

THE CITY OF HAYSVILLE, KANSAS

ORDINANCE NO. 1121

AN ORDINANCE AMENDING CHAPTER 16A, THE ZONING REGULATIONS OF THE CITY OF HAYSVILLE, KANSAS AND AMENDING THE OFFICIAL ZONING MAP OR MAPS OF THE CITY TO REFLECT SUCH AMENDMENTS, ALL PURSUANT TO THE ZONING REGULATIONS OF THE CITY.

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

SECTION 1. Having received the recommendation of the City Planning Commission following notice and hearing thereon as provided by law and pursuant to the Zoning Regulations of the City of Haysville, Kansas, Section 303 the Zoning Regulations of the City of Haysville, Kansas are amended as follows:

303. REGULATIONS; ALL DISTRICTS

The rules and regulations governing all zoning districts in the city shall be as follows:

- A. Except as specifically noted in this article, the type of construction permitted will be governed by the building codes duly adopted and in use in the city.
- B. No yard, court or other open space provided about any building for the purpose of complying with the provisions of this chapter shall be diminished in any way or again used, in whole or in part, as a yard, court or other open space for another building.
- C. Except as hereinafter provided:
 - 1. No building or structure shall be erected, converted, enlarged, reconstructed or structurally altered for use, nor shall any building or structure or land to be used or changed in use to not comply with all of the district regulations established by this chapter for the district in which the building, structure or land is located, except as noted in Article 6.
 - 2. The yard regulations and the lot area provisions required by this chapter shall be considered minimum regulations for each and every building or structure existing at the time of the effective date of this chapter for any building or structure hereafter erected or structurally altered. No land required for yards or for lot area provisions now in use for an existing building or structure hereafter erected or structurally altered shall be considered as a minimum for a yard or lot area for any other building or structure.
 - 3. Every building or structure hereafter erected, enlarged or converted to a use which requires off-street parking shall provide garage space or parking space in compliance with all of the district regulations established by this chapter for the district in which the building or structure is located.
 - 4. Every building or structure hereafter erected, enlarged or converted for commercial or industrial purposes, shall provide reasonable facilities for the loading or unloading of

goods in compliance with all the district regulations established by this chapter for the district in which the building, structure or land is located.

D. Offices, sheds, warehouses and open-air storages used by building contractors in connection with the building of a principal building or the development of an area, may be erected and used in any district; provided, that they shall be removed from the premises within 10 days after substantial completion of the project or unusual suspension of work, or upon permit expiration, whichever is the earlier date. (See Section 704 for permit procedure.)

E. It shall be unlawful to remove minerals from the ground except in "HI" Heavy Industrial Districts (excluding water).

F. It shall be unlawful to use a manufactured home as a dwelling structure or habitation except in "MH" Manufactured Home Parks or Subdivisions and in compliance with all the regulations and requirements contained in the current ordinance regulating manufactured homes in Section 408.

G. The required front and side yard areas shall be landscaped and maintained in good condition.

H. Whenever a provision appears requiring the head of a department or some other officer or employee to do some act or perform some duty, it is to be construed to authorize the head of the department or other officer to designate, delegate and authorize subordinates to perform the required act or duty unless the terms of the provision or section specify otherwise.

I. Setbacks

1. Where there are though lots, front yard requirements shall apply to both streets.
2. No portion of any buildings shall not be located in any platted or recorded easement or alley.
3. When recorded plats show setbacks greater than the minimum setback requirements - the greater setbacks shall be used.
4. A side yard setback of 25 feet shall be provided for all schools, libraries, churches, community houses and other public and semi-public buildings on the side of the lot adjoining another building site.

J. No part of any structure, including a wind energy conversion system, may project through the plane defining maximum height, except for the following structures:

1. Chimneys, flues, stacks, fire escapes, elevator enclosures, ventilators, skylights, water tanks and similar roof structures needed to operate and maintain the building on which they are located.
2. Flagpoles, steeples, bell towers, carillons, monuments, and cupolas.
3. Wireless communication facilities must be in accordance with Appendix section: Wireless Communications.

SECTION 2. Having received the recommendation of the City Planning Commission following notice and hearing thereon as provided by law and pursuant to the Zoning Regulations of the City of Haysville, Kansas, Section 304 the Zoning Regulations of the City of Haysville, Kansas is added as follows:

304 ACCESSORY USES AND STRUCTURES, ALL DISTRICTS

- A. Accessory Uses and Structures. Are permitted in connection with any lawfully established Principal Use, except as otherwise expressly provided in these Zoning Regulations.
 - 1. Must meet district accessory setback requirements.
 - 2. Can only be located in the side or rear yards.
 - 3. Shall not be located closer than three feet from the primary structure.
 - 4. If an existing detached accessory structure conforms to current code and meets setback requirements a permit may be approved for additional construction.
 - 5. Shall not encroach on any easement and may not block drainage.

- B. Allowed Accessory Structure Location by District.
 - 1. SF15 - Side and/or rear yard.
 - 2. SF - Side and/or rear yard.
 - 3. SFZ - Rear yard.
 - 4. TH - Rear yard, only two accessory structures are allowed, 5 feet setback from side/rear lot line.
 - 5. TF, MF4, MFA - Rear yard.
 - 6. MH - Side and/or rear yard, 3 feet setback from the side or rear lot line.
 - 7. HMC, OC - Rear yard.
 - 8. LC & HC - Side and/or rear yard.
 - 9. LI & HI - Side and/or rear yard.

