



City of Bonner Springs

KANSAS

Tuesday, May 21, 2024

200 East Third Street, Bonner Springs, KS 66012
Bonner Springs City Hall
Council Chambers

PLANNING COMMISSION MEETING - 7:00 p.m.

The meeting is open to the public.

PLANNING COMMISSION WROK SESSION - 7:00 PM

CALL TO ORDER - ROLL CALL

WORK SESSION AGENDA

1.

- 1. Consider revisions to the Unified Development Ordinance regarding size limitations placed on residential accessory structures. These proposed regulations mirror ones previously in place but were inadvertently removed from the UDO.**

Action

Recommendation

Documents:

1. Accessory Building Cover Page
2. Accessory Buildings V3 - 2024 Staff Recommendation

2.

- 1. Consider the creation of a new zoning district – Recreational Vehicle (RV) Parks – the regulations being proposed were derived from regulations adopted in the city of Hays, Kansas. ‘Campgrounds’ were a use allowed via Special Use Permit within the A-1 (Agricultural Zoning District) in the previous Zoning Regulations, there were not many regulations though regarding them. These proposed regulations provide guidance for the district.**

Action

Recommendation

Documents:

1. RV Zoning District Cover Page
2. Recreational Vehicle Park Revised 5.15 - Final

- 3. Consider revisions to the Table of Uses within the Unified Development Ordinance. Staff has proposed changes to uses within some districts.**

Action

Recommendation

Documents:

1. Use Table Cover Page
2. Complete Use Matrix - Amended 5.16 - Final
3. Conditional Development Standards

ADJOURNMENT

City of
Bonner Springs
Agenda Item Cover Sheet

Agenda Item No. 1

Topic: Consider revisions to the Unified Development Ordinance regarding size limitations placed on residential accessory structures. These proposed regulations mirror ones previously in place but were inadvertently removed from the UDO.

Narrative: In January of 2022 the Planning Commission recommended for adoption regulations that restricted the size of accessory buildings, those regulations were adopted in February of that same year by the Governing Body.

They were revised in March of 2023 to adjust sizes of buildings in agriculturally zoned districts. With the adoption of the Unified Development Ordinance, they were replaced with a ‘maximum lot coverage’ in working through a few accessory building permits, staff determined these regulations would again allow for large accessory structures.

Staff is presenting these regulations again for consideration. The nomenclature has been changed to match the UDO.

Presented by: Mark Lee – Community Development Director

Staff Recommendation:

DRT Review Comments:

Attachments:

Recommended accessory building limitations (2pgs)

STAFF RECOMMENDATIONS

Amend the Dimensional Standards tables where necessary and add sections regarding maximum accessory structure sizes.

Residential Zoning Districts

Material in italics is for reference purpose only

Maximum size of an accessory structure is based on lot area and zoning district, they are as follows:

GR (General Residential) = R-1 and R-2 – 7,000sqft (min. lot size)

MR (Mixed Residential District) = R-1A and R-3 – 5,000sqft (min. lot size)

PD (Planned Development District) = M-P, M-H and P – 7,000sqft (min. lot size)

All accessory structures larger than 200 sq. ft. in area shall be constructed of quality materials and architecturally similar in design and character with the principal dwelling unit. The exterior building materials and colors shall be similar to the main building or shall be commonly associated with residential construction.

In no instance shall an accessory structure occupy more than 30% of the "required rear yard" on a lot.
Accessory structures may not exceed the square footage of the principal structure
No accessory structure shall be located within the required front yard

Setbacks are as follows:

Rear yard – 5 feet

Side Yard – 5 feet

No closer than 5 feet to another structure

Accessory buildings shall not be erected on properties where no main structure exists, except in agricultural zoning districts for the storage of agricultural products or equipment or for shelter of livestock. Accessory buildings which are erected on property where no main building exists shall not have sewer facilities within the accessory structure.

250 square feet of accessory structure for each 3000sqft of lot area; or fraction thereof

- a. For lots under seven thousand (7,000) square feet:
Five hundred (500) square feet, maximum
- b. For lots thirteen thousand (13,000) square feet to one acre (43560sqft):
One thousand (1000) square feet, maximum
- c. For lots from one acre (43,560sqft) to three acres (130,680sqft)
One thousand five-hundred (1500) square feet, maximum.
- c. For lots from three acres (130,680sqft) to five acres (217,800sqft)
Two thousand (2000) square feet, maximum.
- e. For lots over five acres (217,800sqft):
Three thousand (3000) square feet, maximum

Areas zoned as PD (Planned Development Districts) and utilized as a Manufactured Home Park shall be limited to an accessory structure size of 120 square feet

Agricultural/Large Lot Residential Districts

No one single accessory structure shall be greater in size than the primary structure.

In no instance shall an accessory structure occupy more than 30% of the "required rear yard" on a lot.

No accessory structure shall be located within the required front yard except within the AG, A-1 and R zoning districts and shall maintain the same setbacks as required of the principal structure for the zoning district in which it is located or as stated below:

Rear yard – 5 feet

Side Yard – 5 feet

No closer than 5 feet to another structure

Accessory buildings shall not be erected on properties where no main structure exists, except in Agricultural zoning districts for the storage of agricultural products or equipment or for shelter of livestock. Accessory buildings which are erected on property where no main building exists shall not have sewer facilities within the accessory structure.

Maximum size of an accessory structure located within the zoning districts of:

LA (Loring Agricultural District) – 20 acres or 871,200sqft (min. lot size)

No size limit, other than, no one single structure shall be larger than the primary structure

Total of all buildings shall not exceed 5,000sqft

RR (Rural Residential District) – 3 acres or 130,680sqft (min. lot size)

No size limit, other than, no one single structure shall be larger than the primary structure

Total of all buildings shall not exceed sqft

LR (Loring Residential District) - 5 acres or 217,800sqft (min. lot size)

No size limit, other than, no one single structure shall be larger than the primary structure

Total of all buildings shall not exceed 3,000sqft

ER (Estate Residential District) – 1 acre or 43560sqft (min. lot size)

One thousand (1000) square feet, maximum

An accessory structure may be larger than 1000 square feet in total floor area, provided the size may increase only 250 square feet for each full acre in lot size over one acre and up to three acres.

City of
Bonner Springs
Agenda Item Cover Sheet

Agenda Item No. 2

Topic: Consider the creation of a new zoning district – Recreational Vehicle (RV) Parks – the regulations being proposed were derived from regulations adopted in the city of Hays, Kansas. ‘Campgrounds’ were a use allowed via Special Use Permit within the A-1 (Agricultural Zoning District) in the previous Zoning Regulations, there were not many regulations though regarding them. These proposed regulations provide guidance for the district.

Narrative: With the adoption of the UDO, the previous use of ‘Campgrounds’ was removed. In ongoing discussion with the developer(s) of the Mattel site, recreational vehicle parking and camping is being proposed. With the use not being in our regulations, this will create issues moving forward. Staff reviewed the regulations adopted in several municipalities and utilized the regulations adopted by Hays, Kansas and made appropriate changes to mirror our UDO.

Staff is presenting these regulations for discussion and future consideration. The included regulations show changes made by staff.

