

## Summary

Staff was tasked with reviewing the Unified Development Ordinance (UDO) to recommend revisions that would open up opportunity for development within the City. Staff reviewed the UDO and returned with the following three revisions to promote Residential and Commercial property development within the City. The three revisions are:

- 1) Reduce the minimum lot size for the R-1 and R-2 zoning districts (**UDO Section 4.02**);
- 2) Open Accessory Dwelling Unit development (**UDO Section 4.03 & 4.04**); and
- 3) Amend the Required Parking ordinance (**UDO Section 7.03**).

## Community & Economic Development Comments

### Introduction

The proposals within this text amendment are written to reflect the changing nature of development across the country. The development community is faced with a challenging environment with higher interest rates, labor costs and availability, and acquisition costs for development. These amendments can enable developers to spread out the cost of developments across a broader population. In addition, these amendments certain homeowners within the City to have more control over their property through subdivision and opening the opportunity for to build accessory dwelling units (ADUs). Homeowners are currently required to receive a conditional use permit in order to build ADUs. The purpose of these amendments are to encourage more creativity through freedom to explore new housing options that support Lansing's current and future population.

### UDO Purpose

The stated purposes of Lansing's UDO are:

1. To promote the health, safety, and welfare of the City and its residents;
2. To implement the City of Lansing's Comprehensive Plan;
3. Promote planning and urban design that emphasizes distinct places and unique elements of community character documented throughout Lansing;
4. Divide the city into zones and districts that promote the character, compatibility, scale and transitions of land use patterns;
5. To conserve and protect property values throughout the City; and
6. Regulate and restrict the development and use of buildings and land within each zoning district to create a compatible scale and range of building types within districts, and to promote the appropriate relationship of development to the public realm and to adjacent property.

The purpose of the proposed amendments meets these purposes.

### Comprehensive Plan

Staff finds that numerous Comprehensive Plan goals that align with the proposed subdivision ordinance. These goals are:

- 1) Provide a range of residential facilities that includes single family dwelling and multi-family structures which accommodate a diverse community
- 2) Pursue and promote commercial services that are easily and safely accessible and attract residents and visitors to the area.
- 3) Provide a range of commercial services that satisfies the full spectrum of consumer requirements.

The following implementation strategies are also met through the text amendments proposed.

- 1) Commercial & Residential - Encourage the rezoning and redevelopment of properties to be consistent with the Future Land Use Plan and evaluated future rezoning applications for consistency with the Future Land Use Plan as well as the goals contained within this plan.

- 2) Develop neighborhood revitalization strategies that take an integrated approach to housing rehabilitation, infrastructure improvements, and community involvement.

## Summary of Changes

### Article 4. Zoning Districts & Use Standard Amendments

The R-1 and R-2 zoning districts are amended to lower the Height, Area, and Bulk standards as outlined in **Table 4-1: General Development Standards**.

**Table 4-2: Permitted Uses** is amended to allow *Accessory Dwelling* by right, a use that currently requires a Conditional Use Permit to be granted by the City Council.

To support the changes to **Table 4-2, Section 4.04 Accessory Use Standards** are also amended, removing both the parking and occupancy requirements. **Section 4.02-D Accessory Buildings** is amended, removing the numerical restriction while leaving the rear yard coverage restriction in place.

### Article 7. Access & Parking Standards Amendments

**Section 7.03 Required Parking** is amended to list **Table 7-5: Required Parking** as guidelines, instead of minimums. This removes off-street parking as a requirement for any and all development that occurs within the City. Developers will be able to choose a parking design that fits the needs of their client's needs.

## Acknowledgments

The following City of Lansing staff members reviewed this project and provided information for this report:

- Joshua Gentzler, AICP – Director, Community & Economic Development

## Recommendation

Staff recommends approval of Case 2024-UDO-001, Minimum Lot Size, Accessory Dwelling Units & Parking Requirements.

## Action Options

1. Approve the text amendments as proposed and recommend adoption of Case 2024-UDO-001 to the City Council; or
2. Amend Staff's proposed text amendments and recommend adoption of Case 2024-UDO-001, as amended, to the City Council; or
3. Deny Case 2024-UDO-001 for specified reasons; or
4. Table the case to another date, time and place.

## Attachments

1. Redline of **UDO Articles 4 & 7**
2. Proposed amendment of **UDO Articles 4 & 7**

## ARTICLE 4. ZONING DISTRICTS & USE STANDARDS

- 4.01 ZONING DISTRICTS & INTENT
- 4.02 GENERAL DEVELOPMENT STANDARDS
- 4.03 PERMITTED USES
- 4.04 ACCESSORY USE STANDARDS
- 4.05 SPECIFIC USE STANDARDS
- 4.06 TEMPORARY USE STANDARDS

### 4.01 ZONING DISTRICTS & INTENT

The boundaries of the districts are shown on the official Zoning District Map of the City of Lansing, Kansas. The Zoning District Map, with all notations, references, and other information shown thereon, is as much a part of these zoning regulations as if such Zoning District Map with all notations, references, and other information was specifically set forth herein.

#### **Zoning Districts and Intent.**

*"A-1" Agricultural District.* The purpose of this district is to provide for agricultural and related uses, and to preserve and protect agricultural resources.

*"R-1" Suburban Residential District.* The intent of the R-1 district is to provide for low density, single-unit detached residential buildings, including those uses which reinforce residential neighborhoods.

*"R-2" Single-Unit Residential District.* The intent of the R-2 district is to provide for single-unit residential buildings at a higher density than the R-1 District, to support and encourage more walkable residential neighborhoods.

*"R-3" Mixed-Density Neighborhood District.* The intent of the R-3 district is to provide for moderate density residential development with a variety of housing options, in patterns that create strong, walkable neighborhoods near civic and commercial destinations. The building scale, frontage designs, and streetscape are compatible throughout the district, and an emphasis on design details and neighborhood character create comfortable places for people.

*"R-4" Multi-Family Residential District.* The intent of the R-4 district is to provide for high density residential development, including single-unit, two-family and multi-family residences, in strong residential neighborhoods.

*"R-5" Manufactured Home Planned District.* The R-5 district is intended for planned development's that provide smaller-format manufactured or modular homes that include common amenities in a neighborhood or community setting, designed in a manner that is compatible with the surrounding community. The R-5 district is a specific form of a planned district requiring review and approval as provided in Section 2.04 Planned Development procedures.

*"B-1" Neighborhood Business District.* The intent of the B-1 district is to provide a zone which is suitable for small scale businesses serving primarily local needs. The B-1 district is most appropriate for buildings that front onto local side streets that provide primarily neighborhood-oriented retail and office uses. These areas serve as a transition from automobile-oriented environments along K-7 to the adjacent residential neighborhoods and schools.

*"B-2" General Business District (Town Center).* The intent of the B-2 district is to provide a zone which is suitable for retail shopping and offices that are typically located in the core area of a city.

*"B-3" Regional Business District.* The intent of the B-3 district is to provide for those commercial uses which are intensive in nature and require larger lots and direct access to major streets. The B-3 district is most appropriate for automobile oriented, regional commercial and office development. Within this area, pedestrian links shall be provided to connect the local streets located on each side of K-7 that serve to connect the residential neighborhoods, schools and parks.

*"I-1" Light Industrial District.* The intent of the I-1 district is to permit industrial uses that are not obnoxious due to appearance, noise, dust, or odor; that do not require intensive land coverage; and that can be compatibly developed with adjacent districts.

*"I-2" Heavy Industrial District.* The intent of the I-2 district is to allow basic or primary industries which are generally incompatible with residential or commercial uses.

## 4.02 GENERAL DEVELOPMENT STANDARDS

- A. **Generally.** The height, area, and bulk requirements for the various districts are established by Table 4-1. The Development Standards for each district are dependent on the provisions in Article 5 and Article 6.

**Table 4-1: General Development Standards**

ELIGIBLE ZONING DISTRICT	HEIGHT, AREA AND BULK STANDARDS					
	MIN. SIZE	LOT STANDARDS MIN. WIDTH	HEIGHT	FRONT	MINIMUM SETBACK INTERIOR SIDE	REAR
A-1	1 acre	160 ft.	2.5 stories / 35 ft.	40 ft.	16 ft.	40 ft.
R-1	<del>10,000</del> 6,000 s.f.	<del>75</del> 50 ft.	2.5 stories / 35 ft.	<del>30</del> 20 ft.	10 ft.	<del>30</del> 20 ft.
R-2	<del>6,000</del> 4,000 s.f.	<del>60</del> 40 ft.	2.5 stories / 35 ft.	<del>30</del> 15 ft.	10 ft.	<del>15</del> 30 ft.
R-3	See Article 5 development standards specific to R-3 Walkable Neighborhood District.					
R-4	10,000 s.f.	60 ft.	3 stories / 45 ft.	25 ft.	10 ft.	30 ft.
R-5	See Article 5 for development standards specific to Residential Manufactured Home Planned District.					
B-1	6,000 s.f.	50 ft.	3 stories / 45 ft.	Sec. 5.03*	0 ft. **	25 ft.
B-2	6,000 s.f.	50 ft.	3 stories / 45 ft.	Sec. 5.03*	0 ft. **	None.
B-3	10,000 s.f.	60 ft.	3 stories / 45 ft.	Sec. 5.03*	0 ft. **	20 ft.
I-1	6,000 s.f.	50 ft.	3 stories / 45 ft.	20 ft.	N/A**	25 ft.
I-2	10,000 s.f.	80 ft.	3 stories / 45 ft.	20 ft.	N/A**	N/A**

\*Front setbacks for commercial districts are based on street contexts and allowed Frontage Types defined in 5.03.

\*\*If abutting residential district, setback shall be a minimum of 10 ft.

- B. Requirements.** The following general requirements apply to all zoning districts, except where specifically noted otherwise in these regulations:
1. All structures or uses of land shall require a permit prior to initiation, construction or any other related development activity, unless specifically exempt from a permit by this code. The permit shall authorize the building, structure or use according to the standards and procedures of this code.
  2. All required yards, setback areas or other open space shall remain unenclosed and open to the sky, unless the design standards applicable to a particular lot, building type or open space specifically allow otherwise.
  3. No use, structure or lot shall be maintained in any way that is damaging or harmful to adjacent property, or to the general public health, safety and welfare.
- C. Exceptions.** The regulations for height, setback and design of buildings and lots do not apply to the following situations:
1. *Height Exceptions.* The height regulations as prescribed in this Chapter shall not apply to:
    - a. Accessory building elements integral to the design and construction of the building, such as belfries, chimneys, ornamental towers and spires, elevator bulkheads, cooling towers, smoke stacks or other equipment, provided they meet all applicable screening requirements and they are not otherwise extended to specifically avoid the intent of applicable height limits.
    - b. Site elements, flag poles, monuments, water towers, fire towers provided they are setback from the property line at least one foot for each one foot of additional height above the height limit for the district in which it is located.
    - c. Public, semi-public or public service buildings, hospitals, institutions, or schools, when permitted in a district, may have a maximum height of 60 feet, and churches and temples may have a maximum height of 75 feet, when the required side and rear yards are each increased by at least one foot for each one foot of additional building height above the height regulations for the district in which the building is located.
  2. *Lot Exceptions.* The following are exceptions and supplemental standards for the lot area and setback standards in this Chapter:
    - a. Whenever a lot abuts upon a public alley, one-half of the alley width may be considered as a portion of the required setback.
    - b. Every part of a required setback shall be open to the sky except for: ordinary projections of roof lines, eaves, gutters, soffits, sills, belt courses, awnings and canopies without independent supports, window wells, egress windows, accessible ramps, stairs, window air conditioning units, chimneys, cornices and ornamental features which may project to a distance not to exceed 24 inches into a required yard; or statuary, arbors, trellises, flagpoles, landscaping, lighting and similar ornamental features which shall be allowed within the required setback areas.
    - c. Where a lot is used for a commercial or industrial purpose, more than one main building may be located on the lot, but only when such buildings conform to all open space requirements around the lot for the district in which the lot is located.
  3. *Yard Encroachments.* The following accessory elements of buildings may exceed the required setbacks:  
In residential districts, primary entrance features such as porticos, stoops, or unenclosed porches may extend up to 10 feet into the required front setback provided:
    - (1) No encroachment shall be closer than five feet from the right-of-way.

- (2) Any roof structure associated with the features shall be single-story.
- (3) Any porch must include usable space, typically a depth of at least eight feet and a width of at least 12 feet.
- (4) Any enclosure is limited to no more than 24 square feet.
- (5) All primary entry features are integrated into the overall building design including materials, architectural style and details, and roof structures.

- D. **Accessory Buildings.** Accessory buildings shall be permitted in association with and on the same lot as a principal building and are subject to the following additional limitations:
1. *Generally.* No accessory building shall be erected in any required front or side yard, and no detached accessory building shall be erected closer than 5 feet to any other building. No accessory building shall cover more than 30% of the rear yard.
  2. *Small Sheds.* Accessory buildings 120 square feet or less and less than 10 feet tall shall be limited to one per lot, located behind the rear building line of the principal building, and be no closer than 5 feet from the rear or side property line.
  3. *Detached Building.* Accessory buildings over 120 square feet shall meet the following:
    - ~~a.~~ ~~No more than one per lot.~~
    - ~~b.~~a. Located behind the front building line.
    - ~~c.~~b. Be at least five feet from the rear or side lot line, except that any accessory building providing garage access off a rear alley may be located within three feet of the rear lot line.
    - ~~d.~~c. Be no more than one and one-half stories, or no higher than the principal building, whichever is less.
    - ~~e.~~d. Be limited to no more than 30% of the required rear yard.
    - ~~f.~~e. Be constructed with materials, architectural details and style, and roof forms that are compatible with the principal structure. Any accessory building larger than 120 square feet not meeting this criteria shall meet the setback requirements for the principal structure.

### 4.03 PERMITTED USES

- A. **Table of Uses & Definitions.** In order to implement the intent of each zoning district, facilitate complimentary transitions between districts, and to regulate a variety of compatible uses within zoning districts, use categories and general uses have been established for principal uses of land and buildings. Table 4-2 indicates permitted uses (■) subject to general district and building development standards, conditional uses (C) subject to the discretionary review process, and uses with supplementary standards (\*) related to specific uses.