SECTION 3. Having received the recommendation of the City Planning Commission following notice and hearing thereon as provided by law and pursuant to the Zoning Regulations of the City of Haysville, Kansas, Section 401 through 414 the Zoning Regulations of the City of Haysville, Kansas is amended as follows:

401. RESIDENTIAL; "SF15" SINGLE-FAMILY SUBURBAN RESIDENTIAL DISTRICT REGULATIONS

This district is to accommodate large lot, single-family residential development, and areas where some public services are available and where soils are capable of accommodating septic tanks.

- A. Principal Uses. As allowed in the "SF15" District in accordance with the Use Chart; Permitted and Conditional Uses found in section 400.

- B. Accessory Uses and Structures. See Section 304.

- C. Lot Size Requirements
 - 1. Minimum Lot Size: 15,000 square feet
 - 2. Minimum Lot Width: 75 feet
 - 3. Minimum Lot Depth: 100 feet

D. Bulk Regulations

1. Front Yard Setback: 25 feet

- a. Corner Lots shall have one front yard setback and a minimum 15 feet setback on the side abutting a street for all structures.
- b. An open, unenclosed porch (no screens or windows) may project into a required front yard setback by eight feet but shall not encroach upon any platted or recorded easement. May have safety railing, maximum height 36 inches.

2. Rear Yard Setback: 25 feet

3. Side Yard Setback: 6 feet

- a. On the principal residential structure, chimneys, awnings, basement escape window wells and similar architectural appendages may extend into required setback by 36 inches but shall not encroach on any platted or recorded easement.

4. Rear/Side Yard Accessory Setback: 3 feet

5. Maximum Structure Height: 35 feet

- a. 45 feet if located at least 25 feet from all lot lines. No maximum height limit for barns, silos and other similar farm buildings; conditional uses to be determined as part of the conditional use permit.

E. Parking Regulations. See Appendix.

F. Special "SF15" district regulations.

1. Lot size requirements for nonresidential uses and uses served by private water supply.

- a. The minimum lot size requirement for residential uses served by private water supply shall be 40,000 square feet.
- b. The minimum lot size for nonresidential uses shall be established by the zoning administrator.

2. Lot size requirements for uses served by sewage lagoons.

- a. The minimum lot size requirement for uses served by sewage lagoons shall be five acres.

3. Permitted Animals. The following animals are permitted.

- a. Dogs and Cats in accordance with city Code.
- b. Large and Small Domestic animals including, but not limited to rabbits, fowl, bovine cattle, horses, sheep, and goats, in accordance with each of the following standards:
 - i. Providing at least ten thousand (10,000) square feet of fenced open space per animal if the animal shelter or enclosure is within three hundred (300) feet of any dwelling on adjoining premises.
 - ii. Maintaining the animals within a fenced enclosure.
 - iii. Cleaning the domestic animal shelters at least once each week or as often as necessary to prevent or control odors and fly breeding; provided, however, that this shall not apply to grazing areas.
 - iv. Disposing of collected fecal material and other solid organic waste at a sanitary landfill or fertilizer processing plant or by proper disposal on land used for agricultural purposes.
 - v. Storing grain or protein food in tightly covered, rodent-proof, metal

- containers or rodent-proof bins.
- vi. Maintaining the premises free of rodent harborage.
- vii. Using anticoagulant rodenticides for the control of rodents and organophosphorus insecticides for the control of flies or providing other effective chemical means for the control of rodents and flies.
- viii. Using soil sterilants and herbicides or other effective means for the control of weeds and grass around structures and buildings.
- ix. Constructing and maintaining animal shelters and enclosures, including fences, by the use of dimension materials or other effective means so as to prevent domestic animals from breaking out or causing hazard to persons or property.
- x. Storing refuse in proper containers or in a manner approved by the health officer and disposing of such refuse at least once each week or as frequently as may be required by the health officer.
- xi. Storing solid waste accumulated from the cleaning of domestic animal shelters in metal or plastic containers with tightfitting metal or plastic lids and disposing of such solid waste at least once each week.
- xii. Providing proper drainage so that there is no accumulation of rainfall or liquid waste.

402. RESIDENTIAL; "SF" SINGLE-FAMILY RESIDENTIAL DISTRICT REGULATIONS

- A. Principal Uses. As allowed in the "SF" District in accordance with the Use Chart; Permitted and Conditional Uses found in section 400.
- B. Accessory Uses and Structures. See Section 304.
- C. Lot Size Requirements
 - 1. Minimum Lot Size: 6,000 square feet
 - 2. Minimum Lot Width: 50 feet
 - 3. Minimum Lot Depth: 90 feet.
- D. Bulk Regulations.
 - 1. Front Yard Setback: 25 feet
 - a. Corner Lots shall have one front yard setback and a minimum 15 feet setback on the side abutting a street.
 - b. An open, unenclosed porch (no screens or windows) may project into a required front yard setback by eight feet but shall not encroach upon any platted or recorded easement. May have safety railing, maximum height 36 inches.
 - 2. Rear Yard Setback: 20 feet
 - 3. Side Yard Setback: 6 feet
 - a. On the principal residential structure, chimneys, awnings, basement escape window wells and similar architectural appendages may extend into required setback by 36 inches but shall not encroach on any platted or recorded easement.
 - 4. Rear/Side Yard Accessory Setback: 3 feet
 - 5. Maximum Structure Height: 45 feet on all structures
 - 6. Minimum Area of Dwelling: 600 square feet

