

## Article 05 Land Uses

### 5.1. Purpose

The purpose of this article is to define primary and secondary land uses and structures; differentiate between primary and secondary uses and structures; and identify which land uses and structures are allowed by-right, permitted by conditional use, and disallowed within each zoning district.

### 5.2. Primary Land Uses

This section defines individual primary land uses, which are listed by major land use sub-category and land use sub-category. A table of primary land uses allowed by zoning district is also provided. For context, definitions include in parentheses North American Industry Classification System (NAICS) 2012 numbers. The NAICS is a hierarchical numbering system used by federal agencies in classifying business establishments for economic analysis purposes. Land uses are not regulated by the NAICS number. However, the numbers provide additional guidance as to the types of uses associated with the land use. Two-digit NAICS numbers identify the industry sector, three-digit numbers identify the industry sub-sector, four-digit numbers identify the industry group, and five- and six-digit numbers identify the specific industry. NAICS numbers are not provided for uses that have no corresponding NAICS numbers and those that generally do not produce income.

#### Agricultural Land Uses

##### General Agricultural Uses

Animal or Livestock Production: Establishments primarily engaged in raising or fattening animals for sale of animals or animal products (11211 - 11299).

Crop Production: Establishments primarily engaged in growing or producing crops mainly for food and fiber (11110 - 11219, 11910 - 11999).

Breeding Kennel: Establishments primarily engaged in providing breeding services for house pets and small animals allowed by City Code (112990).

Greenhouse or Hoop House: Establishments primarily engaged in growing and selling flowers, plants, fruits or vegetables that are wholly covered within a transparent or semi-transparent structure (11219, 11419, 11422).

Nursery or Orchard: Establishments primarily engaged in growing and selling trees, flowers, plants, fruits, vegetables or other vegetation that are grown in the open (11310 - 11422).

#### Residential Land Uses

##### Single-Family Dwellings

A detached single-family dwelling contains one (1) dwelling unit, which is designed and specifically intended to be occupied by one (1) family. An attached single-family dwelling has two (2) adjoined dwelling units, each unit designed and specifically intended to be occupied by one (1) family.

Duplex: Attached single-family dwellings with two (2) individual dwelling units located on a single lot that share a common wall or floor. The structure and lot have singular ownership, but each unit is intended to be occupied individually by one (1) family.

Earth Sheltered Home: Residential buildings designed to utilize earth as protection from the elements. They may be dug into the ground or have raised or mounded earth extending higher than the floor level on more than one (1) side of the building (not including basements).

Garden Home: Attached single-family dwellings designed for zero lot line development. Each structure has two (2) individual dwelling units, each on a separate lot and sharing a common wall located on the lot line. Each unit is intended to be occupied individually by one (1) family. Garden home subdivisions may be designed as condominium developments or traditional individual-owner developments.

Manufactured or Mobile Home: Transportable, factory-built structures, designed to be used as a year-round residential dwelling. Mobile homes were built prior to the June 15, 1976 enactment of the National Manufactured Home Construction and Safety Standards Act. Manufactured homes were built after said date and are subject to its provisions. This shall not include "tiny homes" or other portable dwellings mounted on a trailer or having no integrated wheeled framework, which shall be regulated herein as recreational vehicles.

Modular Home: Residential dwellings constructed of components manufactured at a remote location and transported to the home site, where they are assembled and installed on a permanent foundation.

Components are fabricated utilizing assembly-line production techniques or other methods unique to the manufacturing process.

Patio Home: Detached single-family dwellings designed for zero lot line development. Each dwelling is owned independently and has one wall located on a side lot line. Patio home subdivisions may be designed as rental developments or traditional individual-owner developments.

Residential-Design Manufactured Home: Manufactured homes defined as such by K.S.A. 12-242(a)(7), with a minimum of twenty-two (22) body feet in width placed on permanent foundations, and having a pitched roof, siding and roofing materials that are customarily used on site-built homes, and that comply with the architectural and aesthetic standards of this Code.

Site-Built Home: Residential dwellings constructed of basic materials (i.e. lumber, piping, flooring) delivered to the home site. Building components are fabricated on-site, assembled, and installed on a permanent foundation.

#### Multi-Family Structures

Apartments: Multi-story residential buildings containing three (3) or more adjoining dwelling units, each unit intended to be occupied individually by one (1) family. Each unit shares a common wall, floor, or ceiling with at least one (1) other unit. Apartments may be developed rental, condominium, or dormitory units. This definition includes all similar dwelling types that are not otherwise defined (53111).

Boarding House: Residential buildings, typically private homes, with rooms rented to individuals on a monthly basis or longer. These generally offer private sleeping quarters with common kitchen, bathroom, and living areas. They may be owner-occupied with rooms rented to other individuals or group living quarters, such as fraternity and sorority houses, that are not defined herein as a Group Home (721310).

Group Home: Dwellings for persons with a disability, which are licensed by the State of Kansas in accordance with K.S.A. 12-736, et seq. Maximum occupancy of such dwellings is ten (10) individuals, which may include up to eight (8) persons with a disability plus no more than two (2) staff residents (623210, 623220, 623990).

Townhome: Residential buildings with three (3) or more adjoining multi-story dwelling units, each unit intended to be occupied independently by one (1) family. Each unit shares a common vertical wall with at least one (1) other unit. Townhome subdivisions may be designed as rental developments, condominium developments, or traditional individual-owner developments (53111).

Triplex or Quadplex: Residential buildings with adjoining one-story dwelling units, each unit intended to be occupied individually by one (1) family. Triplexes have three (3) adjoining units and quadplexes have four (4) adjoining units, each of which shares a common wall with at least one (1) other unit. Triplexes and quadplexes may be developed as rental or condominium units (53111).

#### Nursing & Residential Care Facilities

Assisted Living Facility: Group living quarters with on-site personal care services for elderly individuals or those needing limited personal care services, which has no on-site nursing care (623312, 623220, 623210).

Continuing Care Facility: Group living quarters with on-site personal care services for elderly individuals or those needing personal care services, which also has on-site nursing care (623311).

Nursing Care Facility: Establishments primarily engaged in providing inpatient nursing and rehabilitative services. The care is generally provided for an extended period of time to individuals requiring nursing care. These establishments have a permanent core staff of registered or licensed practical nurses who, along with other staff, provide nursing and continuous personal care services (623110).

#### Residential Mixed Uses

Live/Work Office or Studio: A unit or units within a single building having separately defined residential and work spaces. Work spaces are restricted to allowable office-based uses as defined below or arts and culture uses as defined in this Article.