Presented by: Mark Lee – Community Development Director

Staff Recommendation:

DRT Review Comments:

Attachments:

Recommended Recreational Vehicle Parks zoning district regulations (6pgs)

Sec. 9.1.305-2.04.E.4 Recreational Vehicle (RV) Parks

A. **Generally.** Recreational Vehicle (RV) Parks shall be designed according to the standards of this Section.

B. **Purpose and Intent.** The City ~~Commission~~ finds that RV parks can contribute to the ~~City's~~ long-term economic and social well-being of the City if they are properly located, designed, and maintained to protect the health, safety, and general welfare of the RV park users, abutting properties, and the City as a whole.

C. **Minimum and Maximum Site Area.**

1. *Minimum Area of Parcel Proposed for Development.* The minimum area of an RV park is two acres.

2. *Maximum Extent of RV Park.* The maximum extent of a RV Park is 10 acres.

D. **Site Design.** RV parks shall meet the following site design standards:

1. *Location.*

a. The park shall be located on a well-drained site, properly graded for rapid drainage and freedom from stagnant pools of water, so that soil conditions, groundwater level, drainage and topography do not constitute hazards to the residents' health and safety.

b. RV parks shall maintain a 1,320-foot separation from each other.

2. *Maximum Density.* The maximum site density for RV parks shall be 20 spaces per acre, where only one recreational vehicle is permitted per recreational vehicle space.

3. *RV Spaces.* Each recreational vehicle space shall comply with the following:

a. *Minimum Space Area.* A minimum of 1,250 square feet RV space in area and 25 feet in width by 50 feet in depth is required consisting of:

i. *Permanent RV Parking Pad.* No less than 10 feet in width by 24 feet in depth shall be used to construct a permanent parking pad consisting of concrete, ~~gravel~~, asphalt, crushed ~~rock~~ limestone, or similar material; and each parking pad shall be separated by at least 10 feet from any other parking pad.

a. *Small RV Pads.* Parking pads for small RV's shall be no less than 10 feet in width by 24 feet in depth;

b. *Large RV Parking Pads.* Parking pads for large RV's shall be no less than 12 feet in width by 36 feet in depth; and

ii. *Non-RV Off-Street Parking Space.* Each RV space shall have a minimum of one off-street parking space for a vehicle that is not the recreational vehicle.

b. *Space Marker.* A permanent space marker identifying the space number is required to be visible day and night, which shall be visible from the internal private roadway;

c. *Accessory Structures.* Individual RV spaces are not allowed to have accessory structures (*e.g.*, awnings, cabanas, carports, garages, porches, storage sheds, etc.), with the exception of factory installed recreational vehicle extensions (*e.g.*, expandable spaces or awnings).

4. *RV Park Access and Circulation.*

a. The entrance of the internal private roadway shall have a pavement width of 30 feet with adequate curb radius and shall have at least one direct connection to a ~~paved~~ public street.

b. The internal private roadway shall have a pavement width of 24 feet in accordance with City specifications, and shall consist of concrete, asphalt, or crushed limestone. The roadway may be 15 feet in width if it is designed for one-way roads as long as there is a minimum of 24 feet of unobstructed clearance, and a minimum of 60 feet in turning area and radii, to permit the free movement of emergency vehicles.

- c. No dead-end streets unless a cul-de-sac is installed in accordance to City specifications for non-residential cul-de- sacs.

5. *Lot Access.* Each recreational vehicle space shall have direct access to the interior private roadway and shall be constructed of concrete, gravel, asphalt, crushed limestone, ~~or similar material that controls or reduces dust.~~

6. *Required Facilities.* Each RV Park shall install and maintain the following required facilities:

- a. *Office.* An office for the manager and a publicly available telephone which shall be accessible for emergency use 24 hours a day, seven days a week.
- b. *Laundry and Maintenance Facilities.* A laundry and maintenance building shall be included in the site design.
- c. *Off-Street Parking.* Each RV park shall provide a common guest parking lot consisting of one parking space for every five recreational vehicle spaces.
- d. *Sanitary Facilities.* The RV Park shall provide the following sanitary facilities in the quantities specified below. Each calculation shall be rounded up to the next nearest whole number, where a minimum of at least one is required. One additional sanitary facility shall be provided for each 10 additional RV spaces. Facilities for males and females shall be separate and located within a permitted building.
 - i. *Toilets.* One toilet for each sex for every 40 RV spaces;
 - ii. *Washbasins.* One washbasin shall be provided within the bathroom for every two toilets provided; and
 - iii. *Showers.* One shower for each sex per every 40 RV spaces.
- e. *Design and Maintenance of Sanitary Facilities.* Design and maintenance of the sanitary facilities shall be in accordance with the following:
 - i. Buildings shall be well lit at all times, day or night, well-ventilated with screened openings, and constructed of moisture proof material to permit rapid and satisfactory cleaning, scouring and washing;
 - ii. The floors shall be of concrete or other impervious material, elevated not less than four inches above grade, and each room shall be provided with floor drains.
 - iii. Toilet and bathing facilities shall be in separate rooms or each toilet provided in a community toilet house shall be partitioned apart from any other toilet in the same room. The floor surface around the commode shall not drain into the shower floor.
 - iv. Toilet floors and walls shall be of impervious material, painted white or a light color, and be kept clean at all times. Shower stalls shall be made of tile, plaster, cement or some other impervious material and shall be kept clean at all times. Shower stalls shall be partitioned in any manner as to provide privacy and promote cleanliness. If a shower stall is of some impervious material other than tile, cement or plaster, it shall be white or some light color and kept clean at all times.
 - v. The floor of any bathroom, other than the shower stall, shall be of some impervious material, and the walls of the bathroom, other than the shower stall, shall be made of a washable surface, kept clean at all times.
 - vi. Sidewalks shall be required around all sanitary facilities connecting to the internal private roadway.
 - vii. Not located nearer than 25 feet from a RV space or a property line.
 - viii. No RV space shall be located more than 600 feet from the building.
 - ix. All lavatories, bathtubs, and showers shall be connected to both hot and cold running water.

- x. Facilities shall maintain a temperature of 70 degrees Fahrenheit.
7. *Lighting*. All common buildings and access thereto shall be well lit both inside and out during the night hours and the lighting design shall be in conformance with ~~Division 5.4.100, *Lighting*. Section 4.09; *Outdoor Lighting*.~~
8. *Required ~~Bufferyard Screening~~*. All RV parks shall provide ~~a Type C bufferyard (Option 1) screening~~ on all borders, including along all street frontage. ~~Screening Buffers which are~~ located along the borders of existing residential lots shall include ~~an minimum six-foot-tall~~ opaque fence or wall ~~-that but~~ shall not exceed more than eight feet in height ~~(see Division 4.1.400, *Bufferyards*) Section 4.05.F.2~~. The requirement of ~~an six to~~ eight foot wall or fence when abutting residential lots may be exempted if the distance ~~requirement set out in Table 2.2.302, *Residential Limited Use and Exception Standards between residentially zoned property is five-hundred (500') feet minimum*.~~
9. *Solid Waste Collection*. Centralized solid waste collection shall be in accordance with the provisions set out in Sections ~~10.2.105, *Solid Waste Collection*. 11-402 and 11-403 of the Bonner Springs Municipal Code~~.
10. *Utilities*. In addition to the following, the installation of utilities shall be in compliance with all building codes and other applicable provisions of this Code.
- a. *Drainage*. The ground surface in all parts of the RV park shall be graded and designed to drain all stormwater and surface water in a safe, efficient manner. A stormwater management plan is required in conformance with ~~Division 9.2.300, *Storm Water Management the stormwater regulations of Bonner Springs*.~~
- b. *Water System*. All common buildings and RV spaces shall be provided with a connection to the City water system if it is located within 1,000 feet of the RV park. If the City water system is not available, then the water supply system shall be designed, constructed, and maintained in compliance with the State of Kansas Department of Health and Environment (KDHE). The City must approve all proposed water facility plans prior to construction. The water distribution system shall be designed as follows:
- i. A master water meter shall be installed to serve the RV park. Sub-metering or re-metering for private purposes by the owner/operator of the RV park is permitted however sub-metering or re-metering of individual RV spaces for public purposes, as determined by the City, such as meter reading and utility billing of individual RV spaces is not permitted.
- ii. A reduced pressure principal backflow preventer will be required to be placed at the lot line on the discharge side of the master meter. In addition, one must be placed at each of the connections for each RV spaces and located on the right side of the space.
- iii. Water riser service branch lines shall extend at least four inches above ground elevation. The branch line shall be at least three-fourths inch.
- iv. Adequate provisions shall be made to prevent freezing of service lines, valves and riser pipes. Surface drainage shall be diverted from the location of utility connections at each space.
- v. A shut off valve below the frost line shall be provided on each branch line.
- vi. The owner/operator shall have complete maintenance responsibility for the water system within the RV park.
- vii. The City has no maintenance responsibility for service lines within the RV park. The responsibility of the city stops at the lot line.
- c. *Wastewater System*. All common buildings and RV spaces shall be provided with a connection to the City wastewater system if it is located within 1,000 feet of the RV park. If the City wastewater system is not available, then the system shall be designed, constructed, and maintained in compliance