Table 4-2: Permitted Uses	A1	R1	R2	R3	R4	R5	B1	B2	B3	I1	I2
<b>CIVIC / INSTITUTIONAL</b>											
Armed Forces Reserve Center							■	■	■		
Assembly – Small											
Assembly – General	C						■	■	■		
Assembly – Event Venue							■	■	■		
Bus Passenger Terminals							■	■	■	■	
Cemeteries and Mausoleums	■	■	■	■	■	■	■	■	■	■	■
Cultural and Public Service	■	■	■	■	■	■	■	■	■	■	■
Open / Civic Space	■	■	■	■	■	■	■	■	■	■	■
Schools –Neighborhood	■	■	■	■	■	■	■	■	■		
Schools – Community	■	■	■	■	■	■	■	■	■		
Schools - Regional							C	■	■		
Social Services Agency (Ord. 424, Sec. 1)		C	C	C	C	C	C	C			
<b>RESIDENTIAL DWELLINGS</b>											
Detached house, standard	■	■	■	■	■						
Detached House – Neighborhood Lot				■							
Detached House – Compact Lot				■							
Duplex or two-unit house			C	■	■						
3- to 4-plex				■	■						
Row house				■	■						

Table 4-2: Permitted Uses	A1	R1	R2	R3	R4	R5	B1	B2	B3	I1	I2
Small Apartment (3-12 units)				■							
Medium Apartment (12-40 units)				■	■		C				
Mixed-use* (Dwellings above commercial / service)							■	■	■		
Live/Work				C	C		■	■			
Congregate Living				■	■		C				
Accessory Dwelling*	■C	■C	■C	■C							
Home Occupation*	■	■	■	■	■	■					
Manufactured Home						■					
<b>RETAIL</b>											
Retail – Micro*					■	■	■	■	■	■	
Retail – Light							■	■	■		
Retail – General								■	■		
Retail – Heavy									■	■	
Grocery – Market							■	■	■		
Grocery – Store								■	■		
Grocery – Supermarket									■		
Outdoor Sales and Display – Yard	C						■	■	■	■	■
Outdoor Sales – General	C								■	■	
Outdoor Sales – Heavy	C								■	■	■
Convenience Store/Fuel Station							C	■	■	■	
<b>SERVICE AND EMPLOYMENT</b>											
Adult Entertainment							C				
Animal Care – Kennel*	C								C	C	
Animal Care – General	C						■	■	■		



Table 4-2: Permitted Uses	A1	R1	R2	R3	R4	R5	B1	B2	B3	I1	I2
Animal Care – Large									■	■	
Automobile and Truck Wash Services									■	C	
Day Care, In-Home – Major*		C	C	C	C	C					
Day Care Center					C		■	■	■		
Funeral Home and Interment							C	C	■		
Food and Beverage – Limited							■	■	■		
Food and Beverage – General								■	■		
Healthcare – General							■	■			
Healthcare – Large									■	■	
Lodging								■	■		
Office – General							C	■	■		
Office – Large / Complex									■	■	
Personal Service / Office – Limited							■	■	■		
Personal Service – General								■	■	■	
Personal Service – Heavy									■	■	
Personal Service – Household Industrial									C	■	■
Personal Storage – Indoor								C	■	■	
Personal Storage – Outdoor									■	■	
Recreation/Entertainment – Indoor Minor (less than 10K)	C						■	■	■		
Recreation/Entertainment – Indoor Major (10K or more)	C								C	■	■
Recreation/Entertainment – Outdoor Minor	C					C		■	■	C	
Recreation/Entertainment – Outdoor Major	C								C	■	

Table 4-2: Permitted Uses	A1	R1	R2	R3	R4	R5	B1	B2	B3	I1	I2
Recreation – Campground*	C										
Residential Care – Independent Living					C		■	■			
Residential Care – Assisted Living					C		C	■	■		
Residential Care – Long-term Care					C		C	C	■		
Vehicle/Equipment Service and Repair – Limited							C	C	■	■	
Vehicle/Equipment Service and Repair – General									■	■	■
Vehicle/Equipment Service and Repair – Heavy										C	C
<b>INDUSTRIAL</b>											
Commercial Storage – Indoor									■	■	■
Commercial Storage – Outdoor Minor									■	■	■
Commercial Storage – Outdoor Major										C	■
Extractive Industry / Natural Resource Processing	C										
Freight and Distribution – Light								■	■	■	■
Freight and Distribution – Heavy										■	■
Landfill and Waste Processing Facility	C										C
Manufacturing – Limited / Artisan							C	■	■	■	■
Manufacturing - Light								C	C	■	■
Manufacturing - Moderate										■	■
Manufacturing - Heavy											C
Petroleum Bulk Stations and Terminals, Liquid Petroleum Gas										C	■
Water Treatment Plants and Storage	■							■	■	■	■

Table 4-2: Permitted Uses	A1	R1	R2	R3	R4	R5	B1	B2	B3	I1	I2
<b>AGRICULTURE</b>											
Agri-Tourism	C										
Agriculture – Light Processing	■										
Agriculture – Heavy Processing	C									C	■
Apiaries (Hobby)*	■*	C	C								
Farmers Market	■						C	■	■		
Farming – Light	■										
Farming – Commercial	C									C	C
Farming – Homestead	■										
Riding Stables	C										
<b>COMMUNICATIONS</b>											
Wireless Communication Antenna	C							■	■	■	■

## RESIDENTIAL DWELLINGS

The Residential Dwelling category is the principal use of land and buildings for dwelling units. The arrangement and extent of dwelling units depends on the zoning district, lot sizes and building types, arranged in the following types:

*Accessory Dwelling* – A dwelling unit, either in a detached accessory structure, or included within a principal structure, that is located on the same lot as a detached house and is incidental to the principal use of the lot for a principal dwelling. Examples include a garage apartment, basement apartment or second level / attic apartment. Can also be known as an Alley flat, carriage house, casita, granny suite, in-law suite, or guest house, among other names.

*Congregate Living* – Congregate Living is characterized by the residential occupancy of a structure by a group of people who do not meet the definition of “one household,” but often share a common situation or facilities. Congregate living does not include residential care facilities or correctional facilities, but may include dormitories, monasteries, or convents.

*Home Occupation* - A business, profession, service, or trade conducted for gain or support entirely within an owner-occupied residential dwelling and/or its accessory structures, when such activities are clearly incidental or subordinate in use to the dwelling and may involve limited on premise interaction with customers.

*Live / Work* - A residential building type designed with a single dwelling unit, but where an additional component of the structure is designed for a small-scale business function run by the occupant. Live /

#### 4.04 ACCESSORY USE STANDARDS

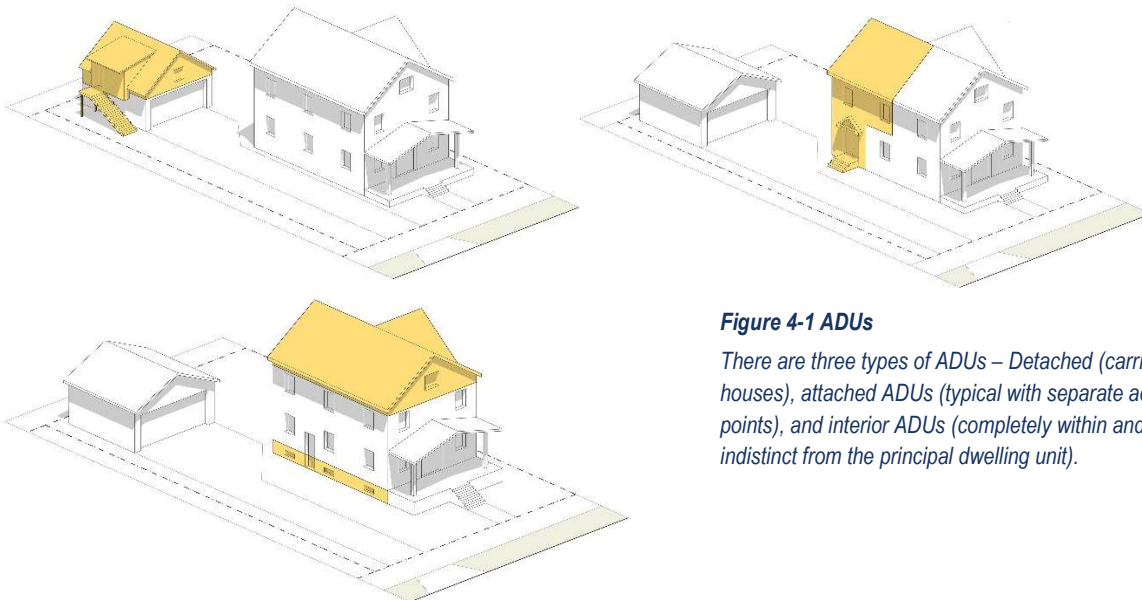
Accessory uses are clearly incidental to and customarily associated with an otherwise permitted or conditionally allowed use, and generally do not need any specific enabling or development standards, other than the generally applicable standards. The following accessory uses may be customarily incidental to otherwise permitted uses in the district, provided they meet the following additional limitations, performance standards and design criteria.

- A. **Generally.** Accessory uses and the structures shall:
1. Be compatible with the general character of the area and comparable to uses of other property in the vicinity.
  2. Not be constructed, maintained or conducted in a way that produces noise, vibration, noxious odor or material, any visible light, glare or other visible impacts that are harmful, damaging or disturbing to the adjacent property.
  3. Be conducted in a way that is consistent with the intent and objectives of all other standards applicable to the property.
- B. **In-Home Day Care.** Where in-home day care services, caring for more than 6 children, are permitted as an accessory use to a residence subject to additional standards:
1. The day care provider shall be licensed with the State of Kansas, and shall comply with all applicable regulations.
  2. At least 100 square feet of open space per child. Open space shall be enclosed by a solid or semi-solid fence or wall at least 6 feet, but not more than 8 feet high, and having a density of not less than 80% per square foot.
  3. A loading zone capable of accommodating at least two automobiles for picking-up or dropping-off passengers.
- C. **Home Occupation.** Home occupations shall meet the following standards:
1. Home occupations shall be entirely contained within the interior of a structure, not exceeding 25% of the floor area of the dwelling unit.
  2. All materials or equipment used in the home occupation shall be stored within an enclosed structure.
  3. No alteration of the exterior of the principal residential building shall be made which changes the character thereof as residence. No sign shall be permitted unless required by state statutes and, if so required, shall not exceed 2 feet in any one direction, shall not be illuminated and shall not be placed closer to the front property line than one-half the distance of the front yard, unless otherwise required by state statutes.
  4. No person shall be engaged in such home occupation other than a person occupying such dwelling unit as his or her residence.
  5. No equipment shall be utilized that creates a nuisance due to noise or electrical interference.
  6. The off-street parking regulations set forth in Article 8 shall apply to home occupations. In no event shall fewer than 2 off-street parking spaces be required.
  7. Home occupations shall not in any event include the following, unless permitted through a conditional use permit:
    - a. Retail sales of antiques.
    - b. Funeral services.
    - c. Retail or wholesale sales of groceries.
    - d. Retail sales of second-hand merchandise.
    - e. Tourist homes.
    - f. Equipment rental.
    - g. Automobile and other motor vehicle repair services.

- h. Professional offices for physicians, osteopaths, chiropractors, ophthalmologists, dentists, and other related health care professions.

D. **Accessory Dwelling.** Where accessory dwellings are permitted, all of the following standards shall be met:

1. One accessory dwelling may be permitted per lot, only when associated with a detached house.
2. Accessory dwelling units may be located in a detached accessory building or located within the ~~principle~~principal building (such as an attic or basement apartment).
3. The accessory dwelling shall not exceed 50 percent of the living area of the principal dwelling or 1,200 square feet, whichever is less.
- ~~4. One additional parking space shall be provided on site, although this provision may be waived if the context and circumstances of each dwelling unit prove the space unnecessary.~~
- 5.4. The property owner shall occupy either the principal or accessory dwelling as their permanent residence.
- ~~6. Occupancy of the accessory or principal unit is limited to family members related by blood, marriage or adoption or persons providing nursing or domiciliary care of assistance to the owner in exchange for lodging.~~
- 7.5. The following additional design considerations apply to accessory dwellings:
  - a. The accessory dwelling shall be designed to maintain the architectural design, style, appearance and character of the principal building as a detached house.
  - b. A separate entrance to the accessory dwelling is not permitted on the front facade of the principal dwelling.
  - c. The accessory dwelling shall have a roof pitch, siding, and window proportions similar to that of the principal dwelling.
  - d. No exterior stairway to the second floor is permitted at the front of the building.



**Figure 4-1 ADUs**

*There are three types of ADUs – Detached (carriage houses), attached ADUs (typical with separate access points), and interior ADUs (completely within and indistinct from the principal dwelling unit).*

E. **Accessory Drive-Through.** Where accessory drive-thru facilities are permitted they shall be located in side or rear locations that do not interrupt the lot and building frontage, or otherwise be

## ARTICLE 7. ACCESS & PARKING STANDARDS

- 7.01 INTENT & APPLICABILITY
- 7.02 ACCESS & CIRCULATION
- 7.03 ~~REQUIRED PARKING~~
- 7.04 PARKING LOT DESIGN
- 7.05 LOADING

### 7.01 INTENT & APPLICABILITY

- A. **Intent.** The intent of this Section is to:
  1. Emphasize the importance of site access for a variety of modes of transportation.
  2. Preserve streetscapes and street functions by coordinating access along and internal to blocks.
  3. Create access and parking standards appropriate to the context of the project, considering street designs and surrounding development patterns.
  4. Provide the optimal amount of vehicle parking for individual sites, recognizing that too much and too little parking each have negative impacts.
  5. Ensure appropriate site and design features that mitigate the impact of parking on surrounding sites, including visual impacts on streetscape, physical impacts on adjacent property and proper stormwater management.
  6. Reduce the need to dedicate areas of individual, adjacent sites to underutilized or redundant surface parking.
  
- B. **Applicability.** An access and parking plan is required in association with a site plan, according to the application requirements in Article 2. Specifically it is required for:
  1. A change of use for an existing site or building, but only where the new use would require 125% or more parking than exists.
  2. An expansion of a building or use of a site by more than 20%.
  3. All new development of a site.
  4. Where additional parking is required for an existing site or building, the landscape and design standards shall only apply to the newly constructed parking, except when more than 50% of a parking area is added to, resurfaced or otherwise impacted, all parking and access shall comply with this section.

### 7.02 ACCESS & CIRCULATION

- A. **Driveways.**
  1. *Location and Spacing.* Driveway location and spacing shall be limited based on the functional class of streets in Table 7-1. Spacing distance between accesses shall be measured from the center of the access points, and from the perpendicular curb face of intersecting streets to the closest access point for intersection distances.

3. **Pedestrian Amenities.** Site plans shall include amenities that enhance safety and convenience and promote walking or bicycling as an alternative means of transportation. Site amenities may include bike racks, drinking fountains, canopies and benches. Sidewalks and internal circulation shall be separated from moving vehicles to the extent feasible with curbs, landscape buffers, curbside parking, and limited cross-walks.
  4. **Crossings.** All driveways and alleys shall generally intersect with sidewalks on the perimeter of the block at the sidewalk grade, and the material and construction of the sidewalk shall continue across the drive. For drive aisles and internal access streets, the vehicle grade may interrupt the sidewalk. Where the pedestrian crossing exceeds 24 feet, cross-walks or other features to identify pedestrian crossings may be required. Design features such as bump outs, raised crossings, medians or other landscape and urban design amenities that emphasize the pedestrian crossing and shorten the distance pedestrians cross dedicated vehicle ways may be considered.
- D. **Traffic Impacts.** Wherever the Director of Public Works determines that the above requirements will adversely impact the function of the transportation network in the vicinity of the site, either due to traffic impacts of the proposed use, or the design of the access in relation to the street scape, alternative access standards may be required to better meet the intent of this section. In addition, any specific access management study or plan for a portion of the city may alter the application of these standards and guidelines.