Loft or Apartment in Commercial Building: A residential unit located within a building primarily used for commercial purposes consistent with the zoning district in which it is located.

#### Office Land Uses

##### Administration & Management Offices

Business or Corporate Office: Establishments used for the headquarters or administrative operations of a business or corporation (55111 - 551114).

Governmental or Institutional Office: Establishments used for administrative operations of an institutional or governmental agency/organization (813110 - 813990, 921110 - 928120).

##### Medical & Health Offices

Medical or Diagnostic Laboratory: Establishments that provide analytic or diagnostic services, including body fluid analysis and diagnostic imaging, generally to the medical profession or to the patient on referral from a health practitioner (621511, 621512).

Medical Clinic: Establishments that provide outpatient health care services to ambulatory patients and having four (4) or more licensed medical professionals (621111 - 621498).

Medical Office: Establishments that provide outpatient health care services to ambulatory patients and having three (3) or fewer licensed medical professionals (621111 - 621498).

##### Professional & Technical Offices

Accounting, Finance or Investment Service: Establishments that provide accounting, tax preparation, bookkeeping, billing, payroll, financial management, and investments services (522210 - 523999, 525110, 525120, 525901 - 525990, 541211 - 541219).

Attorney or Law Office: Establishments of legal practitioners, lawyers or attorneys engaged in the practice of law, which may provide general expertise or practice specific areas of law, such as criminal, corporate, family and estate, patent, real estate, or tax law (541110).

Business Support or Consulting Service: Establishments that provide business support services, which may include routine functions traditionally conducted internally, research, assistance, or expert advice to businesses and other organizations (541611 - 541618, 541810 - 541930).

Design or Technical Profession: Establishments that provide planning and design activities, such as engineering, architecture, geotechnical services, survey, etc. (541310 - 541490, 541620, 541690, 541990).

Information Technology: Establishments that use technology involving the development, maintenance, and use of computer systems, software, and data processing/distribution networks (518210, 519130, 519190, 541511 - 541519).

Insurance or Real Estate: Establishments that provide or service annuities or insurance policies, including related support activities such as sales, underwriting, investing premiums, or processing claims; establishments that provide professional real estate services including brokerage, sales agency, rental/leasing, property management, abstracting, title work, and appraisal services (524113 - 524298, 525190, 531110 - 531390).

Travel Agency: Establishments that sell or operate travel, tour, and accommodation services (561510 - 561599).

#### Other Office-Based Uses

Corporate, Scientific or Government Campus: Contiguous developments that contain a group of office and support uses by a single entity or group of entities united for a singular purpose, and utilized as a consolidated base of operations (541690 - 541720, 551111 - 551114, 813110 - 813990, 921110 - 928120).

Multi-Tenant Office Building: Structures divided into separate units for conducting office-based activities having some shared common spaces for support functions (531120).

Research & Development Laboratory: Establishments that conduct original investigation undertaken on a systematic basis to gain new knowledge, or apply research findings or scientific knowledge to create or improve products or processes (541713 - 541720).

Veterinary Clinic (house pets): Establishments that practice veterinary medicine, dentistry, surgery or related testing services. These treat household pets exclusively and may include outdoor support facilities as allowed by these regulations (541940).

Veterinary Clinic (large animal): Establishments that practice veterinary medicine, dentistry, surgery or related testing services. These treat large animals and livestock, either exclusively or in addition to house pets and may include outdoor support facilities (541940).

## Arts, Culture & Recreation Land Uses

### Arts & Culture Uses

**Arts & Crafts Studio or Gallery:** Establishments that create, store, display, or sell works of art or individually crafted items (453920, 711510).

**Library:** Establishments that contain collections of books, periodicals, films, music, or similar items for people to use, borrow, study, and reference (519120).

**Motion Picture Studio:** Establishments that produce or distribute motion pictures, videos, television programs, or commercials or provide post-production and related services (512110).

**Museum:** Establishments that contain exhibits of historical, scientific, artistic, or cultural objects and may also store, research, clean, or restore such items (712110).

**Sound Recording Studio:** Establishments that produce and distribute musical recordings, publish music, or provide sound recording and related services (512240).

**Tattoo or Body Piercing Studio:** Establishments that provide body tattooing or piercing services (812199).

**Theater, Motion Picture:** Establishments that project motion pictures or videos onto a screen for viewing by a group of individuals assembled in a venue designed specifically for such purposes (512131).

**Theater, Performing Arts:** Establishments that produce the performances of actors, singers, dancers, musical groups, or similar artists, and present the performances to a group of individuals assembled in a venue designed specifically for such purposes (711110, 711120, 711130).

### Recreation & Sports Uses

**Amusement Arcade:** Establishments that contain collections of coin-operated games or entertainment devices, board games, card games, and similar items used by individuals solely for recreation and not gambling purposes (713120).

**Fitness Center or Health Club:** Indoor establishments that contain equipment and related facilities for individuals to engage in exercise or physical fitness activities (713940).

**Golf Course or Country Club:** Establishments that contain golf courses, which may include associated driving ranges, retail sales, dining facilities, and other sports, fitness or recreational facilities (713910).

**Horse Riding Stable:** Indoor or outdoor establishments for equestrian instruction, practice, and competition including support facilities. This use includes rodeo grounds and facilities (713990).

**Recreation, Sport or Amusement Center:** Establishments designed and equipped for conducting specific sports, leisure, fitness, and recreation activities in one location. This may include indoor and outdoor facilities either open to the public or operated on a membership basis. Such facilities often include one or more of the following: bowling alleys, video arcades, miniature golf, golf driving ranges, batting cages, go-cart tracks, carnival rides, swimming pools, ballfields, etc. (713990).

**Shooting Range, Indoor:** Indoor establishments for firearms and archery instruction, practice, and competition designed with separate firing positions for individuals or groups of shooters (713990).

**Shooting Range, Outdoor:** Outdoor establishments for firearms and archery instruction, practice, and competition designed with separate firing positions for individuals or groups of shooters (713990).

## Commercial Service Land Uses

### Automotive & Equipment Services

**Automotive Maintenance Shop:** Establishments, not including tire shops, that provide only minor routine automotive maintenance services for passenger vehicle, such as oil & filter changes. Such businesses are not equipped to conduct minor or major repairs (811191, 811198).

**Automotive Repair Shop:** Establishments, including tire shops, that provide minor or major automotive repair services for passenger vehicles (811111 - 811122, 811198).