- E. Parking Regulations: See Appendix

403. RESIDENTIAL; "SFZ" SINGLE-FAMILY/ZERO LOT LINE RESIDENTIAL DISTRICT REGULATIONS

- A. Principal Uses. As allowed in the "SFZ" District in accordance with the Use Chart; Permitted and Conditional Uses found in section 400.
- B. Accessory Uses and Structures. See Section 304.
- C. Lot Size Requirements
1. Minimum Lot Size: 5,000 square feet
 2. Minimum Lot Width: 50 feet
 3. Minimum Lot Depth: 80 feet
- D. Bulk Regulations.
1. Front Yard Setback: 15 feet on interior lots.
 - a. On corner lots, 25 feet on all sides abutting a street, except that 15 feet is permitted where such frontage is adjacent to an interior zero lot line lot.
 2. Side Yard Setback:
 - a. On the zero-setback side no windows or doors are allowed.
 - b. A minimum of 10 feet shall be required between structures.
 - c. Overhanging eaves and gutters are permitted, provided that provisions for their extension and maintenance over adjacent property are contained in the restrictive covenants.
 - d. Chimneys and egress windows may project into the required setback but shall not encroach upon any platted or recorded easement.
 3. Rear Yard Setback: 15 feet
 4. Rear Yard Accessory Setback: 3 feet
 5. Minimum Area of Dwelling: 600 square feet
 6. Maximum Structure Height: 35 feet on all structures
- E. Parking Regulations. Each dwelling must have two adequate parking spaces in the driveway area.
- F. General Conditions
1. Land used for an "SFZ" District Shall must be located as a self-contained unit of development such as that created by:
 - a. Cul-de-sac or zero lot line lots which face similar types of lots across a residential street which does not carry substantial volumes of traffic; or
 - b. Lots which face a land use other than existing or future single or two-family dwellings.
 2. On the zero-setback side exterior materials must be constructed with fire rated materials of two hours.
 3. A fencing and/or screening design plan for all SFZ lots shall be submitted showing how privacy for each lot and its relationship to other lots will be achieved.
 4. Restrictive Covenants are required and shall guarantee:

- a. Maintenance of the fencing or screening.
- b. Maintenance access for structures in close proximity to one another.
- c. Other restrictions necessary to carry out the intent of the overall design concept.

404. RESIDENTIAL; "TH" TINY HOME DISTRICT REGULATIONS.

- A. Principal Uses. As allowed in the "TH" District in accordance with the Use Chart; Permitted and Conditional Uses found in section 400.
- B. Accessory Uses and Structures. See section 304.
- C. Homeowners Association. For each subdivision located in the "TH" Tiny Home Residential District, a property owners' or homeowners' association shall be established for the purpose of ownership, maintenance, and management of any and all open spaces, common areas, and private streets in accordance with K.S.A. 58-4601 et seq.
- D. Bulk Regulations.
 - 1. Maximum area of dwelling - 599 square feet for each primary structure.
 - a. Lot area - the lot area for "TH" Tiny Home family dwellings and accessory buildings shall be not less than 2,100 square feet.
 - 2. Lot width - the lot width shall be not be less than 30 feet.
 - 3. Lot depth - the minimum lot depth shall be not be less than 70 feet
 - 4. Front yard
In the "TH" Tiny Home District the minimum front yard setback shall be 10 feet on interior lots. On corner lots, 10 feet on all sides abutting a street.
 - 5. Side yard
 - a. In all locations where building lines or side lines on corner lots are shown on plats and are recorded, the minimum width of the side yard shall be the same as the distance between the side lot line and the building line shown on the plat.
 - b. No building shall be less than five (5) feet from the property line or encroach on any recorded or platted easement. Overhanging eaves, gutters, and chimneys are not permitted in the side yard setback.
 - 6. Rear yard
There shall be a rear yard having a depth of not less than 15 feet. Provided further, that chimneys may project into the required rear yard but shall not encroach upon any platted or recorded easement.
 - 7. Height Regulations
No building shall exceed two stories or 25 feet in height.

E. General Conditions.

1. Land used for a "TH" District: Shall, as a condition of zoning, be platted according to City Subdivision Regulations with specific attention given to drainage or utility easements which may be created by the particular design concept.
2. Utility lines, including but not limited to electric, communications, street lighting and cable television shall be required to be placed underground. The subdivider is responsible for complying with the requirements of this section, and he/she shall make the necessary arrangements with the utility companies for the installation of such facilities. For the purposes of this section, appurtenances and associated equipment in an underground system may be placed above ground but not in the public right-of-way. The planning commission may recommend and City Council may waive the requirements of this section if topographical, soil or any other conditions make such underground installations unreasonable or impractical.
3. Each dwelling shall have adequate space for one automobile in the driveway area. The driveway must be a hard surface of either concrete or asphalt. All measurements shall be within the property line boundaries. All properties shall have an approach per the Standard Drive Entrance requirements with an amended minimum width being 10'.
4. In the event that within two years following approval by the governing body, the applicant does not initiate construction in accordance with the plans and conditions so approved, the planning commission may initiate action to change the zoning district classification of the property. A public hearing shall be held at which time the applicant shall be given any opportunity to show why construction has been delayed. Following the hearing, the planning commission shall make findings of fact and an appropriate recommendation to the governing body for official action.

F. Building Regulations. These building regulations are intended to be the minimum requirements.

1. All structures are to be constructed with a foundation to include anchoring that meets the requirements of the current International Residential Code as adopted.
2. Primary structures shall be designed with current plumbing standards that meet plumbing code requirements including, connection to the City of Haysville's potable water system.
3. The primary structure shall include a minimum four (4) inch sewer pipe connected to the City of Haysville wastewater system, in accordance with current city code.
4. The primary structure is to include bathing facilities with a toilet and handwashing sink as well as an approved method to remove moisture in accordance with the adopted mechanical code, and a GFCI outlet within

three (3) feet of any source of water.