with the State of Kansas Department of Health and Environment (KDH&E). The city must approve all proposed wastewater facility plans prior to construction. The wastewater distribution system shall be installed as follows:

- i. Each RV space shall be provided with a four-inch diameter wastewater riser and shall extend above grade four to six inches. The wastewater riser pipe shall be so located on each stand so that the wastewater connection to the RV drain outlet will approximate a vertical position. Each inlet shall be provided with a gas tight seal when connected to a recreational vehicle or have a gas tight seal plug when not in service.
- ii. The wastewater connection to each RV space shall consist of a single four-inch service line without any branch lines, fittings, or connections. All joints shall be water tight.
- iii. Surface drainage shall be diverted away from the riser. The rim of the riser pipe shall extend at least four to six inches above the ground elevation.
- iv. ~~Each collection wastewater line shall provide a vent extending a minimum of 10 feet in height.~~
- v. The owner/operator shall have complete maintenance responsibility for the wastewater system within the RV park.
- vi. The responsibility of the city stops at the lot line.

~~vii. Each RV Park shall be required to install at the lot line, where connection to the City wastewater system is made, a sample well site. The sample well site shall be installed according to City specifications.~~

- d. Electrical System. All common buildings and RV spaces shall be provided with a connection to the local electrical provider's electrical system, which shall be installed underground in accordance with the most currently adopted National Electric Code. The electrical system shall be installed as follows:
 - i. A master electric meter shall be installed to serve the RV park. Sub-metering or re-metering for private purposes by the owner/operator of the RV park is permitted however sub-metering or re-metering of individual RV spaces for public purposes, as determined by the local electrical provider, such as meter reading and utility billing of individual RV spaces is not permitted.
 - ii. The City has no maintenance responsibility for service lines within the RV park. ~~The responsibility of the city stops at the weatherhead.~~
 - iii. The location of all underground lines shall be clearly marked by surface signs at approved intervals.
 - iv. Power supply to each space shall be a minimum of one 20-amp and one 50-amp power supply.
 - v. Outlets (receptacles or pressure connectors) shall be housed in an Underwriters' Laboratories, Inc., approved weather-proof outlet box.
 - vi. A water-tight seal shall be provided for underground conduit in floodplain installations and a riser extending a minimum of two feet above the floodplain elevation shall be provided.

11. Fire Protection.

- a. Open fires shall be allowed only in accordance with applicable City Codes.
- b. Each RV space shall be within 300 feet of a fire hydrant.
- c. In RV parks in which gasoline, fuel, oil, or other flammable liquids are stored and/or dispensed, their handling and storage shall comply with the provisions of the Standard Fire Prevention Code.
- d. Bottled gas shall not be used at individual RV lots unless the containers are properly connected by copper or other suitable metallic tubing. Bottled gas cylinders shall be securely fastened in place.

e. All fire rings, wood burning stoves and other forms of outdoor cooking shall be located, constructed, maintained, and used as to minimize fire hazards and smoke nuisance.

f. Approaches to all RV spaces shall be kept clear at all times for access by firefighting equipment.

12. **Maintenance.** In conformance with the landscape surface ratio (LSR) of the district rules and regulations of Bonner Springs, all grounds in the RV park shall be:

a. Paved, covered with crushed limestone stone, rock, or other similar solid material, or protected with vegetative cover that is capable of preventing soil erosion and eliminating dust; and

b. Maintained free of accumulation of high grass, weeds, and debris so as to prevent rodent and snake harborage or the breeding of flies, mosquitos, or other pests. This does not apply to the required bufferyard, screening which should be allowed to fill in with natural vegetation over time.

b.c. Each recreational vehicle space shall be provided a minimum of one-shade tree.

E. **Site Plan.** A site plan is required showing conformance with each of the site design criteria detailed in this Sec on (including all proposed on-site utilities, rights-of-way/easements and roadway configuration, storm drainage, recreational vehicle space layout, building improvements, fencing, buffering, lighting, and signage), as well as other applicable requirements of this Code which will be used for review and consideration by the applicable administrative body having jurisdiction.

F. **License.** The owner/operator is required to hold a valid license issued annually from the City to operate an RV park in the City in accordance Section 11.2.308, Recreational Vehicle (RV) Park License with Chapter V; Business Regulations of the Municipal Code of Bonner Springs.

G. **Operations.** The owner/operator shall collect the following information as part of the registration process for each person renting an RV space in the RV park:

1. Name;
2. Full address of permanent residence;
3. Automobile and recreational vehicle license plate number and the state in which each is registered;
4. Photocopy of the driver's license of the primary tenant;
5. The number or letter of the designated space being rented; and
6. The date of arrival and departure.

H. **Expansion or Modification of Existing RV Parks.**

1. *Re-Review Required.* Any enlargement (e.g., size of property or additional RV spaces, etc.) or modification of site layout of an existing RV park shall require a re-review and approval as if it were a new application.
2. *Existing Facilities Brought into Conformance.* No enlargement or extensions to any RV park shall be permitted unless the existing facility is made to conform with all the requirements for new construction in conformance with this Section.

I. **Inspections.** The Building Official or authorized agent shall have the power to enter, during normal operating hours, upon any private or public property with the purpose of inspecting and investigating conditions relating to the enforcement of this Section.

J. **Suspensions.**

1. *Notice.* Whenever, upon inspection of any RV park, the Building Official or authorized agent finds that conditions or practices exist which are in violation of any provision of this Section applicable to such park, the Building Official shall provide notice in writing to the owner/operator, and if such conditions or practices have not been corrected in the timeframe set out in the notice, the Building Official or authorized agent will suspend the RV park license and give notice of such suspension.

2. *Cessation of Operations.* Upon suspension of the RV park license, the owner/operator shall cease operation of the RV park.
3. *Appeal.* The suspension of the license may be appealed to the Board of Zoning Appeals.