### 7.03 **REQUIRED PARKING**

- A. **Vehicle Parking Rates.** Table 7-5: Required Parking Guidelines provides general-suggested minimum requirements-parking rates and-applies for rates of all similar uses. Where the classification of the use is not determinable from the table, the Director shall determine the appropriate classification based on industry guides and the most similar use in terms of scale, function and operation. The follow criteria shall be used in interpreting the table:
1. A rate based on employees shall consider maximum number of employees likely to be on-site at one time.
  2. A rate based on square footage shall consider the service area open to the public or patrons, or leasable floor area. Where this number is not easily or readily determined, 85% of gross floor area may be used.
  3. A rate based on seating shall consider total number of seats. Where this number is not easily or readily determined, or is otherwise flexible it may be based on capacity of common formats and layouts of buildings based on industry standards.
  4. A rate based on capacity shall be the maximum permitted under public safety and building codes
  5. Where a rate results in a fraction, round up to highest whole number.
  6. Where uses or sites have components of different uses (i.e. hotel with a restaurant), each component calculated under most applicable rate.

**Table 7-5: Required Parking Guidelines**

<b>Residential Dwellings</b>	
Boarding or Rooming House	1 per bedroom
Hotel or Motel	2 per unit
Mobile Home Parks	2 per unit
Nursing Homes, Rest Homes	1 per 5 beds
Single Family Home	2 per unit
Multi-Unit Residential	2 per unit
<b>Civic / Institutional</b>	
Religious Institutions	1 per every 6 seats
Elementary, Junior High and Equivalent Parochial and Private Schools	2 per classroom
High Schools, Colleges, Universities and Other Similar Public or Private Institutions of Higher Learning	8 per classroom
Hospitals	1 per every 1.5 beds
Nursery Schools and Day Care Centers, Public or Private	1 per employee; AND 1 per 500 sq. ft. floor area
Fraternal Associations	1 per every 4 seats
<b>Commercial / Industrial</b>	
Automobile, Truck, Recreational Vehicle and Mobile Home Sales and Rental Lot	1 per 3,000 sq. ft. lot
Automobile Salvage Yards	1 per employee AND; 10,000 sq. ft. storage area
Laundromats	1 per every 2 machines
Financial, Business, and Professional	1 per <del>300-400</del> sq. ft. gross floor area <b>Minimum 3 spaces</b>
Bowling Alleys	4 per bowling lane
Cartage, Express, Parcel Delivery and Freight Terminal Establishments	1 per 2 employees* AND; Vehicles maintained
Automobile Wash	3 per washing stall
Funeral Homes and Mortuaries	1 per 4 seats
Furniture and Appliance Stores, Household Equipment or Furniture Repair Shop	1 per 400 sq. ft. floor area
Adult Entertainment Uses	1 per every 2 occupants
Manufacturing, Production, Processing, Assembly, Disassembly, Cleaning, Servicing, Testing or Repairing of Goods, Materials, or Products	1 per 3 employees
Medical and Dental Clinics or Offices	1 per <del>400-400</del> sq. ft. floor area
Restaurants, Private Clubs and Taverns	1 per <del>2.54</del> seats
Retail Stores and Shops	1 per <del>300-400</del> sq. ft. floor area
Service Stations	1 per employee



**Table 7-5: Required Parking Guidelines**

	2 per service bay
Theaters, Auditoriums, and Places of Assembly with Fixed Seats	1 per 4 seats
Warehouse, Storage and Wholesale Establishments	1 per <u>42</u> employees
All Other Business and Commercial Establishments Not Specified Above	1 per <u>300-400</u> sq. ft. floor area

B. **Maximum Parking.** No use shall provide more than 20% more than the minimum suggested required parking without documented evidence of actual parking demand based on studies of similar uses in similar contexts. In addition, any parking permitted over 20% shall require mitigating potential impacts of more parking through one or more of the following strategies:

1. Provide shared parking for other uses on the block or adjacent blocks according to Section 7.03.D.
2. Design all parking areas over the minimum as dual purpose space, such as plazas, playgrounds, event areas for regular use of the space during non-peak times (see civic space design standards).
3. Use alternative surface areas designed to infiltrate stormwater.
4. Provide additional buffers and site open spaces to screen parking and provide more active usable outdoor spaces for people in relation to the streetscape, of at least a 10% increase in the open space or buffers and at least a 25% increase in the amount of landscape material required for the parking.

C. **Parking Reductions.** The parking required-suggested by Table 7-5 may be reduced depending on context, and according to the following strategies:

1. *Walkable Commercial Contexts.* In the B-1 and B-2 districts, any use under 2,000 square feet is exempt from providing on-site parking, and all other uses in the B-1 and B-2 districts may reduce the required on-site parking by 30% provided the project is designed in a compact, walkable format with smaller blocks and walkable streets as specified in Article 3.
2. *On-street Parking Credit.* All on-street parking within 600 feet of any lot frontage shall count towards the parking requirement at a rate of one space for every three on-street spaces. However, any on-street parking in front of residential lots shall not count for non-residential uses in the area.
3. *Bicycle Parking Credit.* All on-site bicycle parking designed and located according to Section 7.03.E may reduce the required vehicle parking at a rate of one space for every four bicycle parking spaces up to a maximum of 15% of the required vehicle parking.
4. *Public Parking Credit.* Any site within 600 feet of a public parking area may reduce the required vehicle parking at a rate of one space for every two public parking spaces.
5. *Deferral of Parking Space Requirements.* A portion of the required parking may remain unimproved until the Planning Commission or the Governing Body deems it necessary to adequately serve parking demand. The Planning Commission or Governing Body, whichever is charged with granting final approval, shall determine that the initial occupancy of the premises will be adequately served by the lesser number of spaces and a site plan shall indicate the location, pattern and circulation to and from the deferred parking spaces. Any approval shall specifically indicate what event will trigger the construction of any deferred parking. The area reserved for future parking shall be

brought to finished grade and shall be landscaped, and it shall not be used for any permanent purpose or structure unless a revised site plan and parking plan is approved.

- D. **Shared Parking.** Required parking may be reduced for any site containing multiple uses, or for adjacent sites with different uses according to Table 7-6. Any shared parking arrangement shall require an agreement among all landowners participating in the agreement to ensure access, joint use, maintenance, and other operational issues. A reduction program that differs from Table 7-6 may also be approved in association with the agreement upon preparation of the joint parking study for the sites and uses.

**Table 7-6: Shared Parking**

Use	Percentage of Required Parking by Time Period				
	Weekday		Weekend		All
	6 AM to 5 PM	5 PM to 1 AM	6 AM to 5 PM	5 PM to 1 AM	1 AM to 6AM
Employment	100 %	10 %	5 %	5 %	5 %
Retail or Service	75 %	75 %	100 %	90 %	5 %
Restaurant	50 %	100 %	75 %	100 %	25 %
Entertainment & Recreation	30%	100 %	75 %	100 %	5 %
Church	5 %	25 %	100 %	50 %	5 %
School	100 %	10 %	10 %	10 %	5 %
Dwellings	25 %	90 %	50 %	90 %	100 %
Lodging	50 %	90 %	75 %	100 %	100 %

- E. **Bicycle Parking.** All non-residential or multifamily uses within 1,000 feet of a designated bicycle route or trail shall provide bicycle parking spaces according to Table 7-7. For convenience and security, bicycle parking facilities shall be located near building entrances, shall be visible from the land uses they serve, and shall not be in remote automobile parking areas.

**Table 7-7: Bicycle Parking**

Activity	Required Spaces
Primary or secondary School	25% of the number of students; AND 10% of number of employees
Retail or office uses	10% of the <del>required-suggested</del> vehicle spaces.
Other Institutional or Entertainment uses	5% of the <del>required-suggested</del> vehicle spaces.
Industrial Uses	3% of the number of employees.
Residential	<del>0.51</del> per dwelling unit

**7.04 PARKING LOT DESIGN**

**A. General Standards**

1. All minimum ~~required~~-suggested parking shall be reserved and used for that purpose except for what may be permitted through a Conditional Use Permit or Temporary Use Permit.
2. All required parking shall be on-site except as specifically provided in Credits or Shared parking sections. Additionally, the Planning Commission may allow for a portion of required parking to be located off-site through a site plan review, provided it is within 300 feet of the subject site, it is in a comparable zoning district, and an agreement demonstrating rights and control of the off-site property is provided.
3. All on-site parking lots shall provide a sufficient amount of barrier free accessible spaces, meeting the Americans with Disabilities Act guidelines for quantity, design and location.
4. All parking and access areas shall be designed to adequately address drainage and runoff, including curb, gutters and inlets, or any other drainage strategy approved by the Director of Public Works to support best management practices to minimize runoff and encourage infiltration of storm water.
5. All parking and access lighting shall meet the site design standards in Article 7.
6. In areas zoned other than A-1, R-1, or R-2, all parking areas and driveways shall be surfaced with a permanent bituminous or Portland cement concrete pavement meeting the standards and specifications of the City of Lansing.
7. In areas zoned A-1, R-1, or R-2, and not a part of a platted subdivision, all parking areas and driveways with one of the following options:
  - a. A permanent bituminous or portland cement concrete pavement meeting the standards and specifications of the City of Lansing.
  - b. Not less than a 4-inch-thick layer of compacted rock or gravel, however the first 50' adjacent to any public roadway is required to be surfaced with a permanent bituminous or portland cement concrete pavement, and all areas must meet the standards and specifications of the City of Lansing.
8. The Director of Public Works may approve alternate surfaces that demonstrate superior stormwater management performance and sufficient durability and long-term maintenance is demonstrated, for any area of the city.

**B. Location.** On-site parking shall be designed and located in a manner that mitigates negative impacts on streetscapes and adjacent property. Table 7-8 provides general location, size and landscape requirements. These requirements may be modified by specific standards applicable to specific zoning districts in Article 5 and Article 6.

**Table 7-8: Parking Location, Size, and Landscape Requirements**

<i>Spaces per Block</i>	<i>Front</i>	<i>Side</i>	<i>Rear</i>
<i>200 or more</i>	* Must be broken into smaller parking blocks.	* Must be broken into smaller parking blocks.	10% Internal Landscape Islands; AND 12' Perimeter Buffer.
<i>150 - 199</i>	* Must be broken into smaller parking blocks	10% Internal Landscape Islands; AND 12' Perimeter Buffer.	8% Internal Landscape Islands; AND 10' Perimeter Buffer.
<i>100 - 199</i>	8% Internal Landscape Island 10' Perimeter Buffer; AND 20' Front Setback Buffer	8% Internal Landscape Islands; AND 10' Perimeter Buffer.	5% Internal Landscape Islands; AND 8' Perimeter Buffer
<i>50-99</i>	8% Internal Landscape Islands; 10' Perimeter Buffer; AND 20' Front Setback Buffer	5% Internal Landscape Islands; AND 8' Perimeter Buffer	8' perimeter buffer
<i>20-49</i>	5% Internal Landscape Islands; AND 8' Perimeter buffer;	5% Internal Landscape Islands; OR 8' Perimeter Buffer	No requirement other than 6' setback

## ARTICLE 4. ZONING DISTRICTS & USE STANDARDS

- 4.01 ZONING DISTRICTS & INTENT
- 4.02 GENERAL DEVELOPMENT STANDARDS
- 4.03 PERMITTED USES
- 4.04 ACCESSORY USE STANDARDS
- 4.05 SPECIFIC USE STANDARDS
- 4.06 TEMPORARY USE STANDARDS

### 4.01 ZONING DISTRICTS & INTENT

The boundaries of the districts are shown on the official Zoning District Map of the City of Lansing, Kansas. The Zoning District Map, with all notations, references, and other information shown thereon, is as much a part of these zoning regulations as if such Zoning District Map with all notations, references, and other information was specifically set forth herein.

#### **Zoning Districts and Intent.**

*"A-1" Agricultural District.* The purpose of this district is to provide for agricultural and related uses, and to preserve and protect agricultural resources.

*"R-1" Suburban Residential District.* The intent of the R-1 district is to provide for low density, single-unit detached residential buildings, including those uses which reinforce residential neighborhoods.

*"R-2" Single-Unit Residential District.* The intent of the R-2 district is to provide for single-unit residential buildings at a higher density than the R-1 District, to support and encourage more walkable residential neighborhoods.

*"R-3" Mixed-Density Neighborhood District.* The intent of the R-3 district is to provide for moderate density residential development with a variety of housing options, in patterns that create strong, walkable neighborhoods near civic and commercial destinations. The building scale, frontage designs, and streetscape are compatible throughout the district, and an emphasis on design details and neighborhood character create comfortable places for people.

*"R-4" Multi-Family Residential District.* The intent of the R-4 district is to provide for high density residential development, including single-unit, two-family and multi-family residences, in strong residential neighborhoods.

*"R-5" Manufactured Home Planned District.* The R-5 district is intended for planned development's that provide smaller-format manufactured or modular homes that include common amenities in a neighborhood or community setting, designed in a manner that is compatible with the surrounding community. The R-5 district is a specific form of a planned district requiring review and approval as provided in Section 2.04 Planned Development procedures.

*"B-1" Neighborhood Business District.* The intent of the B-1 district is to provide a zone which is suitable for small scale businesses serving primarily local needs. The B-1 district is most appropriate for buildings that front onto local side streets that provide primarily neighborhood-oriented retail and office uses. These areas serve as a transition from automobile-oriented environments along K-7 to the adjacent residential neighborhoods and schools.

*"B-2" General Business District (Town Center).* The intent of the B-2 district is to provide a zone which is suitable for retail shopping and offices that are typically located in the core area of a city.

*"B-3" Regional Business District.* The intent of the B-3 district is to provide for those commercial uses which are intensive in nature and require larger lots and direct access to major streets. The B-3 district is most appropriate for automobile oriented, regional commercial and office development. Within this area, pedestrian links shall be provided to connect the local streets located on each side of K-7 that serve to connect the residential neighborhoods, schools and parks.

*"I-1" Light Industrial District.* The intent of the I-1 district is to permit industrial uses that are not obnoxious due to appearance, noise, dust, or odor; that do not require intensive land coverage; and that can be compatibly developed with adjacent districts.

*"I-2" Heavy Industrial District.* The intent of the I-2 district is to allow basic or primary industries which are generally incompatible with residential or commercial uses.

## 4.02 GENERAL DEVELOPMENT STANDARDS

- A. **Generally.** The height, area, and bulk requirements for the various districts are established by Table 4-1. The Development Standards for each district are dependent on the provisions in Article 5 and Article 6.

**Table 4-1: General Development Standards**

ELIGIBLE ZONING DISTRICT	HEIGHT, AREA AND BULK STANDARDS					
	MIN. SIZE	LOT STANDARDS MIN. WIDTH	HEIGHT	FRONT	MINIMUM SETBACK INTERIOR SIDE	REAR
A-1	1 acre	160 ft.	2.5 stories / 35 ft.	40 ft.	16 ft.	40 ft.
R-1	6,000 s.f.	50 ft.	2.5 stories / 35 ft.	20 ft.	10 ft.	20 ft.
R-2	4,000 s.f.	40 ft.	2.5 stories / 35 ft.	15 ft.	10 ft.	15 ft.
R-3	See Article 5 development standards specific to R-3 Walkable Neighborhood District.					
R-4	10,000 s.f.	60 ft.	3 stories / 45 ft.	25 ft.	10 ft.	30 ft.
R-5	See Article 5 for development standards specific to Residential Manufactured Home Planned District.					
B-1	6,000 s.f.	50 ft.	3 stories / 45 ft.	Sec. 5.03*	0 ft. **	25 ft.
B-2	6,000 s.f.	50 ft.	3 stories / 45 ft.	Sec. 5.03*	0 ft. **	None.
B-3	10,000 s.f.	60 ft.	3 stories / 45 ft.	Sec. 5.03*	0 ft. **	20 ft.
I-1	6,000 s.f.	50 ft.	3 stories / 45 ft.	20 ft.	N/A**	25 ft.
I-2	10,000 s.f.	80 ft.	3 stories / 45 ft.	20 ft.	N/A**	N/A**

\*Front setbacks for commercial districts are based on street contexts and allowed Frontage Types defined in 5.03.