5. The primary structure shall include a food prep area with sink and meet current plumbing code requirements.
6. The primary structure must have a side hinged front door and an approved egress window located in the rear of the structure. Egress roof access windows in lofts used as sleeping rooms shall be installed where the bottom of the opening is not more than 44 inches above the loft floor, provided the egress roof access window complies with the minimum opening area requirements of Section R310.2.1 of the currently adopted International Residential Code.
7. Primary electricity shall be required from the approved franchised electrical provider. Structures may utilize solar panels as a secondary source.
8. Heating & cooling may be obtained through standard means and practices and shall meet the ability to reach 70° Fahrenheit three (3) feet above the finished floor. Liquefied Petroleum Gas (LPG) used as a means to heat any structure is not permitted.
9. No Heating or cooling units are to be placed in such a way that they encroach upon any setback requirements.
10. Loft – is a floor level located more than 30 inches above the main floor and open to the area below on at least one side with a ceiling height of less than 6 feet 8 inches, used as a living or sleeping space.
 - a. The minimum area for lofts shall not be less than 35 square feet and the minimum dimensions shall not be less than 5 feet in any horizontal dimension.
 - b. Loft access – The access to and primary egress from lofts shall be any type described in Sections D.10.L. -
 - c. Stairways accessing lofts shall comply with this code or with Sections D.10.D.
 - d. Width – Stairways accessing a loft shall not be less than 17 inches in clear width at or above the handrail. The minimum width below the handrail shall not be less than 20 inches.
 - e. Headroom – The headroom in stairways accessing a loft shall be not less than 6 feet 2 inches as measured vertically, from a sloped line connecting the tread or landing platform nosings in the middle of their width.
 - f. Treads and risers – Risers for stairs accessing a loft shall not be less than 7 inches and not more than 12 inches in height.
 - g. Landing platforms – The top tread and riser of stairways accessing lofts shall be constructed as a landing platform. The landing platform shall be 18 inches to 22 inches in depth measured from the nosing of the landing platform to the edge of the loft, 16 to 18 inches in height measured from the landing platform to the loft floor.
 - h. Handrails shall comply with Section R311.7.8 of the currently adopted International Residential Code.
 - i. Stairway guards – Guards at open sides of stairways shall comply with Section R312.1. of the currently adopted International Residential Code.

- j. Ladders accessing lofts shall comply with Sections D.10.C. and D.10.J.
 - a. Size and capacity – Ladders accessing lofts shall have a rung width of not less than 12 inches and 10 inches to 14 inches spacing between rungs. Ladders shall be capable of supporting a 200-pound load on any rung. Rung spacing shall be uniform within 3/8-inch.
 - b. Incline – Ladders shall be installed at 70 to 80 degrees from horizontal.
 - k. Alternating tread devices accessing lofts shall comply with Section R311.7.11.1 of the currently adopted International Residential Code.
 - l. Ships ladders accessing lofts shall comply with Sections R311.7.12.1 and R311.7.12.2 of the currently adopted International Residential Code. The clear width at and below handrails shall not be less than 20 inches.
 - m. Loft guards shall be located along the open side of lofts. Loft guards shall not be less than 36 inches in height or one-half of the clear height to the ceiling, whichever is less.
- F. Parking Regulations. See Appendix. A parking lot(s) may be established within the subdivision and include two stalls per residential lot in the Tiny Home Subdivision and measure 8½' X 19' per stall to provide additional parking.
- G. Street Regulations. (See Section 5. of the Subdivision Regulations for Haysville, Kansas) Streets, as a condition of zoning, shall be platted according to the City's Subdivision Regulations, shall be considered private and maintained by the homeowner's association, shall be constructed of asphalt or concrete, be a minimum of 21 feet face to face curb, and 50 feet for street right-of way.

405. RESIDENTIAL; "TF" TWO-FAMILY RESIDENTIAL DISTRICT REGULATIONS

- A. Principal Uses. As allowed in the "TF" District in accordance with the Use Chart; Permitted and Conditional Uses found in section 400.
- B. Accessory Uses and Structures. See Section 304.
- C. Lot Size Requirements
 - 1. Minimum Lot Size: 6,000 Square feet
 - 2. Minimum Lot Width: 50 feet
 - 3. Minimum Lot Depth: 90 feet.
- D. Bulk Regulations.
 - 1. Front Yard Setback: 25 feet
 - a. Corner Lots shall have one front yard setback and a minimum 15 feet setback on the side abutting a street.
 - b. An open, unenclosed porch (no screens or windows) may project into a required front yard setback by eight feet but shall not encroach upon any platted or recorded easement. May have safety railing, maximum height 36 inches.

2. Rear Yard Setback: 20 feet
 3. Side Yard Setback: 6 feet
 - a. On the principal residential structure, chimneys, awnings, basement escape window wells and similar architectural appendages may extend into required setback by 36 inches but shall not encroach on any platted or recorded easement.
 4. Rear Yard Accessory Setback: 3 feet
 5. Maximum Structure Height: 35 feet on all structures
 6. Minimum Area of Dwelling: 600 square feet
- E. Parking Regulations: See Appendix
- F. Landscaping: See Appendix.

