relationship of buildings, parking areas, outside storage, rail spurs and outside industrial activity to the property lines of the tract shall be shown on the development plan.
3. The area to be dedicated for any boundary streets shall be shown.
4. Appropriate screening by walls or landscaping along the boundary of the tract shall be shown.



#### **Section 4. Planning Board Review.**

The Planning Board shall review the plans at the time of the public hearing for the rezoning. At such time as the development as planned meets with the approval of the Planning Board, the same shall be duly approved, properly endorsed and identified and sent on to the Board of County Commissioners for final rezoning action.

#### **Section 5. Final Plans.**

Upon final approval of the plan and the rezoning of the tract, construction may proceed and conformance with the plan and all supporting documentation is mandatory. All final building and site plans shall be submitted to the Planning Board and approved as to compliance with the development plan prior to the issuance of a building permit. All decisions of the Planning Board may be appealed to the Board of County Commissioners who may reverse or affirm the same.

## ARTICLE XXIII - ADDITIONAL HEIGHT AND AREA REGULATIONS

### Section 1.

The district regulations hereinafter set forth in this article qualify or supplement, as the case may be, the district regulations appearing elsewhere in this resolution.

1. Public, semi-public or public service buildings, hospitals, Institutions, or schools, when permitted in a district, may be erected to a height not exceeding seventy-five (75) feet, and churches and temples may be erected to a height not exceeding ninety (90) feet, if the building, or the portion thereof exceeding the height limit, is set back from each yard line at least one (1) foot for each foot of additional building height above the height limit otherwise provided in the district in which the building is built; provided, however, that such exceptions shall not be permitted within three thousand (3,000) feet of any airport or landing field.
2. Except as provided in paragraph 4 of this Article, single-family dwellings and two-family dwellings in the dwelling districts may be increased in height by not more than ten (10) feet when the side and rear yards are increased over the yard requirements of the district in which they are located by not less than ten (10) feet, but they shall not exceed three (3) stories in height, provided, however, that such additional heights shall not be permitted within two thousand (2,000) feet of an airport or landing field.
3. Except as hereinafter provided, especially in paragraph 4, of this article, chimneys, cooling towers, elevators, bulkheads, fire towers, monuments, stacks, stage towers, scenery lofts, tanks, water towers, ornamental towers and spires, church steeples, wireless towers, silos, farm buildings, or necessary mechanical appurtenances, may be erected to any lawful and safe height.
4. No building or structure or any portion thereof shall be erected within the approach zone of any existing runway or landing strip in excess of a height above the elevation at the end of said runway, equal to one-fortieth ( $1/40$ ) of the horizontal distance from the end of said runway measured along the centerline of said runway extended. The approach zone is considered to be a trapezoidal area extending from the end of, and in the same direction of said runway for a distance of two (2) miles. Such area is, in the case of an instrument runway, one thousand (1,000) feet wide at the end of the runway and four thousand (4000) feet wide two (2) miles from the end of the runway, and in the case of a no instrument runway, five hundred (500) feet wide at the end of the runway and twenty-five hundred (2,500) feet wide two (2) miles from the end of the runway.

Further, no building or structure or any portion thereof shall be erected in the transition zones on either side of an approach zone of any existing runway or landing strip in excess of a height above the elevation at the end of said runway computed as follows: one-fortieth ( $1/40$ ) of the horizontal distance from the end of said runway measured along the centerline of said runway extended, plus one-seventh ( $1/7$ ) of the horizontal distance to the near edge of the approach zone, measured perpendicular to the centerline of said runway extended.

For the purpose of computing glide angles for the zoning of approaches to any airport in Wyandotte County, Kansas, in all cases where an airport is bounded by a public road the effective length of the runways directed over any such public road shall be computed (using a slope of forty (40) feet horizontal to one (1) foot vertical) to produce a height of fourteen (14) feet at the right-of-way line of such road nearest to the airport.

5. Buildings on through lots and extending through from street to street may waive the requirements for a rear yard by furnishing an equivalent open space in lieu of such required rear yard.
6. Accessory buildings
  - A. which are not a part of the main building may be built in a rear yard not closer than two (2) feet to the rear lot line. An accessory building which is not a part of the main building shall not occupy more than thirty (30) percent of the required rear yard
  - B. which are not a part of the main building may be built two (2) feet from the side lot line when located on the rear twenty-five (25) percent of the lot.
7. No accessory building shall be constructed upon a lot until the construction of the main building has been actually commenced, and no accessory building shall be used for dwelling purposes except by domestic servants employed on the premises.
8. Every part of a required yard shall be open to the sky obstructed, except for accessory buildings in a rear yard, and, except for the ordinary projections of skylights, sills, belt courses, cornices and ornamental features projecting not to exceed twelve (12) inches. This requirement shall not prevent the construction of a chain link fence not exceeding four (4) feet in height on front and side property lines. All solid wood fences being built shall comply with the front building lines, set back being thirty (30) feet from the front property lines.
9. Open or lattice-enclosed fire escapes, fire-proof outside stairways, and balconies opening upon fire towers projecting into a rear yard not more than five (5) feet, and the ordinary projection of chimneys and flues are permitted.
10. For the purpose of side yard requirements, a two-family dwelling shall be considered as one building occupying a single lot.
11. An open unenclosed porch or paved terrace may project into a front or rear yard for a distance not exceeding ten (10) feet.
12. All new dwellings constructed and all dwellings moved from one location to another, except those on farms of thirty (30) acres or more, shall:
  - A. Provide a minimum floor area in accordance with that required for the zoning district in which it is located.
  - B. Provide for each family a kitchen sink and a water closet installed in a room or compartment separated from other portions of the dwelling by partitions extending from floor to ceiling with entrance provided by a solid door. All water closets and kitchen sinks shall be connected with a water supply and sewage disposal system meeting the standards of the State Health Department and approved by the City-County Health Department.
  - C. Provide framing for exterior walls that develops a strength and rigidity equivalent to wooden studding, not less than two (2) by four (4) inches, nominal dimensions, spaced sixteen (16) inches on centers with larger dimension perpendicular to the wall, and braced with sheathing or diagonal bracing at the corners to secure the necessary rigidity; provided, however, rafters may be spaced not to exceed twenty-four (24) inches on center.
  - D. Provide exterior wall surfacing of brick, stone, concrete, concrete blocks, wood siding, or other similar durable and satisfactory materials but not of tar paper,