\*\*If abutting residential district, setback shall be a minimum of 10 ft.

- B. **Requirements.** The following general requirements apply to all zoning districts, except where specifically noted otherwise in these regulations:
1. All structures or uses of land shall require a permit prior to initiation, construction or any other related development activity, unless specifically exempt from a permit by this code. The permit shall authorize the building, structure or use according to the standards and procedures of this code.
  2. All required yards, setback areas or other open space shall remain unenclosed and open to the sky, unless the design standards applicable to a particular lot, building type or open space specifically allow otherwise.
  3. No use, structure or lot shall be maintained in any way that is damaging or harmful to adjacent property, or to the general public health, safety and welfare.
- C. **Exceptions.** The regulations for height, setback and design of buildings and lots do not apply to the following situations:
1. *Height Exceptions.* The height regulations as prescribed in this Chapter shall not apply to:
    - a. Accessory building elements integral to the design and construction of the building, such as belfries, chimneys, ornamental towers and spires, elevator bulkheads, cooling towers, smoke stacks or other equipment, provided they meet all applicable screening requirements and they are not otherwise extended to specifically avoid the intent of applicable height limits.
    - b. Site elements, flag poles, monuments, water towers, fire towers provided they are setback from the property line at least one foot for each one foot of additional height above the height limit for the district in which it is located.
    - c. Public, semi-public or public service buildings, hospitals, institutions, or schools, when permitted in a district, may have a maximum height of 60 feet, and churches and temples may have a maximum height of 75 feet, when the required side and rear yards are each increased by at least one foot for each one foot of additional building height above the height regulations for the district in which the building is located.
  2. *Lot Exceptions.* The following are exceptions and supplemental standards for the lot area and setback standards in this Chapter:
    - a. Whenever a lot abuts upon a public alley, one-half of the alley width may be considered as a portion of the required setback.
    - b. Every part of a required setback shall be open to the sky except for: ordinary projections of roof lines, eaves, gutters, soffits, sills, belt courses, awnings and canopies without independent supports, window wells, egress windows, accessible ramps, stairs, window air conditioning units, chimneys, cornices and ornamental features which may project to a distance not to exceed 24 inches into a required yard; or statuary, arbors, trellises, flagpoles, landscaping, lighting and similar ornamental features which shall be allowed within the required setback areas.
    - c. Where a lot is used for a commercial or industrial purpose, more than one main building may be located on the lot, but only when such buildings conform to all open space requirements around the lot for the district in which the lot is located.
  3. *Yard Encroachments.* The following accessory elements of buildings may exceed the required setbacks:  
In residential districts, primary entrance features such as porticos, stoops, or unenclosed porches may extend up to 10 feet into the required front setback provided:
    - (1) No encroachment shall be closer than five feet from the right-of-way.

- (2) Any roof structure associated with the features shall be single-story.
- (3) Any porch must include usable space, typically a depth of at least eight feet and a width of at least 12 feet.
- (4) Any enclosure is limited to no more than 24 square feet.
- (5) All primary entry features are integrated into the overall building design including materials, architectural style and details, and roof structures.

- D. **Accessory Buildings.** Accessory buildings shall be permitted in association with and on the same lot as a principal building and are subject to the following additional limitations:
1. *Generally.* No accessory building shall be erected in any required front or side yard, and no detached accessory building shall be erected closer than 5 feet to any other building. No accessory building shall cover more than 30% of the rear yard.
  2. *Small Sheds.* Accessory buildings 120 square feet or less and less than 10 feet tall shall be limited to one per lot, located behind the rear building line of the principal building, and be no closer than 5 feet from the rear or side property line.
  3. *Detached Building.* Accessory buildings over 120 square feet shall meet the following:
    - a. Located behind the front building line.
    - b. Be at least five feet from the rear or side lot line, except that any accessory building providing garage access off a rear alley may be located within three feet of the rear lot line.
    - c. Be no more than one and one-half stories, or no higher than the principal building, whichever is less.
    - d. Be limited to no more than 30% of the required rear yard.
    - e. Be constructed with materials, architectural details and style, and roof forms that are compatible with the principal structure. Any accessory building larger than 120 square feet not meeting this criteria shall meet the setback requirements for the principal structure.

### 4.03 PERMITTED USES

- A. **Table of Uses & Definitions.** In order to implement the intent of each zoning district, facilitate complimentary transitions between districts, and to regulate a variety of compatible uses within zoning districts, use categories and general uses have been established for principal uses of land and buildings. Table 4-2 indicates permitted uses (■) subject to general district and building development standards, conditional uses (C) subject to the discretionary review process, and uses with supplementary standards (\*) related to specific uses.

Table 4-2: Permitted Uses	A1	R1	R2	R3	R4	R5	B1	B2	B3	I1	I2
<b>CIVIC / INSTITUTIONAL</b>											
Armed Forces Reserve Center							■	■	■		
Assembly – Small											
Assembly – General	C						■	■	■		
Assembly – Event Venue							■	■	■		
Bus Passenger Terminals							■	■	■	■	
Cemeteries and Mausoleums	■	■	■	■	■	■	■	■	■	■	■
Cultural and Public Service	■	■	■	■	■	■	■	■	■	■	■
Open / Civic Space	■	■	■	■	■	■	■	■	■	■	■
Schools –Neighborhood	■	■	■	■	■	■	■	■	■		
Schools – Community	■	■	■	■	■	■	■	■	■		
Schools - Regional							C	■	■		
Social Services Agency (Ord. 424, Sec. 1)		C	C	C	C	C	C	C			
<b>RESIDENTIAL DWELLINGS</b>											
Detached house, standard	■	■	■	■	■						
Detached House – Neighborhood Lot				■							
Detached House – Compact Lot				■							
Duplex or two-unit house			C	■	■						
3- to 4-plex				■	■						
Row house				■	■						



Table 4-2: Permitted Uses	A1	R1	R2	R3	R4	R5	B1	B2	B3	I1	I2
Small Apartment (3-12 units)				■							
Medium Apartment (12-40 units)				■	■		C				
Mixed-use* (Dwellings above commercial / service)							■	■	■		
Live/Work				C	C		■	■			
Congregate Living				■	■		C				
Accessory Dwelling*	■	■	■	■							
Home Occupation*	■	■	■	■	■	■					
Manufactured Home						■					
<b>RETAIL</b>											
Retail – Micro*					■	■	■	■	■	■	
Retail – Light							■	■	■		
Retail – General								■	■		
Retail – Heavy									■	■	
Grocery – Market							■	■	■		
Grocery – Store								■	■		
Grocery – Supermarket									■		
Outdoor Sales and Display – Yard	C						■	■	■	■	■
Outdoor Sales – General	C								■	■	
Outdoor Sales – Heavy	C								■	■	■
Convenience Store/Fuel Station							C	■	■	■	
<b>SERVICE AND EMPLOYMENT</b>											
Adult Entertainment							C				
Animal Care – Kennel*	C								C	C	
Animal Care – General	C						■	■	■		

Table 4-2: Permitted Uses	A1	R1	R2	R3	R4	R5	B1	B2	B3	I1	I2
Animal Care – Large									■	■	
Automobile and Truck Wash Services									■	C	
Day Care, In-Home – Major*		C	C	C	C	C					
Day Care Center					C		■	■	■		
Funeral Home and Interment							C	C	■		
Food and Beverage – Limited							■	■	■		
Food and Beverage – General								■	■		
Healthcare – General							■	■			
Healthcare – Large									■	■	
Lodging								■	■		
Office – General							C	■	■		
Office – Large / Complex									■	■	
Personal Service / Office – Limited							■	■	■		
Personal Service – General								■	■	■	
Personal Service – Heavy									■	■	
Personal Service – Household Industrial									C	■	■
Personal Storage – Indoor								C	■	■	
Personal Storage – Outdoor									■	■	
Recreation/Entertainment – Indoor Minor (less than 10K)	C						■	■	■		
Recreation/Entertainment – Indoor Major (10K or more)	C								C	■	■
Recreation/Entertainment – Outdoor Minor	C					C		■	■	C	
Recreation/Entertainment – Outdoor Major	C								C	■	

Table 4-2: Permitted Uses	A1	R1	R2	R3	R4	R5	B1	B2	B3	I1	I2
Recreation – Campground*	C										
Residential Care – Independent Living					C		■	■			
Residential Care – Assisted Living					C		C	■	■		
Residential Care – Long-term Care					C		C	C	■		
Vehicle/Equipment Service and Repair – Limited							C	C	■	■	
Vehicle/Equipment Service and Repair – General									■	■	■
Vehicle/Equipment Service and Repair – Heavy										C	C
<b>INDUSTRIAL</b>											
Commercial Storage – Indoor									■	■	■
Commercial Storage – Outdoor Minor									■	■	■
Commercial Storage – Outdoor Major										C	■
Extractive Industry / Natural Resource Processing	C										
Freight and Distribution – Light								■	■	■	■
Freight and Distribution – Heavy										■	■
Landfill and Waste Processing Facility	C										C
Manufacturing – Limited / Artisan							C	■	■	■	■
Manufacturing - Light								C	C	■	■
Manufacturing - Moderate										■	■
Manufacturing - Heavy											C
Petroleum Bulk Stations and Terminals, Liquid Petroleum Gas										C	■
Water Treatment Plants and Storage	■							■	■	■	■

Table 4-2: Permitted Uses	A1	R1	R2	R3	R4	R5	B1	B2	B3	I1	I2
<b>AGRICULTURE</b>											
Agri-Tourism	C										
Agriculture – Light Processing	■										
Agriculture – Heavy Processing	C									C	■
Apiaries (Hobby)*	■*	C	C								
Farmers Market	■						C	■	■		
Farming – Light	■										
Farming – Commercial	C									C	C
Farming – Homestead	■										
Riding Stables	C										
<b>COMMUNICATIONS</b>											
Wireless Communication Antenna	C							■	■	■	■

## RESIDENTIAL DWELLINGS

The Residential Dwelling category is the principal use of land and buildings for dwelling units. The arrangement and extent of dwelling units depends on the zoning district, lot sizes and building types, arranged in the following types:

*Accessory Dwelling* – A dwelling unit, either in a detached accessory structure, or included within a principal structure, that is located on the same lot as a detached house and is incidental to the principal use of the lot for a principal dwelling. Examples include a garage apartment, basement apartment or second level / attic apartment. Can also be known as an Alley flat, carriage house, casita, granny suite, in-law suite, or guest house, among other names.

*Congregate Living* – Congregate Living is characterized by the residential occupancy of a structure by a group of people who do not meet the definition of “one household,” but often share a common situation or facilities. Congregate living does not include residential care facilities or correctional facilities, but may include dormitories, monasteries, or convents.

*Home Occupation* - A business, profession, service, or trade conducted for gain or support entirely within an owner-occupied residential dwelling and/or its accessory structures, when such activities are clearly incidental or subordinate in use to the dwelling and may involve limited on premise interaction with customers.

*Live / Work* - A residential building type designed with a single dwelling unit, but where an additional component of the structure is designed for a small-scale business function run by the occupant. Live /

Work units can either be detached structures or attached with common party walls with other Live/Work units similar to the Row House configuration.

*Manufactured Home Community* – a parcel of land planned and designed for multiple home sites for the placement of manufactured, mobile or other small homes, and used for the principal dwelling of households for long-term residency. Home sites may either be located on a single lot, owned through appropriate condominium procedures, or platted for individual ownership of each site under certain conditions.

*Mixed Use (apartment over commercial / service)* – Residential use or occupancy of one or more dwelling units in a structure designed or used for other principle non-residential uses.

*Multi-unit Household Living* – Buildings with two or more dwelling units, dependent on specific building types permitted in each district, where each is designed for occupancy by one household.

## **CIVIC / INSTITUTIONAL**

The Civic / Institutional category is the use of land and buildings to serve public or community interest by enhancing the daily cultural, social, or recreation need for residents and neighborhoods, whether by way of open and public citizenship, by property ownership or residency, or by membership affiliation. It includes the following types:

*Assembly – Small* – Places of public assembly designed and located to serve community or civic needs for residents of nearby neighborhood(s) with regular or periodic organized services or events, and typically designed for no more than 600 people at maximum occupancy. Examples include a neighborhood association club houses, meeting hall, or small religious facility.

*Assembly – Large*. Places of public assembly designed and located to serve community or civic needs of a broad vicinity with regular or periodic organized services or events, and typically designed for more than 600 – 1,200 people. Examples include a community center, small event hall or large religious facility.

*Assembly – Event Venue* - Places of public assembly designed and located to serve community or civic needs of the city or region and typically designed for 1,200 or more. Examples include an auditorium, large event hall or major worship hall.

*Cemetery / Mausoleum* – Land or building used for the burial of the deceased and dedicated for interment purposes, including both human and animals.

*Cultural and Public Service* – A civic use offering education, arts and cultural materials or attractions for the general public, including exhibits and events; or offering administrative, social, tourism, or charitable services to the general public. Examples include museums, libraries, charitable or philanthropic centers, tourist information centers, and similar uses.

*Open / Civic Space* - Areas preserved as primarily open land, except for accessory structures, and designed to serve a specific urban design function for natural, ecological, aesthetic, recreational or formal gathering purposes. (see Section 4.02 and 8.02 for more specific types)

*School; Neighborhood* – A small public or private institution for primary or secondary education and typically serving up to 600 students, primarily targeted to neighborhoods within 1 mile. Special purpose schools that have a larger target area but are designed and scaled to perform similarly to a neighborhood school may be included in this type.

*School; Community* – A large public or private institution for primary or secondary education and typically serving more than 600 students and targeted to the broad vicinity, including neighborhoods beyond 1 mile.

*School; Regional* – A public or private institution for post-secondary education, skills and trade instruction or job training, targeted to the region. Examples include colleges, universities, and vocational/technical schools.

*Social Service Agency* – Agencies relating to family services, not including residential, correctional, rehabilitation, and treatment facilities. (see *Ordinance 424, Section 1*)

## **RETAIL**

The Retail category is the use of land and buildings for the sale, lease or rental of products to the general public with frequent interaction of patrons or consumers on premises. The types of uses in this category are dependent on the size of gross leasable area per tenancy, where the smaller formats (Micro, Neighborhood or Small) are typically dependent on a target market of consumers within the neighborhood or 1-mile area, and where the larger formats (General, Large and Warehouse) are typically dependent on a target market beyond the 1 mile area.

*Convenience Store/Fuel Station* – A retail use engaged in the sale of fuel and other convenience goods to the general public, and may include accessory repair or maintenance services. The use is limited to no more than 12 fueling stations and no more than 4 garage service bays. Examples include a small convenience center or large gas station.

