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# AGENDA ITEM

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TO: Tim Vandall, City Administrator

FROM: Matthew Schmitz, MPA – Director, Community and Economic Development 

DATE: April 7, 2022

SUBJECT: Ordinance No. 1080 – Updating Chapter 15, Article III, Section 306 – Parking certain vehicles in districts allowing residential structures of the City of Lansing, KS Code

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**Explanation:** During the January 27<sup>th</sup> City Council Work Session, staff discussed with council potential updates to the City Code in reference to recreation vehicles (RVs) in Lansing. This was brought forward for consideration at the March 3<sup>rd</sup> City Council meeting and was tabled for additional discussion.

The attached ordinance would codify the changes discussed during the work session and additional meetings as follows:

1. **Increase in weight restriction from 9,200lbs to 12,001lbs, and change from GVWR to license plate identifying weight.**
2. Addition of requirement that no person shall stand or park any vehicle in a manner that blocks any private drive, impede normal traffic or affect emergency service vehicle access.
3. Modified requirement to require that no person shall operate any continuous running equipment on any vehicle stored or parked in any residential district between the hours of 8:00 p.m. and 8:00 a.m.
4. Added requirement that no recreational vehicle shall be utilized for habitation purposes when stored or parked on private or public property not approved for such use.
5. Separation into a street, alley or right of way section and a private property section.
6. Reduce the time that an RV can be parked on public streets from seven to three days.
7. Addition of clear requirement that a RV must be parked on impervious hard surface if stored outside and said surface must include the entire undercarriage of the vehicle to include the towing mechanism.
8. Addition of requirement that no more than one RV may be stored on a private driveway in front of a home at any one time.
9. Addition of requirement that any stored RV must be owned by the owner of the property upon which it is stored in residential areas.
10. Addition of requirement that any RV parked in a private driveway must be 14' from the curb and 4' from side lot lines and cannot block sidewalk.
11. Addition that an RV stored or parked may draw power from the residence for auxiliary devices such as lights and refrigeration while loading or unloading provided it does not pose a safety hazard and is a temporary connection.
12. Addition that an RV may not be stored adjacent to a street in a side yard.
13. Reduction from three (3) to two (2) RVs allowed to be parked on private property, and viewable from the street, at any one time.

Item 1 above, bolded, was not discussed at length during the Work Session, but Staff believes this will be much easier to enforce being based on a publicly viewable license plate rather than a gross vehicle weight rating (GVWR) that is generally found on a placard placed on the driver's side door frame or other interior location of the vehicle and not viewable without access to the interior of the vehicle.

**Policy Considerations:** The modification of this part of the code and control over the location of recreational vehicles in town is consistent with other cities in the area as outlined during the work session discussion.

**Financial Consideration:** Not applicable.

**Action:** Motion to approve Ordinance No. 1080, an ordinance updating Chapter 15, Article III, Section 306 of the City of Lansing, KS Code in reference to Parking certain vehicles in districts allowing residential structures.

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## AGENDA ITEM #

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## **ORDINANCE NO. 1080**

### **AN ORDINANCE OF THE CITY OF LANSING, KANSAS, AMENDING CHAPTER 15, ARTICLE III SECTION 306 – PARKING CERTAIN VEHICLES IN DISTRICTS ALLOWING RESIDENTIAL STRUCTURES OF THE CODE OF THE CITY OF LANSING, KANSAS, 2022 EDITION, AND AMENDMENTS THERETO.**

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LANSING, KANSAS:

#### **SECTION 1.**

Chapter 15, Article III, Section 306 of the Code of the City of Lansing, Kansas, 2022 Edition, shall be amended to read as follows:

##### **Sec. 15-306. – Parking certain vehicles in districts allowing residential structures.**

- A. No person shall stand or park any vehicle with a license plate indicating a vehicle weight of 12,001 pounds or more on any street or alley or on any public property within districts allowing residential structures except under the provisions contained in subsections F and G.
- B. No person shall stand or park any vehicle in a manner that blocks any private drive, impede normal traffic or affect emergency service vehicle access.
- C. Recreational vehicles shall include, but are not limited to, camper, van, boat, four-wheeler, trailer or other operable vehicle.
- D. No person shall operate any continuous running equipment on any vehicle stored or parked in any residential district between the hours of 8:00 p.m. and 8:00 a.m.
- E. No recreational vehicle shall be utilized for habitation purposes when stored or parked on private or public property not approved for such use.
- F. Notwithstanding subsections A. thru E., a person may stand or park the following vehicles on any street, alley or right of way within the City limits of Lansing subject to the following restrictions:
  - 1. No person shall park a recreational vehicle for a period exceeding three (3) consecutive days. Slight movement of the vehicle within the same residential area shall not restart the counting of the time period.
  - 2. Any vehicle while loading or unloading such vehicle or while the vehicle is being used in the performance of a service to, or upon, property in the block where the vehicle is parked, subject to all other provisions regulating parking.
- G. Notwithstanding subsections A. thru E., a person may stand or park the following vehicles on private property within any district allowing residential structures subject to the following restrictions:
  - 1. Any vehicle with a license plate indicating a weight of 12,000 pounds or less;
  - 2. Any vehicle for which the Governing Body has issued a special permit; or
  - 3. Any recreational vehicle must be parked on impervious hard surface if stored outside. Said surface must include the entire undercarriage of the vehicle to include the towing mechanism.
  - 4. No more than one recreational vehicle may be stored on a private driveway in front of a home at any one time.

5. Any recreational vehicle shall be owned by the resident upon whose property it is stored.
6. Any recreational vehicle parked in a private driveway must be 14' from the curb and 4' from side lot line and cannot block sidewalk.
7. Any recreational vehicle stored or parked may draw power from the residence for auxiliary devices such as lights and refrigeration while loading or unloading provided the connection does not pose a hazard or safety concern and is a temporary connection.
8. If a recreational vehicle is stored in a side yard, it must not be where the location would be adjacent to a street.
9. No more than two (2) recreational vehicles shall be allowed to be parked on private property, and viewable from the street, at any one time.

**SECTION 2. SEVERABILITY.** If any section, clause, sentence, or phrase of this ordinance is found to be unconstitutional or is otherwise held invalid by a court of competent jurisdiction, it shall not affect the validity of any remaining parts of this ordinance.

**SECTION 3. EFFECTIVE DATE.** This ordinance shall take effect from and after its passage, approval, and publication by summary in the official city newspaper.

**PASSED AND APPROVED** by the governing body of the city of Lansing, Kansas, this 7th day of April, 2022.

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Anthony R. McNeill, Mayor

ATTEST

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Tish Sims, City Clerk

(SEAL)

APPROVED AS TO FORM:

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Gregory C. Robinson, City Attorney

Publication Date: \_\_\_\_\_

Published: The Leavenworth Times

# **CITY OF LANSING**

## **FORM OF SUMMARY FOR PUBLICATION OF ORDINANCE**

**Ordinance No. 1080: An Ordinance of the City of Lansing, Kansas, amending Chapter 15, Article III Section 306 – Parking certain vehicles in districts allowing residential structures of the code of the City of Lansing, Kansas, 2022 Edition, and amendments thereto.**

Pursuant to the general laws of the State, a general summary of the subject matter contained in this ordinance shall be published in the official City newspaper in substantially the following form:

**Ordinance No. 1080 Summary:**

On April 7, 2022, the City of Lansing, Kansas, adopted Ordinance No. 1080, an ordinance of the City of Lansing, Kansas, amending Chapter 15, Article III Section 306 – Parking certain vehicles in districts allowing residential structures of the code of the City of Lansing, Kansas, 2022 Edition and amendments thereto. A complete copy of this ordinance is available at [www.lansingks.org](http://www.lansingks.org) or at City Hall, 800 First Terrace, Lansing, KS 66043. This summary certified by Gregory C. Robinson, City Attorney.

This Summary is hereby certified to be legally accurate and sufficient pursuant to the laws of the State of Kansas.

DATED: April 7, 2022

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Gregory C. Robinson, City Attorney