**Car Wash:** Facilities used for cleaning, washing, waxing, or detailing of passenger vehicles (811192).

**Commercial or Industrial Equipment Repair Shop:** Establishments that repair or maintain commercial and industrial machinery/equipment, including sharpening or installing blades and saws or minor welding repairs (811310).

**Construction & Heavy Equipment Repair Shop:** Establishments that repair or maintain construction and heavy equipment, such as forklifts, backhoes, construction equipment, and mining machinery, dump trucks, and semi-trucks/trailers (811310).

**Garden Equipment & Small Engine Repair Shop:** Establishments that repair or maintain home and garden equipment, such as lawnmowers, trimmers, hand-held power tools, snow blowers, and similar equipment with small engines (811411).

**Recreational Vehicle, Camper & Trailer Repair Shop:** Establishments that repair or maintain recreational vehicles, campers, and trailers (811111, 811121, 811490).

**Semi-Truck/Trailer Wash:** Establishments that wash semi-trucks/trailers or without tank trailers (811192).

**Tractor & Farm Implement Repair Shop:** Establishments that repair or maintain farm tractors, combines, and similar agricultural machinery and equipment (811310).

### Business Support Services

**Business Service Center:** Establishments that provide mailbox rental and other postal and mailing services (except direct mail advertising); photocopying, duplicating, bluprinting, and other document copying services (but not bulk commercial printing services); and office support services, such as facsimile services, word processing services, on-site personal computer rental services, and office supply sales (561431, 561439, 561410).

**Call Center or Telemarketing Agency:** Establishments that conduct business, either for themselves or others, solely over the telephone on an incoming or outgoing basis including: call answering services; telemarketing; taking client orders; serving customer accounts; soliciting contributions; providing information for products or services; and conducting surveys or polls (561421, 561422, 454110).

**Credit Bureau or Collection Agency:** Establishments that compile information on individuals or businesses, such as credit and employment histories, and provide that information to financial institutions, retailers, and others who evaluate creditworthiness; collecting payments for claims and remitting collected payments to clients (561440, 561450, 561491).

Data Processing Center: Establishments that provide infrastructure for data processing/distribution services including web hosting, streaming services or application hosting, application service provisioning, mainframe facilities, automated data processing, and data entry services (518210).

Office Equipment Repair & Maintenance: Establishments that repair and maintain office electronics including computers, printers, copiers, and other similar equipment (811212, 811213).

#### Personal Care Services

Barber Shop or Beauty Salon: Establishments that provide hair care services including cutting, trimming, styling, shampooing, coloring, or waving hair or shaving and trimming mens beards; providing facials; or applying makeup, not including permanent makeup (812111, 812112).

Day Spa: Establishments that provide health, beauty, and relaxation services; therapeutic or holistic treatments; any combination of personal care services (812199).

Massage Therapy: Establishments that provide body massage services offered by individuals with appropriate documented education and credentials; and duly authorized by the Butler County Health Department to practice massage therapy (812199).

Nail Salon: Establishments that provide nail care services such as manicures, pedicures, painting, polishing, trimming, and similar services (812113).

Tanning Salon: Establishments that provide body tanning services and UV or spray equipment (812199).

#### Personal & Household Services

Coin-Operated Laundry: Establishments that provide coin-operated or similar self-service laundry equipment for customer use on the premises (812310).

Dry Cleaning or Laundry Service: Establishments that provide dry-cleaning, laundry, or other textile or garment cleaning services, typically with drop-off and pickup operations (812320).

Household Items or Furnishings Repair & Maintenance: Establishments that provide repair and service of household-type goods without retailing new goods (811420, 811490).

Locksmith Shop: Establishments that sell and service mechanical or electronic locking devices, safes, and security vaults including installation, repair, rebuilding, or adjusting services (561622).

Personal Goods Repair & Maintenance: Establishments that repair and service small personal goods not included in other personal and household services definitions, without retailing new goods (811490).

Picture Framing Shop: Establishments that provide cutting, assembling, and crafting of picture frames or providing picture framing services for customers (442299).

Tailor or Dressmaker: Establishments that create custom-made clothing and apparel from patterns by cutting and sewing fabric; and make alterations to clothing and apparel owned by others (811490).

Video Rental: Establishments that rent prerecorded video media to individuals to view elsewhere (532282).

#### Transient Lodging

Bed & Breakfast Inn: Establishments that provide short-term (daily or weekly) lodging in a private home or accessory structure, typically located in a residential zoning district. Owners of the principal structure may or may not occupy the premises at the same time as guests. Meals may be included in the room rate. This includes using Airbnb, VRBO and similar services for rental/booking arrangements (721191).

Campground or Recreational Vehicle (RV) Park: Establishments that operate sites to accommodate campers and their equipment, including tents, tent trailers, and recreational vehicles; and includes recreational vehicle parks and campgrounds and recreational and vacation camps (721211).

Extended Stay Hotel: Establishments that provide lodging for a fee on a per night, per week, or per month basis. Individual units are not intended for permanent residency, but may have kitchens/kitchenettes and separate living and sleeping areas (721110).

Group Shelter: Establishments that provide temporary or emergency shelter for individuals or families, in either private rooms or shared common spaces intended for temporary occupancy. This may include incidental social services, such as meals or counseling, provided to temporary occupants (624221).

Hotel or Motel: Establishments that provide short-term (daily or weekly) lodging in facilities known as hotels, motor hotels, resort hotels, and motels (721110).

#### Misc. Commercial Services

Auction House: Establishments that sell used merchandise by auction, not including vehicle and equipment auctions (453998, 561990).

Bail Bond Service: Establishments that provide bail bonding or bondsperson services (812990).

Banking Service: Establishments that accept deposits, lend funds from said deposits, provide extensions of credit, and the custody, loan, or exchange of money. Includes only establishments chartered by the State of Kansas or federal government as a bank, credit union, or similar financial institution (522110 - 522310).

Boarding Kennel: Establishments that provide temporary short-term lodging for house pets owned by others and limited pet care services as allowed by City Code (812910).

Day Care Center: Commercial day care establishments for adults or children that are appropriately licensed by the Kansas Department of Health and Environment (KDHE) that provide care for up to twelve (12) hours per day and which are not home-based businesses (624120, 624410).

Event Center: Establishments that provide facilities on a rental basis for hosting private events, such as weddings, birthdays, and social gatherings. Such establishments may serve, or allow to be served by patrons, cereal milk or alcoholic beverages when appropriately licensed, subject to applicable provisions of state and federal law, City Code, and these regulations (531120, 722320).

Funeral Home or Mortuary: Establishments that prepare the dead for burial/interment and conduct funerals (812210).