406. RESIDENTIAL; "MF4" MULTI-FAMILY FOUR RESIDENTIAL DISTRICT REGULATIONS

- A. Principal Uses. As allowed in the "MF4" District in accordance with the Use Chart; Permitted and Conditional Uses found in section 400.
- B. Accessory Uses and Structures. See Section 304.
- C. Lot Size Requirements
1. Minimum Lot Size: 6,000 Square feet
 2. Minimum Lot Width: 50 feet
 3. Minimum Lot Depth: 90 feet.
- D. Bulk Regulations.
1. Front Yard Setback: 25 feet
Corner Lots shall have one front yard setback and a minimum 15 feet setback on the side abutting a street.
 2. Rear Yard Setback: 20 feet
 3. Side Yard Setback: 6 feet
 - a. On the principal residential structure, chimneys, awnings, basement egress window wells and similar architectural appendages may extend into required setback by 36 inches but shall not encroach on any platted or recorded easement.
 4. Rear Yard Accessory Setback: 3 feet
 5. Maximum Structure Height: 35 feet on all structures
 6. Minimum Area of Dwelling: 600 square feet
- E. Parking regulations. See Appendix.
- F. Landscaping: See Appendix.

407. RESIDENTIAL; "MFA" MULTIPLE-FAMILY APARTMENT RESIDENTIAL DISTRICT REGULATIONS

- A. Principal Uses. As allowed in the "MFA" District in accordance with the Use Chart; Permitted

and Conditional Uses found in section 400.

- B. Accessory Uses and Structures. See Section 304.
- C. Lot Size Requirements
 - 1. Minimum Lot Size: 6,000 Square feet
 - 2. Minimum Lot Width: 50 feet
 - 3. Minimum Lot Depth: 90 feet.
- D. Bulk Regulations.
 - 1. Front Yard Setback: 25 feet
Corner Lots shall have one front yard setback and a minimum 15 feet setback on the side abutting a street.
 - 2. Rear Yard Setback: 20 feet
 - 3. Side Yard Setback: 6 feet
 - a. On the principal residential structure, chimneys, awnings, basement escape window wells and similar architectural appendages may extend into required setback by 36 inches but shall not encroach on any platted or recorded easement.
 - 4. Rear Yard Accessory Setback: 3 feet
 - 5. Maximum Structure Height: 55 feet on all structures
 - 6. Minimum Areas of Each Dwelling:
 - a. Studio apartments-minimum livable area of 300 sq. feet.
 - b. One-bedroom apartments-minimum livable area of 400 square feet.
 - c. Two-bedroom apartments-minimum livable area of 600 sq. feet.
 - d. Three-bedroom apartments-minimum livable area of 800 sq feet.
- E. Parking regulations: See Appendix
- F. Landscaping: See Appendix

408. RESIDENTIAL; "MH" MANUFACTURED HOME PARKS OR MANUFACTURED HOME DISTRICT REGULATIONS

The following conditions shall be attached to the recorded deed of the land and shall be complied with by the present and future owners until such time as this use is discontinued. Such homes will not be allowed on individually owned zoning lots. Parks may be further governed by a Manufactured Home Park Ordinance of the city.

- A. Principal Uses. As allowed in the "MH" District in accordance with the Use Chart; Permitted and Conditional Uses found in section 400.
- B. Accessory Uses and Structures. See section 304.
- C. Height Regulations.
No building or structure shall exceed 35 feet in height.
- D. Area Regulations.
 - 1. Site Area:

- a. The minimum site area for manufactured home parks or manufactured home subdivisions shall be 5 acres.

2. Lot Area:

- a. The manufactured home park must provide clearly defined and delineated spaces for each home.
- b. The minimum lot area in manufactured home parks shall be 3,200 square feet for each manufactured home or mobile home.
- c. The minimum lot area in manufactured home subdivisions shall be 5,000 square feet, with no more than 50% lot coverage.

3. Lot Width:

- a. The minimum lot widths in manufactured home parks or manufactured home subdivisions shall be 40 feet.

4. Lot Depth

- a. The minimum lot depth in manufactured home parks or manufactured home subdivisions shall be 80 feet.

E. Setbacks.

- 1. In all locations where building lines or setback lines are shown on plats that have been approved by the Planning Commission and that are recorded in the office of the register of deeds of Sedgwick County the minimum front yard shall be the same as shown on the plat.

- 2. In all other locations the setbacks shall be:

- a. **Manufactured Home Parks.** All structures within the Manufactured Home Parks whether permanent or temporary, except as allowed by Street and Parking Regulations, shall be setback at least 25 feet from any public street rights-of-way, at least 10 feet from any private roadway or private street, and must maintain a setback no less than 10 feet from any side or rear manufactured home/mobile home space boundary. Each such space must be clearly defined and delineated.

All manufactured homes/mobile homes shall be located as to maintain a clearance of not less than 20 feet from another manufactured home/mobile home or appurtenance thereto within the same manufactured home park.

- b. **Manufactured Home Subdivisions.** All structures within Manufactured Home Subdivisions shall be setback at least 25 feet from street rights-of-way or front lot lines, at least 20 feet from the rear lot line, and at least 6 feet from the side lot lines. Each such space must be clearly defined and delineated. Garages and carports shall be located in the side or rear yard. Any structure established for any main use, other than for dwelling purposes, shall comply with the same yard requirements for that use to be located in "SF" Single Family residential district.