K. Abandonment and Restoration.

1. *Plan.* In the event that operations should cease for a period of 24 months, the owner shall be required to provide a written plan and agreement to the Building Official or authorized agent showing evidence of a pending lease/sale agreement or a plan of action setting out how the site's improvements (*e.g.*, internal roadways, RV parking pads, buildings and structures, utilities, signs, and other non-vegetative improvements) shall be dismantled and the site restored to its previous unoccupied, natural condition. The start of the 24-month timeframe begins upon notification to the City by the owner/operator, or upon the initial inspection by the Building Official or authorized agent, whichever comes first.
2. *Restoration.* If the City deems the abandoned RV park is public health or safety hazard after the 24 months have expired, the City may restore the property to its natural conditions and place a lien on the property to recover both restoration and administrative costs.

~~(Ord. No. 4012, § 1, 7-14-2022)~~

~~Effective on: 7/14/2022~~

City of
Bonner Springs
Agenda Item Cover Sheet

Agenda Item No. 3

Topic: Consider revisions to the Table of Uses within the Unified Development Ordinance. Staff has proposed changes to uses within some districts.

Narrative: Working with the Use Table in the Unified Development Ordinance over the past few months, staff is brining forward recommended changes to the table. These changes include the new use of RV Parks, along with current uses being allowed in various zoning districts.

Attached is the revised Use Table. Uses that are highlighted in yellow are ones that changes are being suggested to. Some uses carry Conditional Standards, those are listed within the Unified Development Ordinance directly following the current use table – Section 2.06 (page 59). When a use is listed as P-# or S-# the corresponding number equates to the Conditional Standard listed within this section.

Presented by: Mark Lee – Community Development Director

Staff Recommendation:

DRT Review Comments:

Attachments:

Recommended revisions to the Use Table (2pgs)

Highlighted 'Land Uses' are those that have amendment proposed. New proposed zoning district locations are indicated by a letter or letter / number combination inside a white box.

Table Legend		Official Zoning Districts													
P	Use is permitted in the district indicated	L-A, Loring Agricultural District	L-R, Loring Residential District	E-R, Estate Residential District	E-R, Estate Residential District	G-R, General Residential District	C-C, Central Commercial District	L-C, Local Commercial District	G-C, General Commercial District	H-C, Highway Commercial District	L-I, Light Industrial District	H-I, Heavy Industrial District	M-R, Mixed-Use Residential District	M-C, Mixed-Use Commercial District	Parking Space Requirements
	Use is prohibited in the district indicated														
S	Use is permitted in the district indicated following approval of a Special Use Permit														
#	Use is permitted (P-#) or permitted with a Special Use Permit (S-#), and must comply with conditional standards in the indicated end note														
Land Uses															
Accessory Dwelling Unit (ADU)	P-1	P-1	P-1	P-1	P-1								P-1		1:dwelling (off-street)
Accessory Structure	P-2	P-2	P-2	P-2	P-2								P-2		None
Construction Equipment Storage	P-3	P-3	P-3	P-3	P-3	P-3	P-3	P-3	P-3	P-3	P-3	P-3	P-3	P-3	None
Construction Field Office	P-4	P-4	P-4	P-4	P-4	P-4	P-4	P-4	P-4	P-4	P-4	P-4	P-4	P-4	None
Drive-Through							P-5	P-5	P-5	P-5				P-5	None
Electrified Fencing	S	S	S	S	S						S	S			None
Fuel Pumps							S-6	S-6	S-6	S-6	P-6	P-6		P-6	None
Garage Sale	P-7	P-7	P-7	P-7	P-7								P-7		None
Home Occupation	P-8	P-8	P-8	P-8	P-8								P-8	P-8	None
Outdoor Storage or Display							S-9	S-9	S-9	S-9	S-9	S-9		S-9	None
Personal Energy Production	P-10	P-10	P-10	P-10	P-10	P-10	P-10	P-10	P-10	P-10	P-10	P-10	P-10	P-10	None
Sports Court or Field	S-11	S-11	S-11	S-11	S-11	S-11	S-11	S-11	S-11	S-11	S-11	S-11	S-11	S-11	None
Agricultural Practice	P	P	P	P											None
Plant Nursery	P	P	P	S							S	P			None
Stable, Commercial	P	P	P	S											None
Stable, Private	P	P	P	P-12											None
Assisted Living or Nursing Facility				S	S				P				S	S	2 + 1: 500 SF
Bed & Breakfast			S	S	S								S		2 + 1: unit
Boarding or Lodging House			S	S	S								S		1: unit
Dwelling, Manufactured Home	P-13	P-13	P-13												2: dwelling
Dwelling, Mobile Home															2: dwelling
Dwelling, Modular Home	S-14	S-14	S-14	S-14	S-14										2: dwelling
Dwelling, Multi-Family													P	P	1.5: unit
Dwelling, Single-Family Attached					P-15								P-15		2: dwelling
Dwelling, Single-Family Detached	P	P	P	P	P								P		2: dwelling
Dwelling, Single-Family Duplex					P								P		2: dwelling
Group Home			P	P	P		S						P		1.5: bed
Manufactured Home Park	S-#	S-#	S-#	S-#											2: dwelling
Rehabilitation Home			S	S											1: 400 SF
Airport or Helistop	S	S	S									S			1: 200 SF
Cemetery	S	S	S	S	S								S		1: unit
Club, Private			S	S	S										1: 400 SF
Community Garden	P	P	P	P	P	P	P						P		1: 400 SF accessible area
Community Gathering, Private	S-17	S-17	S-17	S-17	S-17	S-17	S-17	S-17	S-17	S-17	S-17	S-17	S-17	S-17	1: 3 attendees
Community Gathering, Public	P	P	P	P	P	P	P	P	P	P	P	P	P	P	1: 3 anticipated attendees
Day Care Center			S-18	S-18	S-18		S-18						S-18	S-18	1: 250 SF
Day Care Residence		S-19	S-19	S-19	S-19								S-19		None
Farmer's Market	S-20				S-20	S-20	S-20						S-20	S-20	4: booth
Library						P	P	P	P	P	S			P	1:300 SF
Medical Clinic						P	P	P	P	P				P	1: 400 SF
Medical Hospital			S					P	P	P	S			S	3:exam room
Museum						P	S	P	P					P	1: 400 SF
Parkland	P	P	P	P	P	P	P	P	P	P	P	P	P	P	None
Police or Fire Station	P	P	P	P	P	P	P	P	P	P	P	P	P	P	1: 400 SF
Prison or Correctional Facility	S	S	S												None
Public Use or Building	P	P	P	P	P	P	P	P	P	P	P	P	P	P	1: 400 SF
Recreational Vehicle Parks	S	S	S	S	S								S		1:per RV space (off-street)
Religious Institution or Practice	P	P	P	P	P	P	P	P	P	P	P	P	P	P	1: 4 seats in worship area
School, College or University	S	S	S						S	S			S	S	By parking study
School, High	P	P	P	P	P	P	P	P	P	P			P	P	8: classroom
School, Kindergarten through Intermediate	P	P	P	P	P	P	P	P	P	P			P	P	2: classroom
School, Trade	S	S	S					S	S	S	S	S	S	S	1: 3 seats
Adult Entertainment										S					1: 300 SF
Alcohol Beverage Production, Microbrewery							P	P	P	P	P	P			1: 300 SF
Alcohol Beverage Production, Microdistillery							S	S	S	S	S	P			1: 300 SF
Alcohol Beverage Production, Winery	S		S				P	P	P	P	P	P			1: 300 SF
Alternative Financial Service								S-21	S-21						1: 300 SF
Bank or Financial Institution							P	P	P	P				P	1: 300 SF
Bar or Tavern							P	S	P	P				P	1: 100 SF
Commercial Amusement, Indoor	S						S	S	P	P	P			S-22	1: 500 SF
Commercial Amusement, Outdoor	S-22						P-22	S-22	P-22	P-22	S-22			S-22	1: 250 gfa + 1: 500 SF of site area
Event Venue	S		S	S	S	S	S	S	P	P			S	S	1: 200 SF + 1:seat
Food Truck Park							P-23	S-23	S-23	S-23	P-23			P-23	By parking study
Golf Course	S	S	S	S	S								S		5: course hole
Gym or Fitness Center							P	P	P	P				P	1:400 SF
Hotel									S	S				S	1: room + 1:400 SF common interior gfa
Kennel, Indoor	S	S	S					S	P	P				S	1: 300 SF
Kennel, Outdoor	S	S	S						S	S					1: 300 SF
Massage Therapy							S	S	P						1: 300 SF
Motel									S	S					1: room + 1:400 SF common interior gfa
Movie Theater							P		P	P				P	1: 4 seats