Non-Banking Financial Service: Establishments that provide banking-type services or other financial services, but do not hold deposits and are not chartered by the State of Kansas or federal government. Typical services include check cashing, payday loans, car title loans, and money wiring (532298, 523320, 522390).

Pet Grooming Service: Establishments that provide pet grooming services (812910). Taxidermy Studio: Establishments that provide taxidermy services (711510).

## Retail Land Uses

### Automotive & Equipment Sales, Rental or Leasing

Auto Rental Office: Establishments that provide short-term vehicle rental/leasing without drivers, including passenger cars, motorcycles, scooters and pick-up trucks (532111, 532112).

Auto & Personal Vehicle Sales: Establishments that provide sales of new and used automobiles, motorcycles, light trucks, passenger and cargo vans, boats (441110, 441120, 441222, 441228).

Construction & Heavy Equipment Sales/Rental: Establishments that provide sales, rentals, and leasing of new and used construction equipment and other heavy equipment (532412).

Lawn & Garden Equipment Sales: Establishments that provide sales and/or rentals of new and used lawn and garden equipment and supplies (444210, 532310, 532490).

Tool or Equipment Rental: Establishments that provide short-term rental of home and garden, construction, and similar equipment such as hand tools, power tools, and lawn care equipment (532289, 532310).

Tractor & Farm Implement Sales/Rental: Establishments that provide sales, rentals, and leasing of new and used tractors and farm implements and machinery (423820, 423860, 532310, 532490).

Truck, Trailer or Recreational Vehicle Sales/Rental: Establishments that provide sales, rentals, and leasing of heavy trucks, truck trailers, semi-trailers, utility trailers, campers or recreational vehicles (441210, 441228, 532120).

Vehicle or Equipment Auction: Establishments that provide auction services for vehicles and other equipment that are typically owned by others (423110).

### Building Material & Supply Sales

Electrical, Heating or Plumbing Contractor Supply: Establishments that provide sales of specialized lines of new electrical, heating, and plumbing appliances, equipment, and materials (423610, 423720, 444190).

Flooring, Paint or Home Decor Store: Establishments that provide retail sales of paint, wallpaper, building flooring materials, home decor items, and related supplies (444120, 444190).

Hardware & Tool Store: Establishments that provide retail sales of new hardware items, such as tools, fasteners, and builders' hardware. These may offer the incidental retail sale of general merchandise, construction materials, home, lawn and garden supplies. This may include temporary or permanent outdoor storage and display of goods for immediate sale (444130).

Home & Garden Center: Establishments, typically associated with a national "big-box" retail chain, that provide retail sales of a variety of home, lawn, and garden supplies; landscaping materials; plants; brick; lumber and other similar materials. This use may include permanent outdoor storage and display of goods for immediate sale (444110, 444220).

Lumber Yard: Establishments that provide sales of lumber, which may be stored indoors or outdoors (423310, 444190).

### General & Specialty Retail

Adult Retail Store: A sexually oriented establishment considered an adult bookstore, adult novelty store, or adult video store as defined in K.S.A. 12-770, et seq. (N/A).

Antique Shop: Establishments that provide retail sales of used goods known as antiques, which were made earlier than the present period of time and have value because of considerable age (453310).

Book or Music Store: Establishments that provide retail sales of new or used books and other reading material or music recordings (443142, 451211, 451212).

Cable or Satellite TV or Telecommunication Retail Store: Establishments that provide retail sales of cable, satellite, or telecommunication services and associated merchandise (5171, 5174, 5179).

Cigar or Tobacco Product Shop: Establishments that provide retail sales of cigars, tobacco, pipes, e-cigarettes and other supplies for smoking or nicotine delivery (453991, 453998).

Clothing, Shoe or Apparel Store: Establishments that provide retail sales of new clothing, clothing accessories, shoes, or apparel; including formal wear and costume rental (448110 - 448210, 532281).

Cosmetics or Beauty Supply Store: Establishments that provide retail sales of cosmetics, perfumes, toiletries, and personal grooming products (446120).

Farm & Home Store: Establishments that provide retail sales of new building materials and supplies, new lawn and garden equipment, or new general farm equipment, not including heavy machinery. This may include the outdoor storage and display of goods for immediate sale (444220).

Florist: Establishments that offer retail or wholesale sales of cut flowers, floral arrangements, and potted plants. May include sales of plants purchased from others or grown inside greenhouses or hoop houses located on-site (453110, 453998).

Furniture or Home Appliance Store: Establishments that provide sales and/or rental of furniture, home furnishings, household appliances, televisions, stereo equipment, and home electronics (442299, 443141, 443142, 532289).

General Merchandise or Department Store: Establishments that provide retail sales of new general merchandise, with a wide variety of goods available and no single line of merchandise line being predominant (452210, 452319).

Gift, Novelty or Souvenir Shop: Establishments that provide retail sales of new gifts, novelty merchandise, souvenirs, greeting cards, seasonal and holiday decorations, or curios (453220).

Health Care or Medical Equipment Store: Establishments that provide retail sales and/or rental of health, personal, and medical equipment (446199, 532283).

Hobby Supply Shop: Establishments that provide retail sales of new toys, games, hobby and craft supplies and materials (451120).

Musical Instrument Store: Establishments that provide retail sales and/or rental of new and used musical instruments, sheet music, and related supplies (451140, 532289).

Office Supply or Stationery Store: Establishments that provide retail sales of new stationery, school supplies, office supplies, office equipment, office furniture, or office supplies (453210).

Pawnshop: Establishments that provide retail sales of general items and providing non-depository credit, pawn brokering, lending money upon personal property, pawns of pledges, or purchasing items at prices agreed upon at or before the time of such purchase (522298).

Pet or Pet Supply Store: Establishments that provide retail sales of pets, pet food, and pet supplies (453910).

Pharmacy or Drug Store: Establishments that provide retail sales of prescription and non-prescription drugs and medicines (446110).

Resale or Thrift Shop: Establishments, not including antique shops or pawnshops, that provide retail sales of a variety of used items, clothing or small household goods. Consignment sales may be offered. These may be operated by non-profit organizations, which gather, sort, and sell donated items on-site (453310).

Sporting or Recreational Goods Store: Establishments that provide retail sales and/or rental of new or used sporting goods, recreational equipment and fitness equipment (451110, 532284).

Supercenter or Warehouse Club: Establishments, typically associated with a national "big-box" retail chain, that provide retail sales of a general line of groceries in combinations with general lines of new merchandise (452311).