F. Street and Parking Regulations.

- 1. All manufactured home park spaces shall abut upon a park roadway or private street, with no manufactured home/mobile home having its direct access from a public street or highway unless such manufactured home/mobile home is

located in a manufactured home subdivision, and unless in unusual circumstances the city deems that manufactured home/mobile homes shall have direct access from a public street or highway. All roadways and private streets shall have unobstructed access to a public street or highway, with all dead-end roadways being provided an adequate vehicular turn around (cul-de-sac) with a diameter of not less than 80 feet. All roadways shall meet the following requirements:

- a. Widths. All manufactured home spaces shall abut a private street or park roadway which maintains a street easement width of 50 feet and a paved width of 30 feet.
 - b. Curbs and Gutters. All private streets and park roadways shall have curbs and gutters on each side.
 - c. Parking and Layout. Spaces shall be laid out in such a manner as to accommodate easy access for service and emergency vehicles. Private streets and park roadways shall be plainly marked as to speed, traffic control, and other similar items.
 - d. Surface. All park roadways and private streets shall be surfaced with concrete, asphaltic concrete or asphalt in accordance with the city of Haysville's standard for paving and drainage improvements.
2. There shall be no on street parking allowed on any private or public street located in the Manufactured Home Park and Manufactured Home Subdivision district. Surfaced off-street parking shall be provided for each manufactured home/mobile home space. Off-street parking should be surfaced with concrete or similar material upon approval by the Planning and Zoning Administrator, City Inspector or their designee. Asphalt is a prohibited material for off-street parking.
3. Each manufactured home/mobile home space shall be allowed one detached carport or similar structure for protected off-street parking coverage, provided that such structure shall not project into the front yard setback more than 5 feet, and provided that no off-street parking accessory structure shall be located in a dedicated easement. Such structure shall be constructed from a non-combustible material and shall be unenclosed with the exception of a roof.

G. Recreations, Landscape, and Screening

1. Each manufactured home park shall devote an area of land not to exceed 10 percent (10%) of the tract for developed recreational area - parks, playgrounds, and/or sidewalks. Individual recreational areas shall not be less than 5,000 square feet. Except for sidewalk improvements, required setbacks, driveways, and off-street parking spaces shall not be considered as recreational space.
2. Manufactured home parks shall be screened from all zoning districts other than the Manufactured Home Park or Manufactured Home Subdivision district. Screening shall be a solid or semi-solid fence or wall which is a minimum of six feet and a maximum of eight feet high.

In lieu of such a fence or wall, a landscape buffer may be provided not less than 25 feet in width and shall be planted with coniferous and deciduous plant material so as to provide proper screening for the park. When the landscape buffer is used, the buffer shall not be considered as any part of a required rear yard for a manufactured home space.

The fence, wall or landscape buffer shall be properly maintained by the owner.

409. COMMERCIAL; "HMC" HOTEL AND MOTEL COMMERCIAL DISTRICT REGULATIONS

- A. Principal Uses. As allowed in the "HMC" District in accordance with the Use Chart; Permitted and Conditional Uses found in section 400.
- B. Accessory Uses and Structures. See Section 304.
- C. Lot Size Requirements
 - 1. Minimum Lot Size: 10,000 Square feet
 - 2. Minimum Lot Width: 80 feet
 - 3. Minimum Lot Depth: 100 feet.
- D. Bulk Regulations.
 - 1. Front Yard Setback: 35 feet
 - a. Corner lots shall have at least minimum front yard setbacks on both sides.
 - 2. Rear Yard Setback: 20 feet
 - 3. Side Yard Setback: 6 feet
 - a. If zero lot line development is allowed, or any portion of the building is more than 150 feet from a public street, dedicated fire lanes shall be provided on at least two sides of the building.
 - 4. Rear Yard Accessory Setback: 3 feet
 - 5. Maximum Structure Height: None
 - 6. Dwelling Unit Regulations:
 - a. Each dwelling unit shall contain a primary room with a minimum of 150 square feet of floor area.
 - b. Other habitable rooms in each dwelling unit shall contain not less than 70 square feet each.
 - c. Each dwelling unit shall contain a separate bathroom containing a water closet, lavatory and tub or shower.
 - d. When housekeeping units are included:
 - e. The primary room shall contain a minimum of 220 square feet of floor area.
 - f. As a minimum, the kitchen area will be of sufficient size to accommodate a cupboard, countertop and provide a sink, cooking appliance, refrigerator and clear working area of 30 inches in front of them.
 - g. No habitable room shall have less than a seven-foot length or width dimension.
- E. Parking regulations: In addition to the required parking, an off-street area must be

provided for guests to load and unload private and public vehicles (cars, vans, buses, etc...).

F. Landscaping: See Appendix

G. Special "HMC" Regulations.

An approved screening plan will be required before final approval of a change to "HMC" zoning. Such plan shall contain:

- a. A detailed plan to screen the site from adjacent lesser zoned property.
- b. Type and kind of screening material. If living screen (trees and/or shrubs) is to be used, not only the type and location of planting, but also the anticipated growth time to maturity is to be included. A maintenance plan for the screening will be required.
- c. The effectiveness of such planned visual and/or sound barriers.
- d. The schedule for completion of the screening plan.

410. COMMERCIAL; "OC" OFFICE COMMERCIAL DISTRICT REGULATIONS

The intent and purpose of this section is to establish a use district that is limited to offices and limited retail and service uses which are considered to be compatible when adjacent to or near residential areas and which uses are also compatible one to another within the district itself.