*Grocery – Market* – A retail use selling food and produce or specialty food products for household consumption in a small-scale format under 20,000 square feet. Examples include a corner market, butcher shop, produce stand or similar food store.

*Grocery – Store (20K – 45K)* – A retail use selling food, produce and other household products for household consumption in a small-scale format at least 10,000 but less than 45,000 square feet. Examples include a small grocery store that may serve as the anchor to a small-scale walkable center.

*Grocery – Supermarket (45K+)* – A retail use selling food, produce and household products for household consumption in a large-scale format, at least 45,000 square feet. Examples include a large-format grocery or supermarket, or a similar function housed within a larger warehouse retail store.

*Outdoor Sales – Yard* - The limited accessory display of merchandise on a sidewalk or an exterior private area of a site associated with the otherwise permitted non-residential use. The display is further limited by the following: (1) it only occurs during business hours; (2) all components of the sale are removed from the site and brought indoors during non-business hours; and (3) is limited to sales or events lasting no more than 7 days with at least 30 days between consecutive events. Examples include a sidewalk sale or farm truck / produce stand.

*Outdoor Sales – Seasonal* - The accessory display and sale of merchandise on a sidewalk or exterior private area of a site associated with an otherwise permitted non-residential use, where merchandise may be kept outdoors or where a portion of the site or area is designed and dedicated to facilities to support the display and sale. The display may be further limited by applicable temporary use standards outlined in Section 4.05.

*Outdoor Sales – General* - A retail use where the primary business is associated with merchandise that can only be displayed permanently and year-round out of doors. Examples include a small-scale nursery, a lumber yard, or a small machine or equipment sales.

*Outdoor Sales – Heavy* - A retail use where the primary business is associated with large-scale equipment and merchandise that can only be displayed permanently and year-round out of doors. Examples include a motor vehicle sales lot, equipment sales lot, boat or recreational vehicle sales lot, large nursery, large machine or farm implement sales yard.

*Retail – Micro* - A small scale retail use under 500 square feet, including food trucks, sales kiosks or machines, and other temporary or permanent sales receptacles.

*Retail – Light* – A small scale retail use at least 500 but less than 6,000 square feet.

*Retail – General* – A retail use at least 6,000 but less than 20,000 square feet.

*Retail – Heavy*– A large-scale retail use at least 20,000 but less than 100,000 square feet.

## **SERVICE & EMPLOYMENT**

The Service and Employment category is the use of land and buildings for businesses engaged in the exchange of professional and individual services. It includes the following types:

*Adult Entertainment* – An establishment used for presenting, selling or featuring material or entertainment that is characterized by an emphasis on displaying, depicting, describing, or relating to specified content that is sexual in nature and which excludes minors by their age. (*Section 4.04-F*)

*Animal Care*. A service use offering professional medical care or boarding, grooming and training for animals. This use type is further categorized by the following formats.

*Animal Care – Kennel* – A service use for the boarding of animals, where there are outside areas or facilities where more than four dogs are kept for purposes of breeding, boarding, or care.

*Animal Care – General* – A service use offering basic care for animals in an indoor setting, and which may include services offered outside of normal business hours. Examples include a small veterinary office, grooming service, animal hospital or rehabilitation facility.

*Animal Care – Large* – A service use offering full care for animals with activities taking place in large scale indoor and/or outdoor facilities, and which may include services offered outside of normal business hours. Examples include large animal hospitals, kennels, animal adoption agencies or other similar facilities.

*Day Care*. A service use engages in the business of providing daily care for individuals unable to care for themselves, including recreation, education and supervisory services. This use type is further categorized by the following formats:

*Day Care – In home, major*. A day care use for more than 6 children under the age of 18, in a residential building and as an accessory use to the dwelling. The day care provider shall be licensed with the State of Kansas, and shall comply with all applicable regulations.

*Day Care – Center*. A day care use for individuals in a commercial building.

*Funeral Home and Interment* – A service use accommodating preparation and ceremony for the burial of the deceased.

*Food and Beverage.* A service use engaged in the business of serving prepared food and beverages to the public for immediate consumption. This use type is further categorized by the following formats:

*Food and Beverage – Accessory Drive-Thru* – A portion of a facility that relates to dispensing products or services to patrons who remain in vehicles. May include a window, driving lane, outside menu boards, and other interior or exterior features and equipment dedicated for this purpose.

*Food and Beverage – Accessory Outdoor* – A porch, patio, deck or other area of land used for seated dining which is not within the interior building walls of a restaurant or eatery.

*Food and Beverage – Limited* – A service use that prepares and sells food and beverages for on premise consumption, and may include accessory off-premise consumption through carry-out or drive-through services, and may also include on premise consumption of alcoholic beverages and/or accessory indoor entertainment.

*Food and Beverage – General* – A service use that prepares and sells food and beverages for on premise consumption, but where alcohol sales are a majority of the sales and food services are subordinate to this function, or where entertainment events by tickets or cover charge, or other significant attractions are held during nighttime or evening business.

*Health Care – General* – A facility where multiple groups of physicians, dentists or other health care professionals offer a range of services in a shared office setting primarily during normal business hours.

*Health Care – Large* – A large institution offering full-service, 24-hour, in-patient, out-patient and emergency health care services, including a wide range of accessory office, cafeteria and other uses that support the institutional setting.

*Lodging* – A service use by a licensed (where applicable) business providing accommodations for short-term overnight occupancy.

*Office – General* – An office use where the total gross leasable area is at least 6,000 but less than 40,000 square feet, and may include more than one building.

*Office – Large / Complex* – An office use where the total gross leasable area is at least 40,000 square feet, or involves more than one building in a complex.

*Personal Services* – A service use providing professional or individual services and where frequent interaction with the general public, consumers or patrons occurs on the premises. This use type is broken into the following sub-classes based on scale and intensity:

*Personal Service / Office – Limited* – An employment use or personal service where the gross leasable area is under 6,000 square-feet. Examples include a neighborhood barber shop or hair salon, a small professional office (lawyer, accountant, architect, or travel agent), a small medical service such as a dentist, a small bank, dry cleaners or tailor.

*Personal Service – General* – A service use where the gross leasable area is at least 3,000 and less than 10,000 square feet. Examples include a large spa or beauty complex, tattoo shop, a copy center, large post office or mail center, or laundry mat.



*Personal Service – Heavy* – A service use where the gross leasable area is 10,000 square feet or more. Examples include a large bank, equipment repair shop, or other service for consumers or other businesses that requires larger spaces.

*Personal Service – Household Industrial* – A service use involving the management of household waste and other environmental or performance impacts. Examples include exterminating and disinfecting services, cleaning and repair of household items, and linen supply and industrial laundry services.

*Personal Storage – Indoor* – A service use where individual units accessed from inside of a building are offered for rent or lease for the storage of personal property.

*Personal Storage – Outdoor* – A service use where individual units accessed from outside of a building are offered for rent or lease for the storage of personal property.

*Recreation/Entertainment – Indoor* – A service use providing daily or regularly scheduled activities for entertainment, instruction or exercise inside a building and open to the general public or through membership. This use type is broken into the following sub-classes based on scale and intensity:

*Recreation/Entertainment – Indoor Minor (less than 10K)* – Indoor recreation that involves a building less than 10,000 square feet. Examples include a small bowling alley, fitness club, billiard hall, martial arts centers, yoga studio, or dance studio.

*Recreation/Entertainment – Indoor Major (10K or more)* – Indoor recreation that involves a building 10,000 square feet or more. Examples include a large bowling alley, sports and recreation center, theater complex, large health club, or shooting range.

*Recreation/Entertainment – Outdoor* – A service use providing daily or regularly scheduled activities for entertainment, recreation or exercise outside and open to the general public or through membership. This use includes accessory buildings for the transaction of business and accessory indoor services. This type is broken in to Major and Minor based on the scale and intensity of the use.

*Recreation/Entertainment – Outdoor Minor* – Examples include driving range, miniature golf, golf course, swimming pool, tennis, batting cage, small band shell or amphitheater.

*Recreation/Entertainment – Outdoor Major* – Examples include theme park, water park, fairground, zoo, drive-in theater, shooting range, skeet and trap range, racetrack.

*Recreation – Campground* – A service use providing overnight accommodations within a large open area for recreational purposes.

*Residential Care – Independent Living* – A facility providing residential living, social programs and limited health care services for residents, where the social and healthcare services are accessory to the building(s) and site design emphasizing household living, where the social programs and health care services are limited accessory elements in terms of the function and extent, and where dedicated staff are present primarily during normal business hours. Examples include retirement villages or independent living communities.

*Residential Care – Assisted Living* – A facility providing long term care, health services and residency, that admits residents on medical referral, and where medical, behavioral and rehabilitative care is necessary beyond normal business hours. Examples include nursing homes, assisted living centers, or other similar care facilities.

*Residential Care – Long-term Care* – A facility offering long-term care for individuals residing on the site that need a high degree of services or monitoring, and where full-time staff are present on the premises at all times, and where the building(s) and site design emphasize the institutional function, secondary to the residential accommodations. Examples include treatment centers, hospice centers, homeless shelters, or other facilities with a high intensity of care or supervision.

*Temporary Use*. A use established for a limited and fixed period of time, and upon its discontinuance no structures, facilities or other impacts on the site remain and the site is otherwise restored to its pre-use condition. Examples include short-term events such as festivals, carnivals, or art exhibits; seasonal sales such as farm produce, holiday tree stands, or pumpkin sales; general merchandise outdoor sales stands such as flower stands, arts and crafts sales, or other general merchandise.

*Vehicle/Equipment Service and Repair – Limited* – A service use engaged in motor vehicle maintenance and repair services, and accessory retail sale of supplies and accessories, but limited to small scale operations that involve no more than 3 vehicle service bays, and where all work and storage of equipment and supplies occurs indoors, and where on-site or overnight storage of vehicles is limited to no more than 8 cars on the lot. Examples include a small neighborhood mechanic shop, lubricant center, tire store, auto glass installation or audio or alarm installation.

*Vehicle/Equipment Service and Repair – General* – A service use engaged in equipment and motor vehicle maintenance and repair services, and accessory retail sale of supplies and accessories, that involves 4 or more vehicle service bays, where all work and storage of equipment and supplies occurs indoors, but where on-site or overnight storage of vehicles may involve 9 or more cars on the lot. Examples include large mechanic shop, lubricant center, tire store, auto glass installation or audio or alarm installation or an auto body shop where the likelihood of overnight storage, outdoor storage and over-night or multi-day drop off is more likely.

*Vehicle/Equipment Service and Repair – Heavy* – A service use engaged in the maintenance and repair of motor vehicles, commercial vehicles or heavy equipment, and accessory retail sale of supplies and accessories, that is likely to involve larger outdoor storage areas for vehicles and supplies, and where larger multi-bay garages or warehouses are needed to conduct services.

## **INDUSTRIAL**

The Industrial category is the use of land and buildings engaged in the production, processing, storage or distribution of goods with potential impacts beyond the site due to the types of activities, the physical needs of the site or facility, the types of materials used, or the delivery and access operations, and which in typical formats and operations may not be compatible with other business uses. It includes the following types:

*Commercial Storage – Indoor* – Storage of consumer products or small-scale commercial products inside a building. Examples include mini-warehouses where all storage areas including those leased or rented to individual customers are accessed from inside the principal building.

*Commercial Storage – Outdoor Minor* – Storage of consumer products or small-scale commercial products on an outdoor lot. Examples include contractor's yard, or similar facility where products used in other small business operations are stored for distribution.

*Commercial Storage – Outdoor Major* – Storage of commercial products or large-scale machinery on an outdoor lot. Examples include boat or RV storage, towing service storage yard, or similar large-scale storage lots and facilities.

*Extractive Industry / Natural Resource Processing* – The growth, harvesting, and preparation of byproducts of land (other than agriculture) for distribution and sale as a raw material in some other manufacturing process, where the growth and harvesting involves outdoor machinery operation or outdoor storage. Examples include a quarry, mining operation, oil or gas well, or wood storage yard.

*Freight and Distribution – Light* – An industrial logistics use involved in the storage, order processing and distribution of consumer products where all operations occur indoors, and where delivery and distribution occur through commercial truck access. Examples include distribution center, warehouses, moving and storage operations, cold storage, parcel services and similar uses.

*Freight and Distribution – Heavy* – An industrial logistics use involved in the storage, order processing and distribution of business products or raw materials where operations may involve outdoor activities, and where delivery and distribution occur through large truck, freight or heavy equipment access. Examples include freight terminals, fleet vehicle terminals, bulk material storage and distribution, cargo container facilities, and similar uses.

*Landfill and Waste Processing Facility* – An area dedicated to the storage, processing, treatment and distribution of waste products. Examples include scrap or salvage yards, transfer stations, and other similar uses.

*Manufacturing – Limited / Artisan* – A small-scale Industrial use where activities produce little or no byproducts such as smoke, odor, dust or noise discernable from outside of the building, where deliveries and distribution are made by general consumer delivery services requiring no special large truck access, and where products are made available to the general public. Uses typically occupy buildings or spaces under 10,000 square feet of gross leasable area. Examples include artists' studios, small wood or metal shops, craft manufacturing, small bakery or micro-brewery, or other similar small-scale assembly of finished products.

*Manufacturing – Light* – An industrial use where little or no byproducts such as smoke, odor, dust or noise are discernable from outside of the building, and where distribution and delivery needs occur through light to moderate commercial truck access. Examples include research labs or facilities, small equipment or commodity assembly, warehousing or wholesaling of consumer products, commercial bakery, non-retail laundry services, or similar businesses that provide products for support of other businesses.

*Manufacturing – General* – An industrial use where byproducts such as noise, dust, smoke or odor are produced, but are mitigated to limit impacts beyond the property boundary. Outside storage and activities may be necessary, and distribution and delivery needs involve frequent or large truck access. Examples include large scale manufacturing or fabrication plants, food production and manufacturing plants, metal fabrication plants, chemical laboratories or other similar high-intensity manufacturing or distribution operations.

*Manufacturing – Heavy* – An industrial use capable of producing significant byproducts such as noise, dust, smoke or odor beyond the building or site, or where hazardous materials may be stored, used or produced as a typical part of the business, and distribution involves heavy truck, freight and machinery access. Examples include chemical, wood or metal storage and production, pressing and dyeing plants, asphalt or cement production, animal processing or other heavy or hazardous manufacturing operations.

## **AGRICULTURE**

The Agriculture category is for the use of land and buildings in the production of food, fiber or raw materials raised and harvested on large land areas in a rural or open setting.

*Agri-Tourism* – The accessory use of a commercial farm for special events or retail activities in typical agricultural structures or settings.

*Agriculture – Light Processing* – The storage, processing and distribution of farm products produced on-site where only small-scale facilities are necessary.

*Agriculture – Heavy Processing* – The aggregation, storage, processing and distribution of farm products. Examples include grain elevators, livestock auction yard, stockyard or rendering plant.

*Apiaries (Hobby)* – The keeping of bees and beehives for hobby purposes.

\*Allowed on property larger than 5 acres but hives must not be located within two hundred (200) feet of any existing structure not owned by the owner of the hives, if the parcel is less than 5 acres, this use requires a Conditional Use Permit.