#### Grocery, Food & Beverage Sales

Bakery or Pastry Shops: Establishments that provide retail sales of bread and other baked goods made on the premises. May offer items intended for consumption on- and off-premise (311811, 445291, 722515).

Beer, Wine or Liquor Store: Establishments that provide retail sales of packaged alcoholic beverages (445310).

Convenience Store: Establishments that provide retail sales of a limited line of goods that generally includes milk, bread, soda, and snacks (445120, 447110).

Grocery Store or Supermarket: Establishments that provide retail sales of a general line of food products and miscellaneous general merchandise (445110).

Health Food or Supplement Store: Establishments that provide retail sales of food supplement products such as vitamins, nutrition supplements, and body enhancing supplements (446191).

Specialty Food Market: Establishments that provide retail sales of specialized lines of food (445210, 445220, 445230, 445292, 445299).

#### Restaurants & Drinking Establishments

Bars or Taverns: Establishments that generate fifty percent (50%) or more of its income from preparing and serving cereal malt or alcoholic beverages for immediate consumption, or classified as a Class A or Class B club per K.S.A. 41-2601, et seq. Such establishments may sell prepared food items when appropriately licensed, subject to applicable provisions of state and federal law, City Code, and these regulations (722410).

Brewpub: Establishments that generate fifty percent (50%) or more of its income from cereal malt or alcoholic beverages brewed on-premise or classified as a Class B club under K.S.A. 41-2601, et seq. Such establishments may sell prepared food items when appropriately licensed, subject to applicable provisions of state and federal law, City Code, and these regulations (722410, 722511).

Cafeteria or Buffet: Establishments primarily engaged in preparing and serving meals for immediate consumption using cafeteria-style or buffet serving equipment, such as steam tables, refrigerated areas, display grills, and self-service nonalcoholic beverage dispensing equipment (722514).

Drive-In Restaurant: Establishments primarily engaged in providing food services where patrons generally order or select items and pay before eating and which provides primary service to people parked in their vehicles. Such establishments shall not sell cereal malt or alcoholic beverages (722513).

Full Service Restaurant: Establishments that generate at least fifty percent (50%) of their income from food prepared on-premise, which is served to patrons who order while seated and pay after eating. Such establishments may sell cereal malt or alcoholic beverages when appropriately licensed, subject to applicable provisions of state and federal law, City Code, and these regulations (722511).

Limited Service Restaurant: Establishments that generate at least seventy-five percent (75%) of their income from food prepared on-premise, which is ordered and served to patrons who must pay before eating. Such establishments may sell cereal malt or alcoholic beverages when appropriately licensed, subject to applicable provisions of state and federal law, City Code, and these regulations (722513).

#### Misc. Retail Sales

Grain & Feed Store: Establishments that provide retail sales of farm supplies, such as crop seed, livestock supplies, and animal (non-pet) feed (444220).

Manufactured Home Dealer: Establishments that provide retail sales of new or used manufactured homes, parts, and equipment (453930).

Multi-Tenant Lifestyle Center: Specialized shopping centers with a compatible mix of national chain specialty stores, dining, entertainment, and smaller retail, service, and office uses. Individual tenant units may be adjoined or detached, with entrances and circulation between units provided along the exterior of buildings (531120, 531312).

Multi-Tenant Shopping Mall: Specialized shopping centers with a compatible mix of national chain specialty stores, dining, entertainment, and smaller retail, service, and office uses. Structures have interior common space providing circulation and direct access to individual tenant units (531120, 531312).

Multi-Tenant Strip Center: Shopping centers with street frontage having multiple tenants set side-by-side with adjoining walls and circulation between units provided along the exterior of the building. These typically include a compatible mix of retail, dining, entertainment, service, and office uses (531120, 531312).

Outdoor Market: Outdoor establishments that provide retail sales of a variety of merchandise and products. Some typical examples include farmer's markets and flea markets (453310, 454390, 531190).

Swimming Pool Supply Store: Establishments that provide retail sales of swimming pool supplies, accessories, and chemicals (453998).

Truck Stop: Establishments that support the trucking industry, limited to on-premise fuel, accessory and convenience item sales; truck repair and washes; and restaurants (447110, 447190).

Vehicle Fueling Station: Establishments primarily engaged in retail sales of automotive fuels (447110, 447190).

#### Industrial Land Uses

##### Industrial Scale Non-Manufacturing

Commercial Laundry Operation: Establishments that supply, on a rental or contract basis, laundered industrial work uniforms and related work clothing, treated mops, rugs, mats, dust tool covers, cloths, and shop or wiping towels; or laundering services for such items (812320, 812331, 812332).

Commercial Printing Operation: Establishments that offer printing on apparel and textile products, paper, metal, glass, plastics, and other materials (323111, 323113, 323117, 323120).

Concrete or Asphalt Pavement Mixing Plant: Establishments that measure, combine, and mix materials to create concrete or asphalt, but do not provide finished concrete or asphalt products (327310, 327320, 324121).

Liquid Waste Processing or Recycling: Establishments that collect, treat, and dispose of liquid waste materials; operate materials recovery facilities; provide remediation services; and provide septic pumping and other miscellaneous waste management services (325998, 423930, 562112, 562211, 562219, 562998).

Matching & Composting Operation: Establishments that collect, store, and manage mulching and composting operations (325314, 562119).

Solid Recyclables Sorting & Processing: Establishments that operate facilities for separating and sorting nonhazardous recyclable materials or operating facilities where commingled recyclable materials, such as paper, plastics, used beverage cans, and metals, are sorted into distinct categories (422920, 562111 - 562920).

General Manufacturing & Assembly

Aviation & Related Component Assembly: Establishments that manufacture or assemble aviation instruments, equipment, and related components (334220, 334511, 336320, 336412, 336413).

Brewery, Winery or Distillery: Establishments that brew beer, ale, malt liquors, and nonalcoholic beer; manufacture or blend wines and brandies; or distill, blend, or mix potable liquors, spirits, and other alcoholic beverages. Such are typically produced for wholesale distribution with limited retail sales allowed on-premise (312120, 312130, 312140).

Clothing or Apparel Manufacturing: Establishments that manufacture or assemble clothing, shoes and other apparel from fibers, woven materials, leathers, furs, etc. (315110 - 315990, 316210 - 316998).

Computer Appliance or Electronics Manufacturing: Establishments that manufacture or assemble products that generate, distribute, or use electrical power. These include lighting, electrical appliances and parts; electric motors and components; electric generators and storage devices; computers; computer peripherals; communications equipment; and similar electronic products (333316, 333318, 334111 - 335921, 335999).