A. Principal Uses. As allowed by-right and permitted by conditional use per Section 400.

B. Accessory Uses and Structures. See Section 304.

C. Lot Size Requirements

1. Minimum Lot Size: 12,500
2. Minimum Lot Width: 60 feet
3. Minimum Lot Depth: 90 feet

D. Bulk Regulations.

1. Front Yard Setback: 20 feet
2. Side Yard Setback: 6 feet
3. Rear Setback yard: 10 feet
4. Height limit: 35 feet
5. Rear Yard Accessory Setback: 3 feet

E. All uses listed as permitted uses below shall be permitted in the "OC" Office Commercial District provided they comply with the following limitations:

1. No individual business shall occupy more than 5,000 square feet of floor area; provided, however, an exception to this limitation may be granted by the Haysville governing body subject to the following conditions:
 - a. A basement area, not exceeding the area used for office or sales use, which is used only for storage, records, mechanical equipment or other non-person uses.

- b. Such area shall be determined to be non-traffic generating and deemed to be exempt from all off-street parking requirements.
 - c. Required off-street parking shall be determined to be not less than that required by the floor area used for office and sales purposes.
 - d. Any exception to the floor area granted by the governing body shall apply only to the use set forth in the application. Any change of occupancy will be subject to all limitations of these regulations.
2. All business establishments, other than office, shall be retail or service establishments dealing directly with the consumer.
 3. Service establishments shall be the type that deal primarily with services for persons or businesses, or limited retail sale that do not require the use of vehicles and heavy equipment in the operation of the business other than for the delivery of goods or services to the home; e.g. florist truck, etc. Vehicles stored or retained on the site overnight shall be stored within the main structure, or an enclosed detached garage as approved by the Planning Commission.
 4. No business shall display or store goods or equipment outside of an enclosed building.
 5. No business establishments shall offer goods or services by way of drive-up windows or directly to customers' parked motor vehicles.
 6. Motor vehicles or heavy equipment parts, service or fuels shall not be displayed in this district.
 7. Exterior lighting fixtures shall be shaded so that direct light is directed away from adjacent residential property.
 8. The use is limited to offices and limited retail and service uses which are considered to be compatible with and not unduly burdensome upon adjacent residential properties or residential areas located nearby.
 9. The use is compatible to other businesses located nearby within the district itself.
 10. The nature of any use located within the district shall be smaller, less intense uses.
 11. Any business within the zone shall not generate more traffic per day upon its abutting streets than may be accommodated within its permitted parking areas.

F. Parking and loading regulations: Parking space and loading space to be provided equal to two spaces per employee.

411. COMMERCIAL; "LC" LIGHT COMMERCIAL DISTRICT REGULATIONS

- A. Principal Uses. As allowed in the "LC" District in accordance with the Use Chart; Permitted and Conditional Uses found in section 400.

- B. Accessory Uses and Structures. See Section 304.
- C. Lot Size Requirements
 - a. Minimum Lot Size: 6,000 square feet.
 - b. Minimum Lot Width: 50 feet
 - c. Minimum Lot Depth: 90 Feet

- D. Bulk Regulations
 - 1. Front Yard Setback: 35 feet when adjacent to an arterial street,
 - a. 25 feet when adjacent to other types of street rights-of-way.
 - b. Corner lots shall have at least minimum front yard setbacks on both sides.
 - 2. Rear Yard Setback: 10 feet
 - 3. Side Yard Setback: 6 feet or
 - a. If zero lot line development is allowed or any portion of the building is more than 150 feet from a street, dedicated fire lanes shall be provided on the rear yard of at least two sides of the building.
 - 4. Rear/Side Yard Accessory Setback: 3 feet

- E. Use Limitations:
 - 1. No outdoor storage is permitted, except for display of goods for sale as *temporary* use (no more than 45 days) except as otherwise allowed or approved in accordance with these regulations or approved by written permission from the Zoning Administrator for one year.
 - 2. Merchandise that is for sale may be displayed in areas immediately adjacent to the building.
 - 3. No required off-street parking space or loading area shall be utilized for storage or the display of vehicles or items for sale.
 - 4. Storage shall occur within a solid screened areas and shall not be visible from any adjacent non-elevated street nor from ground level view in any adjacent lot except as otherwise allowed or approved in accordance with these regulations.
 - 5. There shall be no manufacture, compounding, processing, or treatment of products other than that which is clearly incidental and essential to a retail store or business and where all such products are customarily sold at retail on the premises.
 - 6. Operations or products are not objectionable due to odor, dust, smoke, noise, vibration, or other similar causes.
 - 7. Vending machines and newspaper displays may be displayed outside.

- F. Height regulations. 45 feet for all Structures.
- G. Parking and loading regulations. See Appendix.
- H. Landscaping regulations. See Appendix.

412. COMMERCIAL; "HC" HEAVY COMMERCIAL DISTRICT REGULATIONS

- A. Principal Uses. As allowed in the "HC" District in accordance with the Use Chart; Permitted and Conditional Uses found in section 400.