Table Legend		Official Zoning Districts														
P	Use is permitted in the district indicated	Land Uses	L.A, Loring Agricultural District	L.R, Loring Residential District	E.R, Estate Residential District	E.R, Estate Residential District	G.R, General Residential District	C.C, Central Commercial District	L.C, Local Commercial District	G.C, General Commercial District	H.C, Highway Commercial District	L.I, Light Industrial District	H.I, Heavy Industrial District	M.R, Mixed-Use Residential District	M.C, Mixed-Use Commercial District	Parking Space Requirements
	Use is prohibited in the district indicated															
S	Use is permitted in the district indicated following approval of a Special Use Permit															
#	Use is permitted (P-#) or permitted with a Special Use Permit (S-#), and must comply with conditional standards in the indicated end note															
Office, Professional							P	P	P	P					P	1: 400 SF
Personal Service							P	P	P							1: 300 SF
Restaurant, Drive- In							P	P	S	P					P	5 + stalls used to order
Retail, Local						S	P	P	P	P					P	1: 300 SF
Retail, Neighborhood							P	P	P	P					P	1: 300 SF
Retail, Pawn or Resale							S	S	S						S	1: 300 SF
Retail, Regional								S	P	P					P	1: 300 SF
Seasonal Sales				P-24			P-24	P-24	P-24						P-24	1: 400 SF of accessible area
Self-storage, Indoor									S	S	S	P				1: 400 SF of office
Self-storage, Outdoor											S	S				1: 400 SF of office
Shooting Range										S-25	S-25					1: 400 SF
Studio, Artisan							P	S	P							1: 400 SF
Studio, Performance							P	P	P						P	1: 300 SF
Vehicle Sales and Rental											S-26	S-26				1: 400 SF + 1: vehicle for sale/rent
Vehicle Washing Station, Full-Service									S	S	S	P			P	1: 400 SF of office and waiting area
Vehicle Washing Station, Self-Service								P	P	P	P	P			P	1: 400 SF of office and waiting area
Veterinarian				S			P	P	P	S					S	1: 400 SF
Wholesale									S	S						1: 400 SF
Crematorium												S				1: 500 SF
Energy Production, Commercial		S	S	S												4
Energy Resource Extraction		S	S	S								S				4
General Appliance Repair							S	S	S		P	P			S	1:400SF
Hazardous Material Storage or Handling												P				1: 1,000 SF
Heavy Machinery Storage and Sale				S					S	S		P				1: 400 SF
Manufacturing or Industrial Practices, Heavy											S	P				1: 1,000 SF
Manufacturing or Industrial Practices, Light									S		P	P				1: 1,000 SF
Salvage Operation or Junk Yard												S				1: 400 SF
Telecommunications Facility		S-27	S-27	S-27	S-27	S-27	S-27	S-27	S-27	S-27	S-27	S-27	S-27	S-27	S-27	None
Utility Distribution		S-28	S-28	S-28	S-28	S-28	S-28	S-28	S-28	S-28	S-28	S-28	S-28	S-28	S-28	None
Vehicle Repair, Major											S	S	P		S	1: bay + 1:400 SF of office and waiting area
Vehicle Repair, Minor											P	P	P		P	1: bay + 1:400 SF of office and waiting area
Vehicle Tow or Storage Lot												S-29				1: 400 SF of office
Warehouse and Distribution											S	S				1: 1,000 SF
Water or Wastewater Treatment Facility		S	S	S	S	S	S	S	S	S	S	S	S	S	S	1: employee at busiest anticipated shift

Section 2.06. Conditional Development Standards

A. Purpose

1. This **Section 2.06** establishes use-specific Development Standards required for the corresponding uses listed in the Table of Allowed Uses within **Section 2.05** above.
2. Compliance with the standards outlined in this **Section 2.06** shall be required in addition to the general Development Standards of **Chapter 4** below.

B. Conditional Development Standards

1. Accessory Dwelling Unit (ADU)

- a. No more than one (1) ADU is permitted per Lot.
- b. ADUs may be either Attached to or detached from the primary structure.
 - (1) If Attached, an ADU shall not exceed twenty five percent (25%) of the primary Dwelling area.
 - (2) If detached, an ADU shall comply with the accessory structure standards outlined for the applicable zoning district in accordance with **Section 2.04** above, and shall not exceed one thousand (1,000) square feet in area.
 - (3) Accessory structures used either wholly or partially as an ADU shall be of similar design to the primary Dwelling, including Roof design, color, and architectural style, as determined by the Community Development Director.
- c. ADUs that are Attached to the primary Dwelling shall be considered an extension of the primary structure, and shall be subject to the primary setback, Lot Coverage, and other dimensional requirements as the respective zoning district.
- d. ADUs that are detached from the primary Dwelling shall not be located closer than five (5) feet from another primary or accessory structure.
- e. ADUs shall be serviced with utilities, such as water, sanitary sewer, and electricity, using the same utility connections or meters as the primary Dwelling.

2. Accessory Structure

Accessory Structures shall not be located closer than five (5) feet from another primary or accessory structure.

3. Construction Equipment Storage

- a. Construction Equipment Storage areas shall be permitted only in conjunction with an active and valid building permit for a Development.
- b. Construction Equipment Storage areas shall be surrounded by a temporary construction Fence of no less than six (6) feet in height.
 - (1) Access into the area shall be controlled with gates at all designated construction entrances.
 - (2) Temporary construction fencing may be chain-link, but shall not utilize barbed wire or electric fencing components.
- c. Construction Equipment Storage areas shall be cleared, including all temporary construction fencing, prior to issuance of a Certificate of Occupancy.

4. Construction Field Office

- a. A Construction Field Office shall be permitted only in conjunction with an active and valid building permit for a Development.
- b. Construction Equipment Storage areas shall be cleared, including all temporary construction fencing, prior to issuance of a Certificate of Occupancy.

5. Drive-Through

See **Section 4.02.H** for stacking space and design requirements for Drive-Through uses.