Concrete, Clay or Glass Products Manufacturing: Establishments that manufacture or assemble products using concrete, clay, glass, or similar products (327110 - 327215, 327331 - 327390, 333314).

Food Product or Non-Alcoholic Beverage Production: Establishments that transform livestock and agricultural products into products for intermediate or final consumption or the manufacturing of soft drinks, juices, or other nonalcoholic beverages (311211 - 311520, 311812 - 312112).

Furnishings Manufacturing: Establishments that manufacture or assemble furniture from mass produced materials. Does not include craft workshops that produce custom furniture or refurbishing one piece at a time (337110 - 337920).

Household or Personal Goods Manufacturing: Establishments that manufacture or assemble household goods, excluding furniture and electronics, or personal goods (339910, 339940, 339992 - 339999).

Ice Manufacturing: Establishments that manufacture ice for wholesale distribution (312113).

Mechanical Component Manufacturing: Establishments that manufacture or assemble miscellaneous equipment and end products that apply mechanical force to perform work (333318 - 334415, 333611 - 333999).

Medical Equipment & Supplies Manufacturing: Establishments that manufacture or assemble medical, dental, and surgical equipment, supplies, instruments, and appliances (339112 - 339116).

Metal Products Assembly: Establishments that manufacture or assemble metal products or end products from metals fabricated elsewhere (332114 - 332992, 335929 - 335991).

Metal Working, Tool & Dye or Welding Shop: Establishments that fabricate metal products, tool and dye items, or weld metals into intermediate or end products (333514 - 333519).

Plastic or Rubber Products Manufacturing: Establishments that manufacture or assemble new or spent plastics resins, or process natural, synthetic, or reclaimed rubber materials into intermediate or final products (326111 - 326299, 339991).

Sign Fabrication & Manufacturing: Establishments that manufacture signs and related displays of all materials, except paper signs (339950).

Toy, Recreation or Sporting Goods Manufacturing: Establishments that manufacture items such as dolls, doll parts, doll clothes, action figures, toys, games, hobby kits, children's vehicles, sporting and athletic goods. This category does not include the manufacture of metal bicycles and tricycles or athletic apparel and footwear (339920, 339930).

Wood Product Manufacturing: Establishments that manufacture or assemble wood products, such as lumber, plywood, veneers, wood containers, wood flooring, wood trusses, manufactured homes, and prefabricated wood buildings (32114 - 321999).

Heavy Industries & Raw Materials Processing

Chemical or Explosives Manufacturing: Establishments that produce basic chemicals or gases, creating products by chemical processes, or manufacturing explosives (28120 - 285109, 325311 - 325320, 325510 - 325998, 332992, 332993).

Concrete or Gypsum Manufacturing: Establishments that produce concrete building block, brick, and all types of precast and prefab concrete products; stone cutting, grinding or polishing. Also includes lime manufacturing, and the manufacture of gypsum products, such as plasterboard (327331 - 327999).

Motor Vehicle or Heavy Equipment Manufacturing: Establishments that produce equipment for transporting people and goods or heavy-duty vehicles or other equipment designed for executing agricultural, construction, grading or mining tasks (333111 - 333132, 336111 - 336999).

Paper or Paper Products Manufacturing: Establishments that produce wood pulp, paper, paperboard, or converted paper products (322110 - 322299).

Petroleum or Natural Gas Extraction: Resource extraction establishments primarily engaged in the removal of petroleum and natural gas from the earth for economic use (211120, 211130, 213111, 213112).

Petroleum, Coal or Asphalt Products Manufacturing: Establishments that transform crude petroleum and coal into usable products; manufacture asphalt and tar paving mixtures; produce roofing cements and coatings from asphaltic materials; or saturate mats and felts with asphalt or tar (324110 - 325110).

Pharmaceutical or Medicine Manufacturing: Establishments that manufacture biological and medicinal products; process botanical drugs and herbs; isolate active medicinal principals from botanical drugs and herbs; or manufacture pharmaceutical products intended for consumption (325411 - 325414).

Plastic or Rubber Manufacturing: Establishments that process new or spent plastics or rubbers into intermediate or final products (325211 - 325220).

Quarry or Mine: Resource extraction establishments engaged in mining, developing mines, or exploring for metallic minerals (ores) or coal and nonmetallic minerals (except fields) for economic use (212211 - 212299, 212324 - 212399, 213114, 213115).

Sand, Rock or Mineral Extraction Pit: Resource extraction establishments engaged in surface mining for the removal of sand, rock, and naturally occurring minerals from the earth for economic use (212311 - 212322, 213115).

Sawmill: Establishments engaged in storage, sales, and milling of forest products, not including the cutting of firewood (321113).

Slaughterhouse or Animal Products Processing: Establishments that slaughter animals; prepare processed meats and meat by-products; or render or refine animal fat, bones, and meat scraps (311111, 311119, 311225, 311611 - 311710).

Textile or Carpet Mill: Establishments that transform basic fibers into products that are further manufactured into usable textile products, not including clothing or apparel (313110 - 314999).

#### Wholesale Trade

Importing, Exporting or Wholesale Trade: Establishments that import or export wholesale products; sell merchandise to retailers, industrial, commercial, institutional, farm, professional business users, or other wholesalers; or act as agents or brokers in buying or selling merchandise for others (423110 - 425120).

Wholesale Trade with Showroom: Establishments that import wholesale products; and sell imported wholesale merchandise to others directly or acting as agents; and offer a showroom for displaying or selling products (423110 - 425120).

Vending Machine Supply or Distributor: Establishments that supply or distribute machines that mechanically dispense consumer items; or supply or distribute items sold by vending machines (454210, 713120, 812990).

#### Warehousing & Storage

Agricultural Product or Fertilizer Warehousing/Storage: Establishments that store products, materials, or chemicals that used in livestock or agricultural production (424510, 493130).

Bulk Chemical, Explosives or Petroleum Storage: Establishments that store chemicals, explosives, petroleum products or similar components (424710, 424720, 454310, 493190, 562211).

Cold Storage or Refrigerated Warehousing: Establishments that store commercial goods and materials requiring refrigeration or temperature control (493120).

Commercial Livestock Feeder: Establishments that raise livestock or feed livestock for fattening (11212).

Construction Contractor Yard: Establishments that provide general contracting or subcontracting in the building construction trades. These include administrative offices, workshops and the indoor or outdoor storage of tools, equipment, materials, and vehicles (236115 - 238990).

General Indoor Warehousing: Establishments that store general commercial goods and materials inside of a building (493110).