- B. Accessory Uses and Structures. See Section 304.
- C. Lot Size Requirements
 - a. Minimum Lot Size: 6,000 square feet
 - b. Minimum Lot Width: 50 feet
 - c. Minimum Lot Depth: 90 Feet
- D. Bulk Regulations
 - 1. Front Yard Setback: 35 feet
 - a. Corner lots shall have at least minimum front yard setbacks on both sides.
 - 2. Rear Yard Setback: 20 feet
 - 3. Side Yard Setback: 10 feet
 - a. If zero lot line development is allowed or any portion of the building is more than 150 feet from a street, dedicated fire lanes shall be provided on the rear yard of at least two sides of the building.
 - 4. Rear/Side Yard Accessory Setback:
 - a. 3 feet for non-combustible structures
 - b. 6 feet for combustible
- E. Use Limitations:
 - 1. No outdoor storage is permitted, except for display of goods for sale as *temporary* use (no more than 45 days) except as otherwise allowed or approved in accordance with these regulations or approved by written permission from the Zoning Administrator for one year.
 - 2. Outdoor operations and storage are prohibited in the front yard setback.
 - 3. No required off-street parking space or loading area shall be utilized for storage or the display of vehicles or items for sale.
 - 4. Business activities or storage shall occur within fully enclosed structures or solid screened areas and shall not be visible from any adjacent non-elevated street nor from ground level view in any adjacent lot except as otherwise allowed or approved in accordance with these regulations.
 - 5. There shall be no manufacture, compounding, processing, or treatment of products other than that which is clearly incidental and essential to a retail store or business and where all such products are customarily sold at retail on the premises.
 - 6. Operations or products are not objectionable due to odor, dust, smoke, noise, vibration, or other similar causes.
 - 7. Any illumination shall be so arranged as to reflect the light away from adjoining premises.
- F. Height regulations: 55 feet for all Structures.
- G. Parking and loading regulations: See Appendix
- H. Landscaping regulations: See Appendix.

413. "LI" LIGHT INDUSTRIAL DISTRICT REGULATIONS

- A. Principal Uses. As allowed in the "LC" District in accordance with the Use Chart; Permitted and Conditional Uses found in section 402. This district is intended for light industrial businesses which are consistent with the capacity and availability of public and private utility services, and which do not require large amounts of land, generate

large amounts of traffic, or create environmental problems in the way of odor, smoke, dust, glare, vibration or sound.

B. Accessory Uses and Structures. See Section 304.

C. Lot Size Requirements

- a. Minimum Lot Size: 10,000 square feet.
- b. Minimum Lot Width: 60 feet
- c. Minimum Lot Depth: 90 Feet

D. Bulk Regulations

1. Front Yard Setback: 35 feet
 - a. Corner lots shall have at least minimum front yard setbacks on both sides.
2. Rear Yard Setback: 20 feet
3. Side Yard Setback: 10 feet or
 - a. If zero lot line development is allowed or any portion of the building is more than 150 feet from a street, dedicated fire lanes shall be provided on the rear yard of at least two sides of the building.
4. Rear/Side Yard Accessory Setback:
 - a. 3 feet for non-combustible structures
 - b. 6 feet for combustible

E. Use Limitations:

1. Outdoor operations, display and storage is prohibited in the front yard setback.
2. No required off-street parking space or loading area shall be utilized for storage or the display of vehicles or items for sale.
3. Items stored outdoors shall not be visible from any adjacent non-elevated street nor from ground level view in any adjacent lot that is a lower intensity zoning and kept on an all-weather surface.
4. All business activities shall occur within fully enclosed structures or solid screened areas, except as otherwise allowed or approved in accordance with these regulations.
5. Operations or products are not objectionable due to odor, dust, smoke, noise, vibration, or other similar causes.
6. Any illumination shall be so arranged as to reflect the light away from adjoining premises.

F. Height regulations: None.

G. Parking and loading regulations: See Appendix.

H. Landscaping regulations: See Appendix.

414. "HI" HEAVY INDUSTRIAL DISTRICT REGULATIONS

A. Principal Uses. As allowed in the "HI" District in accordance with the Use Chart; Permitted and Conditional Uses found in section 402.

B. Accessory Uses and Structures. See Section 304.

C. Lot Size Requirements

- a. Minimum Lot Size: 10,000 square feet.

- b. Minimum Lot Width: 100 feet
- c. Minimum Lot Depth: 100 Feet

D. Bulk Regulations

- 1. Front Yard Setback: 35 feet along all street frontages
Corner lots shall have at least minimum front yard setbacks on both sides.
- 2. Rear Yard Setback: 20 feet
- 3. Side Yard Setback: 10 feet or
 - a. If zero lot line development is allowed or any portion of the building is more than 150 feet from a street, dedicated fire lanes shall be provided on the rear yard of at least two sides of the building.
- 4. Rear/Side Yard Accessory Setback:
 - a. 3 feet for non-combustible structures
 - b. 6 feet for combustible

E. Use Limitations:

- 1. Outdoor operations, display and storage is prohibited in the front yard setback.
- 2. No required off-street parking space or loading area shall be utilized for storage or the display of vehicles or items for sale.
- 3. Items stored outdoors shall not be visible from any adjacent non-elevated street nor from ground level view in any adjacent lot that is a lower intensity zoning and kept on an all-weather surface.
- 4. All business activities shall occur within fully enclosed structures or solid screened areas, except as otherwise allowed or approved in accordance with these regulations.
- 5. Operations or products are not objectionable due to odor, dust, smoke, noise, vibration, or other similar causes.
- 6. Any illumination shall be so arranged as to reflect the light away from adjoining premises.

F. Height regulations: None.

G. Parking and loading regulations. See Appendix

SECTION 4. Should any section, clause, sentence, or phrase of this ordinance be found to be unconstitutional or is otherwise held invalid by any court of competent jurisdiction, such invalidity shall not affect the validity of the any remaining provisions herein.

SECTION 5. This ordinance shall take effect and be in force from and after its passage and publication once in the City's official newspaper as provided by State law.

Passed and Approved by the Governing Body of the City of Haysville, Kansas, on this 13th day of May, 2024.

Approved by the Mayor 13th day of May, 2024.



ATTEST:

Angie Millspaugh
Angie Millspaugh, City Clerk

[Signature]
Russ Kessler, Mayor