*Farming – Light* – The primary use of land for small scale production of field crops or horticulture for food, where only small-scale accessory storage facilities and light machinery is necessary. Examples include a community garden, greenhouse, or other small productive edible landscape area.

*Farming – Commercial* – The primary use of land for commercial production of field crops for food or raw materials in other agriculture operations; the raising or breeding of livestock, poultry, fish or other animals for food or use of their byproduct's agriculture operations; plant production such as nursery, orchard, vineyard.

*Farming – Homestead* – The accessory use of residential property for the production of crops or horticulture for food, and which may include the limited keeping of animals, where the principal residence of the owner or operator is on the premises and where activities and equipment used result in impacts similar to typical residential activities.

*Riding Stables* – A facility for the boarding and riding of horses, including either general commercial and recreational purposes, or private purposes for horse owners.

## **COMMUNICATIONS AND UTILITIES**

The communications and utilities category is for buildings, structures, or other infrastructure improvements that provide essential public services.

*Wireless Communication Antenna* – Any structure or device used to collect or transmit electromagnetic waves for the provision of commercial wireless communications, including all accessory equipment.

#### 4.04 ACCESSORY USE STANDARDS

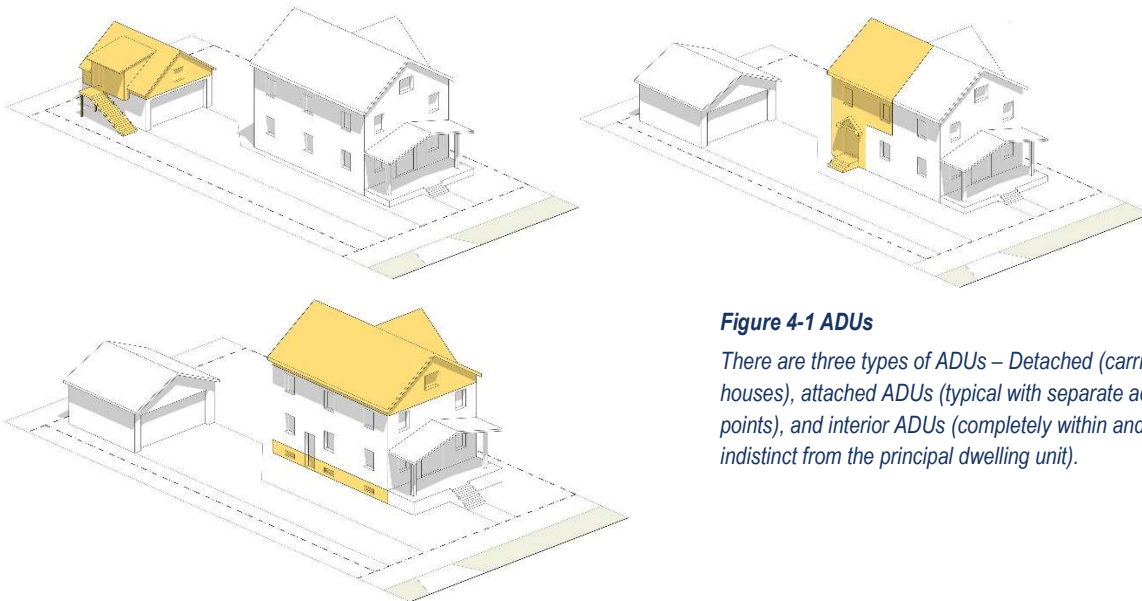
Accessory uses are clearly incidental to and customarily associated with an otherwise permitted or conditionally allowed use, and generally do not need any specific enabling or development standards, other than the generally applicable standards. The following accessory uses may be customarily incidental to otherwise permitted uses in the district, provided they meet the following additional limitations, performance standards and design criteria.

- A. **Generally.** Accessory uses and the structures shall:
1. Be compatible with the general character of the area and comparable to uses of other property in the vicinity.
  2. Not be constructed, maintained or conducted in a way that produces noise, vibration, noxious odor or material, any visible light, glare or other visible impacts that are harmful, damaging or disturbing to the adjacent property.
  3. Be conducted in a way that is consistent with the intent and objectives of all other standards applicable to the property.
- B. **In-Home Day Care.** Where in-home day care services, caring for more than 6 children, are permitted as an accessory use to a residence subject to additional standards:
1. The day care provider shall be licensed with the State of Kansas, and shall comply with all applicable regulations.
  2. At least 100 square feet of open space per child. Open space shall be enclosed by a solid or semi-solid fence or wall at least 6 feet, but not more than 8 feet high, and having a density of not less than 80% per square foot.
  3. A loading zone capable of accommodating at least two automobiles for picking-up or dropping-off passengers.
- C. **Home Occupation.** Home occupations shall meet the following standards:
1. Home occupations shall be entirely contained within the interior of a structure, not exceeding 25% of the floor area of the dwelling unit.
  2. All materials or equipment used in the home occupation shall be stored within an enclosed structure.
  3. No alteration of the exterior of the principal residential building shall be made which changes the character thereof as residence. No sign shall be permitted unless required by state statutes and, if so required, shall not exceed 2 feet in any one direction, shall not be illuminated and shall not be placed closer to the front property line than one-half the distance of the front yard, unless otherwise required by state statutes.
  4. No person shall be engaged in such home occupation other than a person occupying such dwelling unit as his or her residence.
  5. No equipment shall be utilized that creates a nuisance due to noise or electrical interference.
  6. The off-street parking regulations set forth in Article 8 shall apply to home occupations. In no event shall fewer than 2 off-street parking spaces be required.
  7. Home occupations shall not in any event include the following, unless permitted through a conditional use permit:
    - a. Retail sales of antiques.
    - b. Funeral services.
    - c. Retail or wholesale sales of groceries.
    - d. Retail sales of second-hand merchandise.
    - e. Tourist homes.
    - f. Equipment rental.
    - g. Automobile and other motor vehicle repair services.

- h. Professional offices for physicians, osteopaths, chiropractors, ophthalmologists, dentists, and other related health care professions.

**D. Accessory Dwelling.** Where accessory dwellings are permitted, all of the following standards shall be met:

1. One accessory dwelling may be permitted per lot, only when associated with a detached house.
2. Accessory dwelling units may be located in a detached accessory building or located within the principal building (such as an attic or basement apartment).
3. The accessory dwelling shall not exceed 50 percent of the living area of the principal dwelling or 1,200 square feet, whichever is less.
4. The property owner shall occupy either the principal or accessory dwelling as their permanent residence.
5. The following additional design considerations apply to accessory dwellings:
  - a. The accessory dwelling shall be designed to maintain the architectural design, style, appearance and character of the principal building as a detached house.
  - b. A separate entrance to the accessory dwelling is not permitted on the front facade of the principal dwelling.
  - c. The accessory dwelling shall have a roof pitch, siding, and window proportions similar to that of the principal dwelling.
  - d. No exterior stairway to the second floor is permitted at the front of the building.



**Figure 4-1 ADUs**

*There are three types of ADUs – Detached (carriage houses), attached ADUs (typical with separate access points), and interior ADUs (completely within and indistinct from the principal dwelling unit).*

**E. Accessory Drive-Through.** Where accessory drive-thru facilities are permitted they shall be located in side or rear locations that do not interrupt the lot and building frontage, or otherwise be set back at least 60 feet from the lot frontage. The design and layout of drive-thru facilities for restaurants, banks, stand-alone automated teller machines (ATM's) or other uses shall:

1. Avoid potential pedestrian/vehicle conflicts on the site and along the streetscape. Access and circulation should be oriented to remote locations of the site and avoid access and circulation impacting walkable streets as defined in Article 3.
2. Provide adequate stacking spaces for automobiles before and after use of the facility; and

3. Include buffers or screens according to the standards in Article 7 for any portion of a drive-through adjacent to residential uses or other similar conflicts. In general, no portion of the drive through should be within 100 feet of residential property unless enhanced site design or operational limits demonstrate visual and noise impacts are mitigated.
- F. **Outdoor Sales and Display (Limited).** Outside sales and display areas, such as vending machines, sales kiosks, rental machines, and other sidewalk displays of merchandise, may be accessory to any principal business where the area used for such display is less than 200 square feet.
- G. **Outdoor Sales and Display (General).** Outside sales and display areas larger than 200 square-feet, except for seasonal temporary sales (Section 4.05), may be accessory to any principal business under the following standards:
1. A site plan showing the location, area, and dimensions of the display area, and specifications for all lighting and fencing or screening.
  2. The area shall be limited to no more than 50% of the building area of the principal use.
  3. The area may be located in parking areas, provided it does not interfere with adequate parking and circulation of the entire site. The permanence of any structures shall be considered in evaluating the impact on adequate parking needs for the site.
  4. The area shall not interfere with pedestrian or building access or clear vision areas. Display areas located on sidewalks shall not exceed more than 50% of the width of any sidewalk, and shall provide a clearance of at least 5 feet in all cases.
  5. Any temporary or permanent structures shall meet applicable building code provisions.
  6. Areas shall be located on a paved surface. Gravel surfaces may be permitted provided the site plan demonstrates sufficient containment and management strategies.
  7. The area shall be screened from view along any property line abutting a residential use or district according to Section 8.04.
  8. In reviewing the site plan, additional conditions or performance standards to mitigate excess noise, visual or operational impacts may be added to address specific sites or contexts.
- H. **Commercial Accessory to Residential Buildings.** Commercial uses that are accessory to a primarily residential use are subject to the following standards:
1. The accessory commercial use may be permitted within a multi-unit residential building, such as those defined in Article 5.02, including a Row House, Small Apartment, or Medium Apartment, and may be accessory to applicable residential uses included on the use table, such as dormitories, monasteries, and residential care facilities.
  2. The accessory commercial use shall not exceed 5,000 square-feet, or 20% of the building footprint per floor, whichever is greater.
  3. Residences shall have interior access to the commercial use.
  4. If intended for public use, a site plan is required also demonstrating the following:
    - a. The use shall be located on the ground-level and accessible by an exterior entrance addressing a public street.
    - b. The use shall be subject to all applicable parking requirements, and all applicable access requirements to ensure adequate pedestrian access (Article 8).
    - c. The use may be reviewed under all other standards applicable to mixed-use buildings.
    - d. In reviewing the site plan, additional conditions or performance standards to mitigate excess noise, visual or operational impacts may be added to address specific sites or contexts.

#### 4.05 SPECIFIC USE STANDARDS

The following specific uses may have particular impacts different than the uses generally enabled in the zoning districts. These uses shall have the following additional limitations, performance standards, and design standards as specified and indicated in Table 5-4.

- A. **Zero Lot-Line Dwellings.** Single-unit detached dwellings with one side yard equal to one foot or less shall be permitted or conditionally permitted and conform to the following standards:
1. Zero lot-line dwellings shall meet all front and rear yard requirements.
  2. For any zero lot-line dwelling, the lot-line wall, defined as that wall of the dwelling on the side lot line, shall have no windows, doors, vents or other openings nor shall any window on any wall face that side lot line.
  3. The side yard requirements for a zero lot-line dwelling on the side opposite the lot-line wall shall be twice the normal side yard requirement of the zone or 12 feet, whichever is smaller.
  4. No two zero lot-line dwellings shall have their lot-line wall along the same side lot line, nor shall any zero lot-line dwelling have its lot-line wall adjacent to any lot or tract of land not developed for zero lot-line dwellings.
  5. No lot line wall shall be located on a side lot-line adjacent to any public right-of-way.
  6. The required yard setbacks for each zero lot-line lot shall be either shown on the subdivision plat or recorded as a restrictive covenant on the property deed.
  7. The minimum lot width shall not be less than 40 feet.
- B. **Attached Single-unit Dwellings.** Single-unit dwellings on separate lots, but attached to adjacent dwellings by means of a common wall shall conform to the following standards:
1. The common wall between attached units shall be on the side lot line separating the two lots and shall not be subject to side yard requirements providing there are no doors, windows, vents or other openings in the common wall.
  2. No unit shall have a common wall on more than two sides.
  3. Any exterior wall which is not a common wall must meet all yard requirements.
  4. Each lot must have direct access to a public street, unless otherwise allowed by this code to front on common space.
  5. The deed to each lot must include covenants requiring the proper and timely reconstruction of any damaged or destroyed dwellings.
- C. **Animal Care, Kennel and Breeding.** Where animal care facilities and kennels are permitted as the primary use, all of the following standards must be met:
1. The minimum lot size shall not be less than one acre;
  2. No kennel buildings or runs shall be located nearer than 75 feet to any property line;
  3. All kennel runs, or open areas shall be screened around such areas or at the property lines to prevent the distraction or excitement of the dogs. Such screening shall be either a solid or semi-solid fence or wall at least 6 feet, but not more than 8 feet, high and having a density of not less than 80% per square foot.
- D. **Micro-Retail**
1. Applicable licenses and permits must be displayed in the receptacle, such as a vehicle, cart, wagon, or kiosk.



2. A vending receptacle, such as food trucks, sales kiosks or machines, or other sales receptacles, including all attachments and accessories, shall not occupy an area in excess of 500 square-feet. Merchandise must be secured so that it does not fall or endanger passerby or protrude into the public right-of-way.
3. A vendor selling food or beverage for immediate consumption must provide trash and/or recycling, located to minimize impacts of trash, odor, or other visual impacts on adjacent property or businesses. The vending area shall be cleaned once a day to minimize litter.
4. A food vendor shall not park on any public property except legal parking spaces, unless permitted to do so by a written agreement with the city or other public property owner. A vendor shall comply with all laws and ordinances relative to parking. A vendor shall not park on any private property except with the written permission of the property owner.
5. No receptacle shall be located within 100 feet from the entrance of a business selling comparable products or services, unless written permission is provided by the business selling comparable products or services, or the property-owner of said business.
6. Any mobile vendor shall not park in any one location for longer than the legally allowed parking time, and in no event for more than 48 hours.
7. A vending receptacle shall be enclosed except for doors and windows, shall be constructed of durable materials, and shall be kept clean and in good repair.

