

(OCA150006)

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**ORDINANCE NO.47-925**

AN ORDINANCE PROVIDING AMENDMENTS TO SECTION III-B.2.c(4) AND SECTION II-D.1; AND ADDING SECTION III-D.6.mm OF THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE (April 19, 2001 EDITION), AS ADOPTED BY REFERENCE IN CITY OF WICHITA CODE SEC. 28.04.010 BY ORDINANCE NO. 44-975, DEALING WITH VEHICLE STORAGE YARDS IN THE RR RURAL RESIDENTIAL (“RR”) ZONE DISTRICT.

WHEREAS, under the authority of K.S.A. 12-741, et. Seq., the City of Wichita desires to adopt amendments to the Wichita-Sedgwick County Unified Zoning Code pertaining to vehicle storage yards in the RR Rural Residential (“RR”) zone district; and

WHEREAS, by K.S.A. 12-770, the City of Wichita may adopt reasonable regulations for the development and operation of vehicle storage yards in the RR rural Residential (“RR”) zone district; and

WHEREAS, the governing body of the City of Wichita finds and determines that the regulations set forth in this ordinance are reasonable regulations for the development and operation of vehicle storage yards in the RR Rural Residential (“RR”);

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNMENT BODY OF THE CITY OF WICHITA;

SECTION 1. Section III-B.2.c(4) of the Wichita-Sedgwick County Unified Zoning Code (April 19, 2001 Edition) as adopted by reference in Code Sec 28.04.010 by Ordinance No. 44-975, is hereby amended to add the following:

**Industrial, manufacturing and extractive uses**

Vehicle Storage Yard, subject to Sec. III-D.6.mm

SECTION 2. Section III-D.1 of the Wichita-Sedgwick County Unified Zoning Code (April 19, 2001 Edition) as adopted by reference in Code Sec 28.04.010 by Ordinance No. 44-975, is hereby amended to add the following:

USE TYPE	ZONING DISTRICTS														conditions						
	S	S		T	M						I										
	R	2	1	F	F	1	2					P	C	B		L	G	F			
	R	0	0	5	3	8	9	B	H	O	O	R	C	W	C	A	P	D	I	I	B
<b>INDUSTRIAL, MANUFACTURING AND EXTRACTIVE</b>																					
Vehicle Storage Yard	C															P		P	P	P	P

D. 6.mm

SECTION 3. Section III-D.6.mm of the Wichita-Sedgwick County Unified Zoning Code (April 19, 2001 Edition) as adopted by reference in Code Sec 28.04.010 by Ordinance No. 44-975, is hereby amended to add the following:

**mm. Vehicle storage yard in RR.** Only lots developed with a residence as the principal structure are eligible to apply for a conditional use to permit outdoor vehicle storage. A vehicle storage yard, approved as a conditional use in the RR district shall be subject to the following minimum standards, provided, however, the planning commission may establish additional conditions if determined necessary in order to protect adjacent property owners and the public interest. All applicable requirements, inspections and permits shall be in place prior to the commencement of vehicle storage.

- (1) **Location.** The storage area shall be located behind the property's principal structure; and at no time shall any vehicles be driven or parked on or over any component of onsite wastewater treatment systems;
- (2) **Area.** For sites two acres or less in size, vehicle storage yard may occupy up to 11 percent of the property's square footage; for sites greater than two acres the vehicle storage area shall not exceed 10,000 square feet;
- (3) **Use.** The vehicle storage yard shall be used for the storage of licensed operable vehicles only, and in no case shall it be used for sales, repair work, dismantling, or mechanical servicing of any vehicles or equipment, or for storage of materials or supplies. Non-mechanical servicing such as replacing windshield washer fluid, light bulbs and interior cleaning shall be allowed;
- (4) **Setbacks.** The minimum setback for any stored vehicles from any residence constructed before the conditional use is approved shall be 20 feet. The setback requirement can be modified or waived if the applicant demonstrates there is sufficient screening to substitute for the setback protections;
- (5) **Paving.** The storage area and all entrance/exit drives on private property shall be surfaced with an all-weather surface that meets the approval of the director of county code enforcement, and shall be maintained in good condition and free of weeds, trash and other debris;
- (6) **Screening.** Visual screening of areas contiguous to residential zoning districts shall be provided to protect adjacent properties from light, debris and noise, and to preserve adjacent property values. In no case shall screening be less than that required by Sec. IV-B.1-3, unless the applicant demonstrates adequate screening may be provided through alternative means, and the requirements imposed by Sec. IV-B.1-3 would be overly burdensome on the applicant;
- (7) **Lighting.** If lighting facilities are provided, lighting shall be in compliance with the lighting standards of Sec. IV-B.4;
- (8) **Noise.** The compatibility noise standards of Sec. IV-C.6 shall be complied with provided, however, outdoor speakers and sound amplification systems shall not be permitted.

SECTION 5. This ordinance shall be included in the Code of the City of Wichita and shall be effective upon its adoption and publication once in the official City newspaper.

PASSED AND ADOPTED by the governing body at Wichita, Kansas,  
This 8<sup>th</sup> day of July, 2008.

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Carl Brewer, Mayor

ATTEST:

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Karen Sublett, City Clerk

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Gary E. Rebenstorf, City Attorney

(SEAL)