canvas, cardboard, corrugated metal, unfinished slab siding, or other similar temporary, unsubstantial or unsightly materials.

13. Service stations may have one (1) sign erected in conformance with the zoning regulations advertising the brand name of products. Price signs containing only one (1) square foot may be attached to front of pumps. All portable or temporary signs must not project beyond the front building line.
14. Filling station pumps and pump islands may occupy the required yards; provided, however, that they shall not be less than twenty (20) feet from street lines.
15. Major Highway Building Setback lines.

- A. It shall be unlawful for any person, firm, or corporation to build, erect, construct, or rebuild, re-erect, or re-construct any building or structure of any nature, fronting upon any State Highway, or major County Highway contained on the official county plan for major highways, beyond the following setback lines measured from the center of the street, to-wit:

A one hundred (100) foot minimum setback in the "R" Rural Residential District.

A ninety (90) foot minimum setback in other Districts, the Commercial Districts and Industrial Districts, except, however an eighty (80) foot minimum setback may be provided where there is more than three hundred (300) feet frontage on one side of a street in the Commercial or Industrial Districts.

- B. It shall be unlawful for any person, firm or corporation to build, erect, construct, or re-build, re-erect, or re-construct any building or structure of any nature, fronting upon any secondary County Highway contained on the official county plan for major highways beyond the following setback lines measured from the center of the street, to-wit:

An eighty (80) foot minimum setback in the "R" Rural Residential District.

A seventy (70) foot minimum setback in other Residential Districts, the Commercial and the Industrial Districts except, however, a sixty (60) foot minimum setback may be provided where there is more than three hundred (300) feet frontage on one side of a street in the Commercial and Industrial Districts.

16. Signs are to be erected in commercial and industrial districts only. Refer to Article XXIX.

## ARTICLE XXIV - ADDITIONAL PARKING REGULATIONS

### Section 1.

For all buildings or structures hereafter erected, constructed, reconstructed, moved or altered, off-street parking in the form of garages or areas made available exclusively for parking shall be provided. Except for the uses listed below, parking spaces shall be required in accordance with other articles of this zoning resolution.

### Section 2. Off-Street Parking Requirements.

Land Use or Establishment	Number of Spaces
1. Automobile Service Stations	3 spaces plus 1 space per each service bay
2. Boat Sales	2 spaces plus 1 space per each 1,000 sq. ft. of floor area
3. Bowling Alleys	5 spaces for each alley plus additional spaces based upon affiliated uses
4. Greenhouse	1 space for each 500 sq. ft. of gross floor area
5. Hotels	1 space for each 3 rental sleeping units and suites, plus additional spaces based upon specific affiliated uses
6. Indoor Theaters	1 space for each 6 seats in a principal viewing area
7. Motels	2 spaces for each 3 rental sleeping units and suites, plus additional spaces based upon specific affiliated uses
8. Private, Commercial or Trade Schools	1 space for each 100 q. ft. of gross floor area
9. Private Meeting and Assembly Halls	1 space for each 50 sq. ft. of gross floor area
10. Automobile Muffler Installation Facility	2 spaces for each service bay, plus 1 additional space for each 200 sq. ft. of gross floor area
11. Automobile Washing Facility	Reservoir parking spaces between the lot entrance and the car wash equal to 5 times the capacity of the car wash facility
12. Mobile Home Sales	3 spaces for each employee
13. Outdoor Motion Picture Theater	Extra (Reservoir) parking spaces equal in number to 10% of the vehicle capacity.
14. Storage Warehouses	1 space for each 500 sq. ft. of gross floor area. <b>(Amended 1-25-91 by Resolution #2831).</b>

### Section 3. Improvement of Parking Areas.

All open parking areas shall be at least nine (9) feet by twenty (20) feet and shall be ready for use upon occupying a building and shall be surfaced with a permanent, bituminous or concrete pavement meeting the standards and specifications of Wyandotte County prior to the issuance of an occupancy permit. Head-In parking from any public right-of-way shall not be permitted, no parking spaces shall be located within

six (6) feet of an adjoining lot in a residential district. Any lights used to illuminate a parking area shall be so arranged as to direct light away from any adjacent premises in the residential district.