#### E. **Campground**

At the time of application to the Planning Commission for a conditional use permit, the applicant shall include with the application a site plan of all areas designated as campgrounds. This section is not to provide regulations for R.V. storage. Any areas intended for R.V. camping shall meet the following requirements:

1. The person operating campground shall keep a register available for inspection at all reasonable hours, by law enforcement, assessors, and other officials whose duties necessitate acquisition of such information. The register shall contain the name and address of the occupant, and the make, model, year, and license number of each recreational vehicle or vehicle towing such RV. The original records of the register shall not be destroyed for a period of three years following the date of registration.
2. There shall be clearance of not less than fifteen feet between recreational vehicles or between recreational vehicles and any building.
3. Every recreational vehicle space shall have direct access to an internal paved roadway with direct access to a public street or highway and shall not abut upon any public street or highway.
4. There shall be at least one paved surfaced off-street parking space provided for each RV space. No portion of the roadway shall be used to provide the required off-street parking.
5. All RV spaces shall be clearly identified with letters or numbers of a light-reflective material a minimum of four inches in height.
6. Each park serving one or more recreational vehicles shall restrict parking to only those RV's that are equipped with toilet and shower facilities, or shall provide one or more service buildings which shall:
  - a. Be located no closer than 15 feet from a recreational vehicle.
  - b. Be located so that any recreational vehicle it serves shall not be parked more than 200 feet from it.
  - c. Be of permanent type construction and be adequately lighted.
  - d. Be of moisture-resistant material to permit frequent washing and cleaning.
  - e. Have one flush-type toilet, one lavatory, and one shower for females, and one flush-type toilet, one lavatory, and one shower for males, for up to 9 RV spaces. One additional unit of the above plumbing facilities shall be provided for each sex

- for each 10 additional recreational vehicles served or fraction thereof. All lavatories and showers shall be connected with both hot and cold running water.
- f. Have adequate heating facilities to maintain a temperature of 70 degrees Fahrenheit in the building and provide hot water of 140 degrees Fahrenheit at a minimum rate of 8 gallons per hour for the required fixture units.
  - g. Have an accessible, adequate, safe, and potable water supply of cold water.
  - h. All rooms well ventilated, with all openings effectively screened.
    - (i) Have at least one slop water closet or other facility suitable for the cleaning and sanitizing of waste and service facilities.
  - i. Comply with all applicable chapters of the City Code regarding the construction of buildings and the installation of electrical, plumbing, heating, and ventilating systems.
  - j. Be maintained in a clean, sanitary condition and kept free of any condition that will menace the health of any occupants or the public or constitute a nuisance.
7. Every recreational vehicle space shall have an accessible, safe, and potable supply of water to each lot or space, with individual connections at least 4 inches above ground surface, at least 3/4 inch in diameter, and equipped with a 3/4 inch valve outlet. The outlet shall be protected from surface water flooding and all pipes shall be protected against freezing. Below ground shut-off valves may be used, but stop and waste valves shall not.
  8. Individual sewer connections shall be provided for each lot or space. Every connection or opening shall be protected to prevent surface water from entering the sewage disposal system.
  9. Provisions for garbage and refuse storage, collection, and disposal, shall be maintained so as to create no health hazard, rodent harborages, insect breeding areas, accident hazards, or air pollution.
  10. Every recreational vehicle lot or space shall have a weatherproof electrical outlet and breaker supplying at least one, 30 amperes of service and 110 volts.
  11. No LPG containers shall hold more than 25-gallon water capacity; all containers shall be the LPG containers approved by the Interstate Commerce Commission for their intended purpose; and shall be integrally attached to the RV in a manner approved by the Liquefied Petroleum Gas Association, Inc. All containers shall be equipped with an approved excess flow valve at the discharge valve of the containers.

- F. **Sexually-Oriented/Adult Entertainment Business.** An establishment used for presenting, selling or featuring material or entertainment that is characterized by an emphasis on displaying, depicting, describing, or relating to specified content that is sexual in nature and which excludes minors by virtue of their age shall conform to the following standards:
1. The exact adult entertainment business shall be specified in the application. No more than one adult entertainment business shall be applied for on an application.
  2. The proposed use shall not be located within 1,000 feet of or in any agricultural and residential type zoning district, including but not limited to Zoning Districts "A-1", "R-1", "R-2", "R-3", "R-4", and "R-5", and any residential or office part of Zoning Districts "P" or "PUD".
  3. An adult entertainment business shall not be located in any park or within 1,000 feet of any pre-existing public, private, or parochial school property, any park, day care center, hospital, any medical office or clinic of any medical practitioner licensed by the State of Kansas, or any church, synagogue, or similar place of worship.
  4. An adult entertainment business shall not be located in a building or structure which contains any business that sells or dispenses alcoholic liquor or cereal malt beverages.
  5. An adult entertainment business shall not be located within 1,000 feet of another existing adult entertainment business.

6. All building openings, entries, windows, doors, and similar openings for an adult entertainment business shall be so located, covered, or screened in such a manner as to prevent a view into the interior from any public or semi-public place by outside passersby.
7. Lobby and entrances shall be so designed to minimize obstruction of nearby streets and sidewalks during operation.
8. The buildings or structures housing the adult entertainment business shall not be painted in garish colors or designs.
9. All distances specified herein shall be measured in a straight line from the nearest point on the building housing an adult entertainment business to the nearest point of the property or zoning district mentioned above.
10. No noise from inside a building housing an adult entertainment business shall be audible at a point 50 feet from any point on the outside of the building.

In addition to the requirements of this section, the Planning Commission shall consider the following criteria in reviewing a conditional use application for an adult entertainment business:

1. The nature of the proposed site, including its shape and size, and the proposed size, shape, and arrangement of structures;
2. Traffic conditions, including the resulting traffic patterns (traffic study);
3. The nature of the surrounding area and the extent to which the proposed use might impair its present and future development;
4. Facilities for sewers, water, and other utilities, and the ability of the city to supply such services;
5. The limitations of fire-fighting and rescue equipment, and the means of access for fire and police protection;
6. The conservation of property values;
7. Contribution, if any, such proposed use, building, or addition would make toward the deterioration of areas and neighborhoods.

#### 4.06 TEMPORARY USE STANDARDS

No temporary structure or use shall hereafter be built, established, moved, remodeled, altered or enlarged unless the temporary structure or use is permitted by these regulations.

- A. **Holiday Tree Sales.** Holiday tree sales are permitted in any business or industrial district for a period not to exceed 60 days. No trees shall be displayed within 30 feet of the intersection of the curb line of any two streets.
- B. **Contractors' Office and Equipment Sheds.** Contractors' offices and equipment sheds accessory to a construction project are permitted and may continue only during the duration of such project. Such uses may not include sleeping or cooking accommodations.
- C. **Real Estate Offices.** Real estate offices are permitted where they are located on-site and are incidental to a new housing development, provided that such uses continue only until the sale or lease of all dwelling units in the development. Such uses may not include sleeping or cooking accommodations unless located in a model dwelling unit.
- D. **Seasonal Farm-Oriented Sales.** Seasonal sales of farm produce grown on the premises are permitted in an "A-1" District. Front yard requirements are not applicable to structures incidental to such sales if the structures are removed or moved back of the required front yard setback line at the end of the season during which they are used.
- E. **Carnivals and Circuses.** Carnivals or circuses are permitted in "B-1", "B-2", "B-3", and "I-1" Districts for a period that does not exceed 21 days. Front yard requirements are not applicable, provided that the location of structures or equipment shall conform to the requirements of the sight triangle as defined by these regulations.

- F. **Garage, Porch, or Yard Sales.** The sale of used or second-hand merchandise shall be permitted in any residential district or by non-profit organizations, provided that such use shall not exceed 3 consecutive days in duration nor shall it occur more than 2 times in a consecutive 1-year period at any particular location. Such sales shall be only for the purpose of disposing of personal property.
- G. **Fireworks Sales.** The sale of fireworks shall be permitted in "B-1", "B-2", "B-3", "I-1" and "I-2" districts, only for the period of June 30 through July 5 of each year, during the hours of 9:00 a.m. to 8:00 p.m.
- H. **Open Storage.** The storage of salvage or scrap materials, inoperable motor vehicles, household goods or furniture, or business equipment or supplies for more than 9 consecutive days shall not be allowed in any residential district unless such items are stored in a completely enclosed building and are clearly secondary to the primary use of the property.

## ARTICLE 7. ACCESS & PARKING STANDARDS

7.01	INTENT & APPLICABILITY
7.02	ACCESS & CIRCULATION
7.03	PARKING
7.04	PARKING LOT DESIGN
7.05	LOADING

### 7.01 INTENT & APPLICABILITY

- A. **Intent.** The intent of this Section is to:
1. Emphasize the importance of site access for a variety of modes of transportation.
  2. Preserve streetscapes and street functions by coordinating access along and internal to blocks.
  3. Create access and parking standards appropriate to the context of the project, considering street designs and surrounding development patterns.
  4. Provide the optimal amount of vehicle parking for individual sites, recognizing that too much and too little parking each have negative impacts.
  5. Ensure appropriate site and design features that mitigate the impact of parking on surrounding sites, including visual impacts on streetscape, physical impacts on adjacent property and proper stormwater management.
  6. Reduce the need to dedicate areas of individual, adjacent sites to underutilized or redundant surface parking.
- B. **Applicability.** An access and parking plan is required in association with a site plan, according to the application requirements in Article 2. Specifically it is required for:
1. A change of use for an existing site or building, but only where the new use would require 125% or more parking than exists.
  2. An expansion of a building or use of a site by more than 20%.
  3. All new development of a site.
  4. Where additional parking is required for an existing site or building, the landscape and design standards shall only apply to the newly constructed parking, except when more than 50% of a parking area is added to, resurfaced or otherwise impacted, all parking and access shall comply with this section.

### 7.02 ACCESS & CIRCULATION

- A. **Driveways.**
1. *Location and Spacing.* Driveway location and spacing shall be limited based on the functional class of streets in Table 7-1. Spacing distance between accesses shall be measured from the center of the access points, and from the perpendicular curb face of intersecting streets to the closest access point for intersection distances.

**Table 7-1: Access Location and Spacing**

		<i>Functional Class</i>		
		<i>Arterial*</i>	<i>Collector</i>	<i>Local</i>
<b>Residential***</b>	100' min. separation		75' min. separation	No min. separation except as controlled by Frontage Types for any particular building in Article 6
	200' + corner		125' + corner	
	250' + signalized intersection		250' + signalized intersection	
<b>Non-Residential****</b>	200' min. separation		150' min. separation	100' min. separations
	200' + corner		125' + corner	75' from lot corner
	250' + signalized intersection		250+ signalized intersection	150' + signalized intersection

\* Direct access to an arterial street shall be permitted only when the subject property has no other reasonable access to the street system, and only if the Director of Public Works determines that the proposed access point is safe and is subject to the limits of this table.

\*\* The Director of Public Works may allow averaging of the separation of access points along any block face provided there are no adverse impacts on the transportation network, and the intent of this section is equally or better served.

\*\*\* No more than 35% of the front yard may be covered with driveways or as otherwise controlled by Frontage Types for any particular building in Article 6. No parking area other than driveways shall be allowed in the front yard of any lot located in a residential district.

- Width.** Driveway widths shall generally be limited based on Table 7-2, with consideration of the streetscape design, development pattern, and degree of travel patterns in and around the site for all modes of transportation. Where application of the width limits or these spacing standards appears to constrain access, different driveway configurations identified in Section 7.02B shall be used.

**Table 7-2: Driveway Width**

		<i>Functional Class</i>		
		<i>Arterial</i>	<i>Collector</i>	<i>Local</i>
<b>Residential</b>	24' maximum*	24; maximum*	24; maximum*	24' maximum, except as controlled by Frontage Types for any particular building in Article 6
<b>Non-Residential**</b>	24' – 36'	24' – 36'	24' – 36'	24'

\* Residential driveway access for residential lots on arterial or collector streets may be designed as a circle drive or one-way entrance/exits with a maximum of 12' wide, and any access to 20 or more dwelling units may be designed as an internal access street per Article 3.

\*\* Any non-residential access point wider than specified shall be designed as an internal access street according to Article 3, and may require cross-walk treatments and median separation based on the streetscape and context. Non-residential access on Activity Streets shall require greater limits based on the streetscape standards and Frontage Design standards in Article 6'. Industrial property or any use that requires frequent truck or large vehicle access may have wider driveway access as authorized by the Director of Public Works and the Director of Community and Economic Development.

3. **Setbacks.** Except for where shared or common access is permitted and executed through easements, driveways shall be set back from all lot lines based on Table 7-3: Driveway Side Setbacks:

**Table 7-3: Driveway Side Setbacks**

<b>Access Type</b>	<b>Side Setback</b>
Residential Access: < 6 dwelling units	3' minimum
Residential Access: 6 – 12 dwelling units	6' minimum
Non-residential access or Residential access for 13+ dwelling units	10' minimum

4. **Sight Distances.** All driveways and parking entrances to public streets or internal access streets shall meet sight distance requirements as measured by Section 3.01.D.

- B. **Internal Access Streets.** Any single block, lot or site greater than five acres shall provide a system of internal access streets that establish access and circulation within the site. Internal Access Streets:

1. Shall be laid out to organize the site into smaller internal blocks between one and four acres.
2. Shall be designed to mimic public street cross sections in Article 3, including sidewalks, landscape amenities, on-street parking and travel lanes.
3. May be treated as public streets for determining the proper location, orientation and design of sites and buildings within the project.

- C. **Sidewalks.**

1. **Generally.** Development sites shall include direct sidewalk connections and circulation at the same or greater frequency as provided by vehicles. Sidewalks connect public entrances and sites, in the most direct manner possible, with the following:
  - a. Sidewalks in the public streetscape or along internal access streets.
  - b. Parking areas, and any walkways or cross-walks within the parking areas
  - c. Any civic open space designed for active use.
  - d. Adjacent sites, where pedestrian connections through public streetscapes or internal access is remote.
2. **Sidewalk Width.** Internal sidewalks shall meet the following requirements:

**Table 7-4: Internal Sidewalk Widths**

<b>Location</b>	<b>Minimum Width</b>
<b>Generally</b>	5'
<ul style="list-style-type: none"> <li>• Along any building façade abutting a parking area;</li> <li>• Along any parking with vehicle overhangs; OR</li> <li>• A primary route between the street or parking area and the building entrance.</li> </ul>	8'
Along any building façade with a primary entrance	10'
Along any internal access street	Width based on the specifications for the most applicable street cross-section in Article 3.

3. **Pedestrian Amenities.** Site plans shall include amenities that enhance safety and convenience and promote walking or bicycling as an alternative means of transportation. Site amenities may include bike racks, drinking fountains, canopies and benches. Sidewalks and internal circulation shall be separated from moving vehicles to the extent feasible with curbs, landscape buffers, curbside parking, and limited cross-walks.
  4. **Crossings.** All driveways and alleys shall generally intersect with sidewalks on the perimeter of the block at the sidewalk grade, and the material and construction of the sidewalk shall continue across the drive. For drive aisles and internal access streets, the vehicle grade may interrupt the sidewalk. Where the pedestrian crossing exceeds 24 feet, cross-walks or other features to identify pedestrian crossings may be required. Design features such as bump outs, raised crossings, medians or other landscape and urban design amenities that emphasize the pedestrian crossing and shorten the distance pedestrians cross dedicated vehicle ways may be considered.
- D. **Traffic Impacts.** Wherever the Director of Public Works determines that the above requirements will adversely impact the function of the transportation network in the vicinity of the site, either due to traffic impacts of the proposed use, or the design of the access in relation to the street scape, alternative access standards may be required to better meet the intent of this section. In addition, any specific access management study or plan for a portion of the city may alter the application of these standards and guidelines.

### 7.03 PARKING

- A. **Vehicle Parking Rates.** Table 7-5: Parking Guidelines provides suggested minimum parking rates of all similar uses. Where the classification of the use is not determinable from the table, the Director shall determine the appropriate classification based on industry guides and the most similar use in terms of scale, function and operation. The follow criteria shall be used in interpreting the table:
1. A rate based on employees shall consider maximum number of employees likely to be on-site at one time.
  2. A rate based on square footage shall consider the service area open to the public or patrons, or leasable floor area. Where this number is not easily or readily determined, 85% of gross floor area may be used.
  3. A rate based on seating shall consider total number of seats. Where this number is not easily or readily determined, or is otherwise flexible it may be based on capacity of common formats and layouts of buildings based on industry standards.
  4. A rate based on capacity shall be the maximum permitted under public safety and building codes
  5. Where a rate results in a fraction, round up to highest whole number.
  6. Where uses or sites have components of different uses (i.e. hotel with a restaurant), each component calculated under most applicable rate.



