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ORDINANCE NO. 47-284

AN ORDINANCE PROVIDING AMENDMENTS TO SECTION II-B.11.a, SECTION II-B.11.b, SECTION II-B.11.n, SECTION II-B.11, SECTION III-B.16, SECTION III-B.19, SECTION III-B.20, SECTION III-D USE REGULATIONS SCHEDULE; AND ADDING SECTION III-D.6.kk 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 RODEO IN THE CITY. (DER2006-14)

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 rodeo in the city; and

WHEREAS, by K.S.A. 12-770, the City of Wichita may adopt reasonable regulations for the development and operation of rodeos in the City; 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 rodeos in the City;

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

SECTION 1. Section II-B.11.a 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:

a. Recreation and Entertainment, Indoor means a privately-owned establishment offering recreation, entertainment or games of skill to the general public or members that is wholly enclosed in a building. Typical uses include bowling alleys, indoor theaters, bingo parlors, pool halls, billiard parlors, video game arcades, racquetball and handball courts, and amusement rides. It does not include buildings typically accessory to a subdivision that are for use by the subdivision's residents and their guests or "rodeo in the city."

SECTION 2. Section II-B.11.b 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:

b. Recreation and Entertainment, Outdoor means a privately-owned establishment offering recreation, entertainment or games of skill to the general public or members wherein any portion of the activity takes place in the open. Typical uses include archery ranges, batting cages, golf driving ranges, drive-in theaters, miniature golf courses, "pitch and putt" facilities, tennis courts, and amusement rides. It does not include golf courses, parks, open space and recreational facilities typically accessory to a subdivision that are for use by the subdivision's residents and their guests: or "rodeo in the city."

SECTION 3. Section II-B.11.n 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:

n. Riding Academy or Stable means a commercial establishment for boarding, breeding, training or raising of horses not owned by the owners or operators of the establishment, rental of horses for riding, or other equestrian activities. "Riding academy or stable" shall not include "Rodeo in the City."

SECTION 4. Section II-B.11 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:

p. Rodeo in the City means a competition, exhibition or demonstration involving persons, equines and/or bovines in which participants display various skills in one or more events such as, but not limited to, bareback riding, saddle bronco riding, steer wrestling, roping, team roping, tie-down roping, barrel racing, bull riding or similar events occurring in the City of Wichita.

- (1) Rodeo, Indoor means a rodeo in which all practices, competitions, exhibitions and/or demonstrations are conducted inside buildings or structures that are covered by roofs, and which are fully enclosed by solid walls and closeable openings, such as windows and doors. Outdoor loading, unloading and temporary penning of livestock into and from the indoor facility or facilities is allowed. An indoor rodeo may include outdoor storage of livestock, but shall not include any outdoor practices, competitions, exhibitions and or demonstrations.
- (2) Rodeo, Outdoor means a rodeo in which any or all competitions, exhibitions and/or demonstrations, and any related livestock storage, are conducted outside of buildings or structures as defined for "Rodeo, Indoor."

SECTION 5. Section III-B.16.b.(3) 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:

Rodeo in the City, subject to Sec. III-D.6.kk

SECTION 6. Section III-B.19.b.(3) 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:

Rodeo in the City, subject to Sec. III-D.6.kk

SECTION 7. Section III-B.20.b.(3) 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:

Rodeo in the City, subject to Sec. III-D.6.kk

SECTION 8. Section III-D Use Regulations Schedule 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:

P=Permitted Use
C=Conditional Use

USE TYPE	ZONING DISTRICTS	
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obtained per the requirements of the Community Events Ordinance in Chapter 3.11 of the Code of the City of Wichita.

SECTION 10. 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 14th day of November, 2006.

Carlos Mayans, Mayor

ATTEST:

Karen Sublett, City Clerk

Gary E. Rebenstorf, City Attorney

(SEAL)