General Outdoor Storage: Establishments that store general commercial goods and materials outside of a building (493110, 493190).

Junk, Scrap or Salvage Yard: Establishments that store, recycle, dismantle, or sell cast-off, used, scrap, or salvage materials, metals, automobiles, or similar items (423140, 423930).

Livestock Auction Barn: Establishments that consign livestock for auction, which is open to public bidding or sold on a commission basis (424520, 424590).

Self-Storage, Commercial: Establishments that rent/lease, separate secured units to individuals who self store and retrieve personal items (531130).

Vehicle or Equipment Storage Yard: Establishments that store vehicles and other equipment for a fee, within a secured area enclosed and screened by a fence (493190).

#### Transportation & Freight Uses

Airstrip, Airport or Heliport: Establishments that provide landing and take-off facilities for aircraft, with related support facilities and buildings (481111 - 481219, 488111 - 488190).

Commercial Parking Lot or Garage: Establishments that provide off-street parking stalls for motor vehicles, usually on an hourly, daily, or monthly basis, and may offer valet parking services (812930).

Courier, Messenger or Local Delivery Service: Establishments that provide intercity, local, or international delivery of parcels, documents, furnishings and bulk items (including express delivery services) without operating under a universal service obligation (484210, 491110, 492210).

Motor Vehicle Towing or Wrecker Service: Establishments that provide towing services for light or heavy motor vehicles, both local and long distance. These establishments may provide incidental services, such as storage and emergency road repair services (488410).

Public Transit or Charter Bus Terminal: Establishments primarily used as terminals or major hubs for operating passenger ground transportation service, including fixed route service and on-demand service, for profit or by a public agency (485111 - 485210, 485410 - 485999).

Rail & Intermodal Freight or Transfer Yard: Establishments used to transfer goods between different freight modes including trains and trucks, ships, or aircraft (482111, 482112, 488210).

Taxi, Limousine or Shuttle Service: Establishments that provide passenger transportation by automobile, van, limousine, or shuttle bus, which are not operated over regular routes and on regular schedules (485310, 485320, 485999).

Trucking & Freight Terminal: Establishments used to transfer freight from trucks or trains on a broad distribution network to vehicles that deliver directly to the final recipients (484110 - 484122, 484220, 484230).

#### Communication & Utility Land Uses

Broadcast Tower: A freestanding monopole, lattice framework or guyed structure with equipment that transmits/receives radio, television, satellite, microwave, radar or other communication signals. Does not include personal wireless services, facilities or communications as defined in 47 USC § 332 (c) - (d) (515111, 515112, 515120, 517410).

Natural Gas or Petroleum Distribution: Infrastructure, tanks, and aboveground equipment that support the underground transportation or delivery of natural gas or petroleum products (221210, 486110 - 486990).

Radio or Television Broadcasting Station: Establishments that operate broadcast studios and facilities for over-the-air or satellite delivery of radio and television programs (515111, 515112, 515120).



Utility Support Facility or Substation: Infrastructure, equipment, structures or land owned by a public agency or private utility that support the provision of organizational services or utilities, except managerial/ administrative functions; or facilities that connect utility transmission infrastructure to the distribution or collection network of a specific service area within the utility system. These are the primary use of a zoning lot. Does not include wireless communications as defined in Section 03.03 (221111 - 221330, 515210, 515311).

Wireless Communications Tower: Freestanding monopoles, self-supported structures or guyed structures capable of supporting transmission equipment for personal wireless communications, such as cellular voice/ data or other similar services as defined in 47 USC § 332 (c) - (d). This shall include collocated wireless facilities requiring substantial modification of the existing structure prior to installation. See definitions in Section 03.03 (517312).

**Public & Institutional Land Uses**

Arena or Stadium: Facilities primarily for spectator-oriented gatherings including sporting events, attractions, performing arts, or similar assemblies. Includes stadiums, coliseums, arenas, field houses, race tracks (auto and animals), motorcycle racing and drag strips, and other sports considered commercial (711211, 711212, 711219).

Cemetery or Mausoleum: Intermment establishments that subdivide property into lots and offer burial plots for sale. Includes animal cemeteries, cemetery, mausoleum, and related facilities; and funeral parlors accessory to a cemetery or mausoleum (812220).

Civic, Religious or Organizational Meeting Place: Permanent venues designed for hosting gatherings or meetings of groups, congregations, institutions, or organizations (813110 - 813990).

Correctional Institution: Facilities generally designed and operated for the confinement, correction, and rehabilitation of adult or juvenile offenders sentenced by a court (922140).

Crematory: Establishments that operate facilities where the dead are cremated (812220).

Hospital: Establishments that provide medical, diagnostic, and treatment services that include physician, nursing, and other health services provided on an inpatient basis; and the specialized accommodation services required by inpatients (622110, 622210, 622310).

Outpatient Surgery or Treatment Center: Establishments that provide general and specialized outpatient services and care related to a treatment of a variety of medical and mental health issues including disorders, substance abuse, family planning, and HMOs (621410 - 621498).

Park/Open Space: An area of land or water dedicated for recreation purposes, sports activities or preservation of natural resources. Some typical examples include parks, playgrounds, open common areas, greenways and nature preserves.

School or Educational Campus: Individual buildings or groups of structures used to deliver educational services. Includes preschools, kindergartens, elementary schools, secondary schools, junior colleges, colleges, universities, professional schools, and military academies (611110 - 611310).

Technical School or Job Training Center: Establishments that provide vocational and technical training in a variety of technical subjects and trades (611410 - 611699).

**5.3. Table of Primary Uses by Zoning District**

**Table Legend**

'A' ALLOWED by-right in zoning district. 'X' NO APPLICABLE specific use standard

'C' Permitted by CONDITIONAL USE in zoning district. p.# Page number where the use standards are found.

'--' Use NOT ALLOWED in zoning district.

Defined Primary Uses	Page# of Def.	Zoning District										Specific Use Standards Page #	
		R-R	R-1	R-2	R-3	R-4	M-1	C-1	C-2	C-3	I-1		
<b>General Agricultural Uses</b>													
Animal or Livestock Production	p. 21	A	-	-	-	-	-	-	-	-	-	-	X
Crop Production	p. 21	A	-	-	-	-	-	-	-	-	-	-	X
Breeding Kennel		A	-	-	-	-	-	-	-	-	-	-	X
Greenhouse or Hoop House		A	-	-	-	-	-	-	-	-	-	-	X
Nursery or Orchard		A	-	-	-	-	-	-	-	-	-	-	X
<b>Agricultural Land Uses</b>													
Zoning Administrator written determination per Section 04.06 G.2													
<b>Residential Land Uses</b>													
<b>Single-Family Dwellings</b>													



















Concrete or Asphalt Pavement Mixing Plant: A temporary structure at a construction site used for the mixing of concrete or asphalt, which is intended to be used at the site.