**Table 7-5: Parking Guidelines**

Residential Dwellings	
Boarding or Rooming House	1 per bedroom
Hotel or Motel	2 per unit
Mobile Home Parks	2 per unit
Nursing Homes, Rest Homes	1 per 5 beds
Single Family Home	2 per unit
Multi-Unit Residential	2 per unit
Civic / Institutional	
Religious Institutions	1 per every 6 seats
Elementary, Junior High and Equivalent Parochial and Private Schools	2 per classroom
High Schools, Colleges, Universities and Other Similar Public or Private Institutions of Higher Learning	8 per classroom
Hospitals	1 per every 1.5 beds
Nursery Schools and Day Care Centers, Public or Private	1 per employee; AND 1 per 500 sq. ft. floor area
Fraternal Associations	1 per every 4 seats
Commercial / Industrial	
Automobile, Truck, Recreational Vehicle and Mobile Home Sales and Rental Lot	1 per 3,000 sq. ft. lot
Automobile Salvage Yards	1 per employee AND; 10,000 sq. ft. storage area
Laundromats	1 per every 2 machines
Financial, Business, and Professional	1 per 400 sq. ft. gross floor area
Bowling Alleys	4 per bowling lane
Cartage, Express, Parcel Delivery and Freight Terminal Establishments	1 per 2 employees* AND; Vehicles maintained
Automobile Wash	3 per washing stall
Funeral Homes and Mortuaries	1 per 4 seats
Furniture and Appliance Stores, Household Equipment or Furniture Repair Shop	1 per 400 sq. ft. floor area
Adult Entertainment Uses	1 per every 2 occupants
Manufacturing, Production, Processing, Assembly, Disassembly, Cleaning, Servicing, Testing or Repairing of Goods, Materials, or Products	1 per 3 employees
Medical and Dental Clinics or Offices	1 per 400 sq. ft. floor area
Restaurants, Private Clubs and Taverns	1 per 4 seats
Retail Stores and Shops	1 per 400 sq. ft. floor area
Service Stations	1 per employee

**Table 7-5: Parking Guidelines**

	2 per service bay
Theaters, Auditoriums, and Places of Assembly with Fixed Seats	1 per 4 seats
Warehouse, Storage and Wholesale Establishments	1 per 4 employees
All Other Business and Commercial Establishments Not Specified Above	1 per 400 sq. ft. floor area

B. **Maximum Parking.** No use shall provide more than 20% more than the minimum suggested parking without documented evidence of actual parking demand based on studies of similar uses in similar contexts. In addition, any parking permitted over 20% shall require mitigating potential impacts of more parking through one or more of the following strategies:

1. Provide shared parking for other uses on the block or adjacent blocks according to Section 7.03.D.
2. Design all parking areas over the minimum as dual purpose space, such as plazas, playgrounds, event areas for regular use of the space during non-peak times (see civic space design standards).
3. Use alternative surface areas designed to infiltrate stormwater.
4. Provide additional buffers and site open spaces to screen parking and provide more active usable outdoor spaces for people in relation to the streetscape, of at least a 10% increase in the open space or buffers and at least a 25% increase in the amount of landscape material required for the parking.

C. **Parking Reductions.** The parking suggested by Table 7-5 may be reduced depending on context, and according to the following strategies:

1. *Walkable Commercial Contexts.* In the B-1 and B-2 districts, any use under 2,000 square feet is exempt from providing on-site parking, and all other uses in the B-1 and B-2 districts may reduce the required on-site parking by 30% provided the project is designed in a compact, walkable format with smaller blocks and walkable streets as specified in Article 3.
2. *On-street Parking Credit.* All on-street parking within 600 feet of any lot frontage shall count towards the parking requirement at a rate of one space for every three on-street spaces. However, any on-street parking in front of residential lots shall not count for non-residential uses in the area.
3. *Bicycle Parking Credit.* All on-site bicycle parking designed and located according to Section 7.03.E may reduce the required vehicle parking at a rate of one space for every four bicycle parking spaces up to a maximum of 15% of the required vehicle parking.
4. *Public Parking Credit.* Any site within 600 feet of a public parking area may reduce the required vehicle parking at a rate of one space for every two public parking spaces.
5. *Deferral of Parking Space Requirements.* A portion of the required parking may remain unimproved until the Planning Commission or the Governing Body deems it necessary to adequately serve parking demand. The Planning Commission or Governing Body, whichever is charged with granting final approval, shall determine that the initial occupancy of the premises will be adequately served by the lesser number of spaces and a site plan shall indicate the location, pattern and circulation to and from the deferred parking spaces. Any approval shall specifically indicate what event will trigger the construction of any deferred parking. The area reserved for future parking shall be

brought to finished grade and shall be landscaped, and it shall not be used for any permanent purpose or structure unless a revised site plan and parking plan is approved.

- D. **Shared Parking.** Required parking may be reduced for any site containing multiple uses, or for adjacent sites with different uses according to Table 7-6. Any shared parking arrangement shall require an agreement among all landowners participating in the agreement to ensure access, joint use, maintenance, and other operational issues. A reduction program that differs from Table 7-6 may also be approved in association with the agreement upon preparation of the joint parking study for the sites and uses.

**Table 7-6: Shared Parking**

Use	Percentage of Required Parking by Time Period				
	Weekday		Weekend		All
	6 AM to 5 PM	5 PM to 1 AM	6 AM to 5 PM	5 PM to 1 AM	1 AM to 6AM
Employment	100 %	10 %	5 %	5 %	5 %
Retail or Service	75 %	75 %	100 %	90 %	5 %
Restaurant	50 %	100 %	75 %	100 %	25 %
Entertainment & Recreation	30%	100 %	75 %	100 %	5 %
Church	5 %	25 %	100 %	50 %	5 %
School	100 %	10 %	10 %	10 %	5 %
Dwellings	25 %	90 %	50 %	90 %	100 %
Lodging	50 %	90 %	75 %	100 %	100 %

- E. **Bicycle Parking.** All non-residential or multifamily uses within 1,000 feet of a designated bicycle route or trail shall provide bicycle parking spaces according to Table 7-7. For convenience and security, bicycle parking facilities shall be located near building entrances, shall be visible from the land uses they serve, and shall not be in remote automobile parking areas.

**Table 7-7: Bicycle Parking**

Activity	Required Spaces
Primary or secondary School	25% of the number of students; AND 10% of number of employees
Retail or office uses	10% of the suggested vehicle spaces.
Other Institutional or Entertainment uses	5% of the suggested vehicle spaces.
Industrial Uses	3% of the number of employees.
Residential	0.5 per dwelling unit

**7.04 PARKING LOT DESIGN**

**A. General Standards**

1. All minimum suggested parking shall be reserved and used for that purpose except for what may be permitted through a Conditional Use Permit or Temporary Use Permit.
2. All required parking shall be on-site except as specifically provided in Credits or Shared parking sections. Additionally, the Planning Commission may allow for a portion of required parking to be located off-site through a site plan review, provided it is within 300 feet of the subject site, it is in a comparable zoning district, and an agreement demonstrating rights and control of the off-site property is provided.
3. All on-site parking lots shall provide a sufficient amount of barrier free accessible spaces, meeting the Americans with Disabilities Act guidelines for quantity, design and location.
4. All parking and access areas shall be designed to adequately address drainage and runoff, including curb, gutters and inlets, or any other drainage strategy approved by the Director of Public Works to support best management practices to minimize runoff and encourage infiltration of storm water.
5. All parking and access lighting shall meet the site design standards in Article 7.
6. In areas zoned other than A-1, R-1, or R-2, all parking areas and driveways shall be surfaced with a permanent bituminous or Portland cement concrete pavement meeting the standards and specifications of the City of Lansing.
7. In areas zoned A-1, R-1, or R-2, and not a part of a platted subdivision, all parking areas and driveways with one of the following options:
  - a. A permanent bituminous or portland cement concrete pavement meeting the standards and specifications of the City of Lansing.
  - b. Not less than a 4-inch-thick layer of compacted rock or gravel, however the first 50' adjacent to any public roadway is required to be surfaced with a permanent bituminous or portland cement concrete pavement, and all areas must meet the standards and specifications of the City of Lansing.
8. The Director of Public Works may approve alternate surfaces that demonstrate superior stormwater management performance and sufficient durability and long-term maintenance is demonstrated, for any area of the city.

**B. Location.** On-site parking shall be designed and located in a manner that mitigates negative impacts on streetscapes and adjacent property. Table 7-8 provides general location, size and landscape requirements. These requirements may be modified by specific standards applicable to specific zoning districts in Article 5 and Article 6.

**Table 7-8: Parking Location, Size, and Landscape Requirements**

<b>Spaces per Block</b>	<b>Front</b>	<b>Side</b>	<b>Rear</b>
<i>200 or more</i>	* Must be broken into smaller parking blocks.	* Must be broken into smaller parking blocks.	10% Internal Landscape Islands; AND 12' Perimeter Buffer.
<i>150 - 199</i>	* Must be broken into smaller parking blocks	10% Internal Landscape Islands; AND 12' Perimeter Buffer.	8% Internal Landscape Islands; AND 10' Perimeter Buffer.
<i>100 - 199</i>	8% Internal Landscape Island 10' Perimeter Buffer; AND 20' Front Setback Buffer	8% Internal Landscape Islands; AND 10' Perimeter Buffer.	5% Internal Landscape Islands; AND 8' Perimeter Buffer
<i>50-99</i>	8% Internal Landscape Islands; 10' Perimeter Buffer; AND 20' Front Setback Buffer	5% Internal Landscape Islands; AND 8' Perimeter Buffer	8' perimeter buffer
<i>20-49</i>	5% Internal Landscape Islands; AND 8' Perimeter buffer;	5% Internal Landscape Islands; OR 8' Perimeter Buffer	No requirement other than 6' setback

<i>Under 20</i>	5% Internal Landscape Islands; OR 8' Perimeter Buffer	No requirement other than 6' setback	No requirement other than 6' setback
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\* Where individual sites require or provide parking requirements larger than the maximum size, parking lots shall be broken into "parking blocks" meeting the size, location, and landscape requirements of this table. These "parking blocks" shall be arranged around Internal Access Streets meeting the standards of Section 7.02.B.

Independent of any landscape buffer required by Table 7-8, the following parking front setbacks apply to specific districts:

**Table 7-9: Parking Lot Front Setback**

<b>Front Setback</b>	
<b>Residential</b>	25', except parking permitted in driveways of detached houses, duplexes or town houses shall not count as a parking lot.
<b>Non-residential</b>	20'
<b>B-1; B-2</b>	In compact, walkable formats or on Activity Streets specified in Article 3, parking shall be behind the front building line if applicable; or at least 30' back for all others

C. **Landscape & Buffers.** Landscape areas required by Table 7-8 shall be arranged to achieve the following results:

1. Parking pods of no more than 40 spaces without landscape islands either through end caps or center strips.
2. No landscape island shall be less than eight feet in any dimension and no smaller than 150 square feet.
3. The maximum distance in any direction between landscape areas and surrounding parking block edges or buffers shall be 180 feet.
4. All buffers and islands shall have the property allocation of landscape materials required by Article 7, and be arranged to provide shade, infiltrate runoff, soften large expanses of pavement and screen parking from adjacent streets and property.
5. Any parking otherwise permitted within 15 feet of any right of way or district shall be screened with a continuous hedge, or decorative wall or fence compatible with the design of buildings, or a combination of both. The hedge, wall, or fence shall provide a continuous screen between two and one-half and four feet high, except at access points or pedestrian entrances.
6. Any non-residential parking permitted within 30 feet of a residential lot, or any parking area greater than 10 spaces located within 30 feet of property zoned R-3 or a lesser district shall be screened with a combination of a landscape buffer and 6-foot high solid fence or decorative wall.

- D. **Specifications.** Parking areas shall be designed to meet the dimension specifications in Table 7-10: Parking Dimensions.

**Table 7-10: Parking Dimensions**

<i>Parking Angle</i>	<i>Width</i>	<i>Length</i>	<i>Depth to Curb</i>	<i>Curb Width</i>	<i>Aisle Width – One-way</i>	<i>Aisle Width – Two-way</i>	<i>Bumper Overhang*</i>
0°	8.0'	22'	8.0'	22'	12'	20'	n/a
30°	8.5'	20'	18'	17'	15'	20'	1.5'
45°	8.5'	20'	20'	12'	15'	20'	1.5'
60°	9.0'	19'	21'	10.5'	18'	24'	2.0'
90°	9.0'	19'	19'	9.0'	20'	24'	2.0'

\* Amount of Depth to Curb dimension that may overhang landscape area or expanded sidewalk area or other wheel stop block.

## 7.05 LOADING

### A. General Standards.

1. *Location.* Loading and unloading space shall be provided off-street, unless the principal building is located within a zoning district designed to promote pedestrian activity. The loading and unloading space or spaces shall be located so as to avoid undue interference with public use of streets, alleys and walkways.
2. *Mixed-Use Buildings or Districts.* In any area, project or zoning district designed to promote pedestrian activity, or for buildings and sites where more compact building and site design is required, alternate loading standards shall be permitted, which may include sharing of loading spaces among multiple smaller tenants, using side streets or alleys – particularly during off hours for loading or deliveries, or other similar strategies that avoid designing sites simply for large vehicle access.
3. *Loading, Storage and Service Areas.* No off-street loading, storage or service areas shall be provided adjacent to the same wall containing the main building entrance. In cases where a building abuts multiple public streets and contains entrances on two sides, off street loading, storage or service areas may be located between the building and the secondary abutting street.

- B. **Loading Requirements.** Off-street loading spaces shall be provided according to Table 7-11. The total number of loading spaces provided shall be limited to not more than 10% above that which is required, without exhausting all opportunities to share loading areas or otherwise configure sites in efficient ways. For buildings in compact, walkable formats or on Activity Streets per Article 3, at least two loading areas may be accounted for through on-street parking or other similar access, where uses demonstrate the ability to manage loading for low-peak times.

**Table 7-11: Off-Street Loading**

<i>Use or Use Category</i>	<i>Floor Area</i>	<i>Required Loading Spaces</i>
Retail, restaurant, wholesale, warehouse, general service, manufacturing or industrial uses	2,000 – 10,000 s.f.	1
	10,000 – 20,000 s.f.	2
	20,000 – 40,000 s.f.	3

	40,000 – 60,000 s.f.	4
	Each 50,000 over 60,000 s.f.	1 additional
Apartment, hotel, office, institution and public assembly	5,000 – 10,000 s.f.	1
	10,000 – 100,000 s.f.	2
	100,000 – 200,000 s.f.	3
	Each 100,000 over 200,000 s.f.	1 additional
	2,500 – 4,000 s.f.	1
Funeral home or mortuary	4,000 – 6,000 s.f.	2
	Each 10,000 over 6,000 s.f.	1 additional

- C. **Design Standards.** Loading areas shall be at least 12 feet by 35 feet with vertical clearance of at least 14 feet, except that loading spaces for funeral homes may be reduced to 10 feet by 25 feet with eight feet vertical clearance.