6. Fuel Pump

- a. Fuel Pumps shall be covered by a canopy structure open on all sides to allow for safe and sheltered pedestrian and vehicle movement.
- b. Canopy structures shall be of similar design to the primary structure, including Roof design, color, and architectural style, as determined by the Community Development Director.
- c. Fuel Pumps shall be protected using bollards or similar vehicle stopping measures installed on both sides of the fuel pump apparatus.
- d. Each fueling position may count as one (1) Parking Space for the primary use as required by the Table of Allowed Uses.
- e. See **Section 4.02.H** for stacking space requirements for Fuel Pumps.

7. Garage Sale

Garage sales may be held on non-commercial properties provided that no more than three (3) garage sales are held per calendar year and that each garage sale does not exceed three (3) consecutive days.

8. Home Occupation

- a. A Home Occupation Permit shall be issued prior to the operation of a Home Occupation in accordance with the Table of Allowed Uses.
- b. No more than one (1) Home Occupation permit is permitted per Dwelling.
- c. Home Occupations shall be solely operated and staffed by the owner(s) or occupant(s) of a Dwelling.
- d. Home Occupations shall be located wholly within an Enclosed structure, and shall not exceed twenty five (25%) percent of the primary Dwelling's gross area.
For the purposes of calculating the area of a Home Occupation, all areas regularly used during the execution of the subject occupation, including any storage areas of products or goods, shall be counted.
- e. Home Occupations shall not alter the exterior appearance of the Dwelling, including the addition of any signage, lighting, or outdoor display or storage.
- f. Home Occupations shall not generate parking, noise, sewage, or water use in excess of what is typical of a Dwelling within the surrounding area.
- g. No vehicle in excess of one (1) ton may park On-Site or in proximity to a premises used for the associated Home Occupation.

9. Outdoor Storage or Display

- a. Outdoor Storage or Display areas shall not be located within a Parking Space or Landscaped Area unless associated with Seasonal Sales, in which case Parking Spaces in excess of the required parking minimum may be occupied for the duration of the sales permit described in **Section 2.06.B.24** below.
- b. Outdoor Storage or Display areas shall be located on paved areas along the primary structure's Façades unless minimum spacing requirements are otherwise specified by the adopted Fire Code.

- c. The storage or display of any unfinished product, meaning a product that is not in its final state intended for sale, shall be screened from public view using a vantage point six (6) feet in height from Grade.
 - (1) Public view shall be considered the visibility of Outdoor Storage or Display areas from a public Right-of-Way or other public space, including but not limited to a dedicated or reserved park, plaza, mutual Access Easement, or other area intended for public gathering or use.
 - (2) Screening mechanisms shall meet the general requirements listed in **Section 4.05.C.**

10. Personal Energy Production

a. Solar Panels

- (1) Solar panels may be Attached to a primary or accessory structure, or ground-installed independent from a structure.
- (2) Installation of solar panels shall require a building permit, and must be found to meet the proper wind and structural requirements of the adopted Building Code.
- (3) Attached solar panels shall not exceed the maximum height permitted for the structure they are Attached to and shall match the slope of the Roof or Façade they are Attached to.
- (4) Ground-installed solar panels shall count toward the maximum permitted Lot Coverage for the respective zoning district.

b. Wind Turbines

- (1) Wind turbines may be Attached to a primary or accessory structure, or ground-installed independent from a structure.
- (2) Installation of wind turbines shall require a building permit, and must be found to meet the proper wind and structural requirements of the adopted Building Code.
- (3) Attached wind turbines shall not exceed the maximum height permitted for the structure they are Attached to.
- (4) Ground-installed wind turbines shall be located within the rear yard, and shall be set back from all property lines no less than the height of the tallest portion of the apparatus measured from Grade.
- (5) A minimum vertical distance of 12 feet shall be provided from Grade to the lowest limitation of any spinning blade or apparatus.
 - (a) All moving components of a wind turbine shall be equipped with a self-monitoring braking, governing, or feathering system so as to prevent uncontrolled rotation.
 - (b) Moving components shall not emit noise in excess of what is typical of the surrounding area.

11. Sports Court or Field

- a. A Sports Court or Field shall require site analysis to determine the appropriate Orientation, screening, and lighting standards to prevent adverse impacts on adjacent properties.
- b. Applications for a Sports Court or Field shall include a lighting plan in accordance with **Section 4.09.A.4,**

- c. Due to their unique regulations, applications for Sports Court or Fields may present alternative fencing standards to those outlined in **Section 4.05**. The following shall be considered when acting on an application for alternative fencing standards:
 - (1) The ability of the Fence to be maintained in a structurally sound and safe condition that resembles the Fence at the time of installation as close as possible;
 - (2) The impact of the Fence on adjacent properties, including impacts on stormwater flow, sound mitigation, and light shielding; and
 - (3) The minimum Alterations necessary from **Section 4.05** to produce a functioning and safe Sports Court or Field in compliance with any sport-specific rules and regulations.

12. Stable, Private

- a. A Stable, Private shall be located within the rear yard.
- b. Any accessory structure used wholly or partially as a Stable, Private shall comply with the accessory structure standards outlined per zoning district in **Section 2.04** above.

13. Dwelling, Manufactured Home

- a. Dwelling, Manufactured Homes shall be installed in accordance with the Kansas Manufactured Housing Act, established in Chapter 58, Article 42 of the Kansas Statutes Annotated (**KSA 58-4201**), as amended.
- b. Dwelling, Manufactured Homes may be of new or used construction. Previously owned or Occupied units shall not be more than fifteen (15) years old, and the owner shall provide proof that the HUD seal is affixed to the unit.
- c. Design Standards
 - (1) Dwelling, Manufactured Homes shall be no less than 22 feet in width, and the length of the longest Façade shall not exceed two and one-half (2.5) times the length of the shortest Façade.
 - (2) Exterior siding shall be a material customarily used on site-built Dwellings, such as wood, composition or simulated wood, clapboards, conventional vinyl or metal siding, brick, stucco, or similar materials.
 - (3) Siding material shall extend below the top of the exterior foundation or curtain wall.
 - (4) A continuous, permanent masonry or concrete foundation, or masonry or concrete curtain wall, unpierced except for required ventilation and Access, shall be installed under the perimeter of the home. The running gear, tongue, axles, and wheels shall be removed from the unit at the time of installation, and shall not be stored on the Lot.
 - (5) Roof Design
 - (a) Roofs shall be double Pitched Roofs and have a minimum nominal vertical rise of four (4) inches for each twelve (12) inches of horizontal run.
 - (b) Roofing material shall be commonly used in standard residential construction, which is residential in appearance, excluding corrugated aluminum, fiberglass, or metal roofing material.
 - (c) A minimum overhang of twelve (12) inches is required on all Façades, which may include a four (4) inch gutter.
- d. Consistency with Surrounding Development
 - (1) Where established within an existing residential Development or residentially platted Lot, Dwelling, Manufactured Homes shall have an Attached garage if 50 percent or more of the existing homes on the same Block face have garages.

- (2) A detached garage shall be allowed on a Lot on which an Attached garage cannot be constructed due to the setback regulations of the district, or if less than 50 percent of the existing homes on the same and/or adjacent Block face do not have Attached garages.
- (3) Where required to be installed, the roofing and siding material of a detached garage must be the same as that of the Dwelling, Manufactured Home.

14. Dwelling, Modular Home

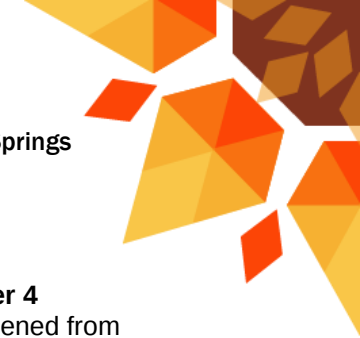
- a. Modular homes shall meet or exceed the minimum Building requirements set forth by the adopted Building Code.
- b. Modular homes shall meet the minimum dimensional standards for Lots and homes, including setbacks, as the respective zoning district.

15. Dwelling, Single-Family Attached

- a. No side yard setback shall be required for Lots used for Dwelling, Single-Family Attached units subject to the following:
 - (1) There shall be no less than ten (10) feet between separate structures;
 - (2) Lot Widths for Lots used for Dwelling, Single-Family Attached units shall be reduced to 24 feet, with a minimum Lot Area of 2,880 square feet.
- b. A Dwelling, Single-Family Attached Building shall contain no less than three (3) and no more than eight (8) Dwelling Units before an interior side setback is required per the applicable zoning district in **Section 2.04** above.

16. Manufactured Home Park

- a. Dwelling, Manufactured Homes installed within a Manufactured Home Park shall comply with the minimum standards outlined in **Section 2.06.B.13** above.
- b. Applications for a Manufactured Home Park shall require a Development Plan in accordance with **Section 1.04.A.2** above.
- c. Manufactured Home Space Requirements
 - (1) Manufactured Home spaces shall be Occupied by no more than one Dwelling, Manufactured Home, and shall be equipped with the following:
 - (a) A concrete pad large enough to accommodate the full area of the installed Dwelling.
 - (b) Personal sanitary sewer and water utility services. The use of On-Site sanitary sewer facilities (OSSF) is prohibited.
 - (c) Personal electrical and gas service.
 - (2) Manufactured Home spaces shall meet the following minimum dimensions:
 - (a) Minimum Site Area: 4,000 square feet
 - (b) Minimum Lot Width: 45 feet
 - (3) A minimum distance of twenty (20) feet shall be provided between a Dwelling, Manufactured Homes and any Building within the Manufactured Home Park.
 - (4) Each manufactured home space shall front upon a private roadway of not less than twenty-four (24) feet in width.
- d. Manufactured Home Park Standards
 - (1) Manufactured Home Parks shall be considered Single-Family Residential Development for the purposes of meeting the Development Standards outlined in **Chapter 4 Development Standards**, where each Dwelling, Manufactured Home is counted as one (1) Dwelling Unit.

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- (2) In addition to the minimum Development Standards outlined in **Chapter 4 Development Standards**, all Manufactured Home Parks shall be screened from adjacent uses using the incompatibility buffer standards outlined in **Section 4.03.E.2.b(1)**.
 - (3) Refuse and Garbage Handling
 - (a) Storage, collection, and disposal of refuse in a Manufactured Home Park shall be required so as to create no health hazards, rodent harborage, insect breeding areas, accidents, fire hazards, or air pollution; and
 - (b) All refuse shall be stored in fly-tight, watertight, rodent- proof containers. Containers shall be provided in sufficient number and Capacity to properly store all refuse.
 - (4) Laundry Facilities

Laundry facilities for the exclusive use of the Manufactured Home Park occupants shall be provided.
 - (5) Storm Shelters

A storm shelter shall be provided to give protection to all residents of the Manufactured Home Park.

 - (a) The storm shelter shall be constructed to provide adequate protection from tornadoes and high winds;
 - (b) The storm shelter shall provide a minimum of thirty (30) square feet per manufactured home pad; and
 - (c) The storm shelter shall comply with the applicable codes and ordinances as adopted by the City of Bonner Springs.
17. Community Gathering, Private
- a. Applications shall include a special event permit for consideration by the City Council.
 - b. Appropriate parking shall be illustrated on a site plan for review.
18. Day Care Center
- a. Day Care Centers shall meet all minimum criteria for licensure with the State of Kansas, and shall provide proof of licensure.
 - b. Any playground area, including all areas children move to and from the structure and the playground area, shall be surrounded by a Fence no less than six (6) feet in height.
 - c. Areas designated for child drop-off shall be clearly marked with visible traffic markings and signage.
 - d. The primary point of child drop-off (i.e., stopping point) shall be covered by an awning, canopy, or similar element to allow for the sheltered transition from a vehicle to the designated Building entrance.
 - e. See **Section 4.02.H** for stacking space requirements for Day Care Center drop-off areas.
19. Day Care Residence
- a. Day Care Residences shall meet all minimum criteria for licensure with the State of Kansas, and shall provide proof of licensure.
 - b. Day Care Residences shall not alter the exterior appearance of the Dwelling, including the addition of any signage, lighting, or outdoor display or storage.
 - c. Day Care Residences shall not generate parking, noise, sewage, or water use in excess of what is typical of a Dwelling within the surrounding area.
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20. Farmer's Market

- a. Each vendor shall obtain an operating and health permit prior to operation within a Farmer's Market.
- b. Farmer's Markets may utilize temporary Improvements, including but not limited to temporary lighting fixtures, shelters, and restroom facilities, for no more than 72 consecutive hours of operation.
 - (1) Improvements associated with Farmer's Markets in operation for durations longer than 72 consecutive hours shall be considered permanent structures and shall meet the minimum requirements of these regulations.
 - (2) Farmer's Markets, regardless of temporary or permanent status, and all associated Improvements shall not operate after 10:00 p.m.
- c. Farmer's Market vendors shall be installed on paved surfaces or compacted gravel.
- d. Farmer's Market vendors and Improvements may occupy existing On-Site Parking Spaces under the following conditions:
 - (1) The Farmer's Market is not in operation for more than 72 consecutive hours; and
 - (2) The minimum parking requirements for both the primary use and Farmer's Market specified in the **Table of Allowed Uses** are still met.

21. Alternative Financial Service

- a. Alternative Financial Service establishments shall not be operated within one-quarter mile (1,320 feet) from one another.
- b. Alternative Financial Service establishments shall not be operated within five hundred (500) feet of residential zoning districts.
- c. Alternative Financial Service establishments shall not be operated within one-thousand five hundred (1,500) feet of schools, churches, public Buildings, daycares, parks, and hospitals.
- d. For the purposes of calculating separation between Alternative Financial Service establishments and other uses, the distance shall be measured using an aerial circumference originating from each establishment's primary point of entry.

22. Commercial Amusement, Outdoor

- a. No intermittent or Flashing lights shall be visible beyond the property line of a Commercial Amusement, Outdoor establishment.
- b. Exterior auditory devices, such as speakers or other sound effects, shall not exceed 45 Decibels at the property line of a Commercial Amusement, Outdoor establishment.
- c. Commercial Amusement, outdoor structures, or Improvements shall not be located within 250 feet of a residentially zoned or used property, excluding Dwelling, Multi-Family uses.

23. Food Truck Park

- a. Each vendor shall obtain an operating and health permit prior to operation within a Food Truck Park.
- b. Food Truck Parks may be standalone establishments or may be installed in conjunction with permanent uses on a temporary or permanent basis.
- c. Food Truck Parks may utilize temporary Improvements, including but not limited to temporary lighting fixtures, shelters, and restroom facilities, for no more than 72 consecutive hours of operation.

- (1) Improvements associated with Food Truck Parks in operation for durations longer than 72 consecutive hours shall be considered permanent structures and shall meet the minimum requirements of these regulations.
 - (2) Food Truck Parks, regardless of temporary or permanent status, and all associated Improvements shall not operate after 10:00 p.m.
 - d. Vendors shall be parked in authorized Parking Spaces (i.e., vendor locations) that meet the minimum requirements of **Section 4.02**, including dimensional, material, and configuration requirements.
 - (1) Vendor locations that are installed within existing parking areas shall not interfere with pedestrian or vehicle circulation.
 - (2) The minimum parking requirements for both the primary use, if applicable, and the Food Truck Park specified in the Table of Allowed Uses shall be met.
 - e. Seating areas and other furnishings intended for patron use shall not interfere with existing parking areas or pedestrian and vehicle circulation.
 - f. Restroom facilities shall be provided On-Site or through a shared use agreement with an Abutting commercial establishment.
 - (1) Access to shared facilities shall be granted for the duration of the Food Truck Park operation hours.
 - (2) Temporary restroom facilities shall be screened from public view from either On-Site or Off-Site, using a vantage point six (6) feet in height from Grade.
 - (a) Public view shall be considered the visibility of Outdoor Storage or Display areas from a public Right-of-Way or other public space, including but not limited to a dedicated or reserved park, plaza, mutual Access Easement, or other area intended for public gathering or use.
 - (b) Screening mechanisms shall meet the general requirements listed in **Section 4.05.C**.
 - g. Each vendor location shall be provided with electrical, water, and wastewater connections.
 - h. Waste receptacles shall be provided for each vendor location, and shall be emptied daily to prevent overloading.
24. Seasonal Sales
- a. Seasonal Sales shall obtain an operating permit prior to operation.
 - b. Seasonal Sales may utilize temporary Improvements, including but not limited to temporary lighting fixtures, shelters, and restroom facilities, for no more than 72 consecutive hours of operation.
 - (1) Improvements associated with Seasonal Sales in operation for durations longer than 72 consecutive hours shall be considered permanent structures, and shall meet the minimum requirements of these regulations.
 - (2) Seasonal Sales, regardless of temporary or permanent status, and all associated Improvements shall not operate after 10:00 p.m.
 - c. Parking areas may be installed on paved surfaces or compacted gravel.
25. Shooting Range
- a. Noise generated from a Shooting Range shall not exceed 45 Decibels at the property line.
 - b. Shooting Range structures shall not be located within 250 feet of a residentially zoned or used property.

26. Vehicle Sales and Rental

- a. Parking Spaces intended for vehicles for sale or rent shall be Fenced in accordance with **Section 4.05.C.1** below.
- b. No more than eighty (80) percent of the total required parking per the **Table of Allowed Uses** may be utilized for the parking of vehicles intended for sale or rent.
- c. Areas intended for the parking of sales for sale or rent shall be subject to the parking design standards outlined in **Section 4.02** below.

27. Telecommunications Facility

- a. Exempt Facilities
 - (1) The requirements of this **Section 2.06.B.27** shall not apply to a facility that is less than seventy (70) feet in height, and:
 - (a) Is operated by a federally-licensed amateur radio station operator; or
 - (b) Is used exclusively for receive-only antennas.
 - (2) Towers owned and operated by the City shall not require approval of an SUP, but shall comply with the other requirement of this **Section 2.06.B.27**.
- b. General Requirements
 - (1) Telecommunications facilities shall comply with all federal regulations, including those issued by the Federal Aviation Administration (FAA) and the Federal Communications Commission (FCC).
 - (2) Installation of a Telecommunication Facility, including any on-ground Improvements or towers, shall require a building permit, and must be found to meet the proper wind and structural requirements of the adopted Building Code.
 - (3) Telecommunication facilities shall be inspected annually for structural and operational soundness.
 - (a) Inspections shall be made by a knowledgeable expert, as determined by the Chief Building Official.
 - (b) A copy of such annual inspection shall be provided to the City.
 - (4) A Telecommunication Facility may be Attached to, or integrated with, an existing structure or detached as a standalone facility.
 - (5) Co-location

All telecommunication facilities shall be designed with tower cabinets to accommodate co-location by other providers.
 - (6) Removal of Abandoned Towers
 - (a) Any facility that is no longer in use or has not been used for a continuous period of twelve (12) months for its original communications purpose shall be removed at the owner's expense.
 - (b) In the case of co-location, a facility shall not be deemed abandoned until all users cease operations.
- c. Operational Requirements
 - (1) Telecommunications facilities shall be operated in a manner that does not cause interference with, or disruption to, public safety communications, including but not limited to police or fire departments.

- (2) In the event that the facility causes such an interference or disruption, the Applicant shall be responsible to:
 - (a) Remedy the problem within 24 hours of written notice by the City; or
 - (b) Cease operation of the facility until the problem is remedied.
- d. Design Requirements

The application and approval of a Development Plan in accordance with **Section 1.04.A** above may be required by the Community Development Director in order to confirm compliance with this **Section 2.06.B.27**.

 - (1) Height
 - (a) Ground components of a Telecommunication Facility, including but not limited to cabinets, housing structures, and screening walls, shall not exceed the maximum height permitted within the respective zoning district.
 - (b) Telecommunication tower height shall be restricted to the distance to the nearest property line, but shall not exceed 120 feet in height from Grade.
 - (2) Lighting
 - (a) If required by federal regulations, tower lighting shall be reviewed with an application for a Special Use Permit to ensure the least amount of disturbance to surrounding views.
 - (b) Security lighting around the base of a tower and facility ground components may be provided in accordance with **Section 4.09**.
 - (3) Locations and Separation
 - (a) Applications for a new Telecommunication Facility site shall include verification that all existing facilities have been approached for co-location opportunities.
 - (b) Telecommunication facilities shall not be located within one (1) mile of an existing facility without adequate proof of the need of the new facility to sufficiently serve the City.
 - (4) Design Treatments
 - (a) Telecommunication facilities Attached to, or integrated with, a Building or structure shall be screened, constructed, and colored to match the structure to which they are Attached.
 - (b) Components mounted on the side of a Building or structure shall be painted to match the color of the Building or structure against which they are most commonly seen.
 - (c) Multiple antennas mounted on a single support structure should be coordinated in design, and spaced and balanced to give a planned and uncluttered appearance.
 - (5) Ground equipment shall be screened from public view using a vantage point six (6) feet in height from Grade.
 - (a) Public view shall be considered the visibility of ground equipment areas from a public Right-of-Way or other public space, including but not limited to a dedicated or reserved park, plaza, mutual Access Easement, or other area intended for public gathering or use.
 - (b) Screening mechanisms shall meet the general requirements listed in **Section 4.05.C**.

28. Utility Distribution

Utility Distribution areas shall be screened from public view using a vantage point six (6) feet in height from Grade.

- a. Public view shall be considered the visibility of ground equipment areas from a public Right-of-Way or other public space, including but not limited to a dedicated or reserved park, plaza, mutual Access Easement, or other area intended for public gathering or use.
- b. Screening mechanisms shall meet the general requirements listed in **Section 4.05.C**.

29. Vehicle Tow or Storage Lot

Areas used for the storage of vehicles shall be screened from public view using a vantage point six (6) feet in height from Grade.

- a. Public view shall be considered the visibility of ground equipment areas from a public Right-of-Way or other public space, including but not limited to a dedicated or reserved park, plaza, mutual Access Easement, or other area intended for public gathering or use.
- b. Screening mechanisms shall meet the general requirements listed in **Section 4.05.C**.