Construction Administration Trailer: A temporary structure located at a construction site for the administration of activities associated with the construction activities at the site.

Detached Residential Canopys or Garage: A structure considered either a carport or garage as defined in

Section 03.03 that is unattached to a principal residential structure.

Detached Structure for Home Occupation: A detached structure used for conducting business activities associated with a home occupation.

Distributed Antenna System: An infrastructure network that distributes radio frequency signals from transmitters at a central hub site to remote antenna nodes deployed throughout a specific coverage area to personal wireless communication devices.

Drive-Thru Banking Service or ATM: A facility that is part of a banking-type establishment, which is designed to allow drivers to remain in their vehicles when obtaining service from the establishment, or a machine that provides banking-type transaction services in or outside of a building.

Drive-Thru Window Services or Retail Sales: A facility that is part of a retail or service establishment, not including a restaurant, which is designed to allow drivers to remain in their vehicles when obtaining services or goods from the establishment.

Drive-Thru Window, Restaurants: A facility that is part of a restaurant, which is designed to allow drivers to remain in their vehicles when obtaining services or goods from a restaurant.

Fuel Pump: A structure where automotive fuel is dispensed for retail sale, which is not the primary use on a zoning lot.

Garbage Dumpster or Liquid Waste Container: A dumpster or container for the temporary storage of solid or liquid waste, or recyclable materials.

Guard or Security Booth: A structure that is used for operations related to controlling access to a property or development, or which houses persons who control access to the site.

Guest Home or Pool House: An accessory structure that supplements the living space of a primary single-family residence. May contain temporary living and sleeping spaces, including bathrooms, but shall not contain kitchens (rooms for preparing and cooking meals with ranges, stoves, ovens). Such a structure shall not be rented separately from the main building or otherwise used for permanent residential purposes.

Institutional Day Care: Any day care appropriately licensed by KDHE located on the campus of a legally recognized educational institution or religious organization, which is operated by that same organization.

Neighborhood Clubhouse or Swimming Pool: A structure or swimming pool that is provided, owned, and maintained by an organization of the residents of subdivision or group of subdivisions, and is solely for the recreational use of organization members and their guests.

Non-Commercial Farm Animal Keeping: Raising or keeping of farm animals for personal use, which are for personal use and not intended to be commercially sold or distributed.

Non-Commercial Greenhouse or Hoop House: A structure wherein crops, trees, flowers, or other vegetation are grown for personal use and not intended to be commercially sold or distributed.

On-site Wind Energy Conversion System: Equipment having a turbine or rotor that converts wind into usable electric energy distributed non-commercially to structures within the same lot or subdivision.

Outdoor Display of Retail Merchandise for Sale: The display of goods ready for immediate sale, typically arranged in an orderly and attractive manner to induce purchase. Does not include yard or garage sales.

Outdoor Festival, Carnival or Gathering: A temporary festival, carnival, social gathering, or similar activity, which takes place outside of an enclosed structure.

Outdoor Kennel Run or Play Yard: A fenced or enclosed outdoor area accessory to a separate primary use, which provides space for animal exercise and play. A run is typically attached to an indoor space housing an individual animal, whereas a play yard is typically unattached and encloses an area large enough for multiple animals.

Outdoor Market: The temporary retail sale of goods from a location outside of an enclosed structure.

Outdoor Storage of Retail Merchandise Stock: The temporary or seasonal on-premise storage of retail stock that is not displayed or intended for immediate sale.

Shared or Off-Premise Parking: An off-street parking facility located on a zoning lot other than the primary use it serves. Shared or off-premise parking shall only be allowed as provided in Article 07.

Small Cell Facility: A wireless facility having: (A) an antenna that occupy no more than six (6) cubic feet in volume, whether enclosed or exposed to the elements; and (B) having a primary equipment enclosure no larger than seventeen (17) cubic feet in volume or a larger enclosure excluded from such limitations pursuant to 54 USC § 306108. Accessory equipment as defined in Section 03.03 may be located outside of a primary equipment enclosure and shall be excluded from the from the size limit calculation.

Storage Shed or Structure: A permanent or temporary structure used for general storage of personal items, not including vehicle storage.

Unattended Donation Box: A box or container used to collect donated clothing and household goods, which do not require on-premise human operation.

Utility Support Facility: A structure that shelters equipment or infrastructure associated with a public or private utility, which is not the primary use of a zoning lot. Does not include wireless communications as defined in Section 03.03.

Vehicle Maintenance or Repair Garage: A structure used for the maintenance or repair of motor vehicles.

Wind Energy Conversion System: Equipment that converts and transfers energy from the wind into usable forms of electrical energy.

Wireless Communication Tower: A freestanding monopole, self-supported structure or guyed structure capable of supporting transmission equipment for personal wireless communications, such as cellular voice/data or other similar services as defined per 47

USC § 332 (c) - (d). This shall include collocated wireless facilities requiring substantial modification of the existing structure prior to installation. See definitions in Section 03.03.

## 5.5. Table of Secondary Uses & Structures by Zoning District

On-site Wind Energy Conversion System shall be permitted by conditional use and shall be restricted to the Planning Area only. Specific use standards on page 109.

**Table Legend**

- \* Use structure ALLOWED by-right in zoning district.
- o Use structure permitted by CONDITIONAL USE in zoning district.
- o Use structure is NOT ALLOWED in zoning district.
- † May be permitted as a TEMPORARY use/structure in zoning district.
- x NO APPLICABLE specific use standards.
- p Page number where the use structure definition or applicable specific use standards are found.

Defined Secondary Uses/Structures	Page # of Def.	Zoning District												Special Use Standards Page #	
		A-1	K-R	K-1	K-2	K-3	K-4	M-1	C-1	C-2	C-3	E-1	B-S1		
Adult Entertainment	B-40	o	o	o	o	o	o	o	o	o	o	o	o	o	B-S1
Accessory Apartment or Dwelling	B-40	o	o	o	o	o	o	o	o	o	o	o	o	o	B-S1
Landscaping (See Land Use Ordinance Section 17.02)															

**5.6. Requirements for Secondary Uses & Structures**

- A. A Zoning Compliance Certificate shall be required prior to establishing any secondary use or structure allowed by-right. If such use or structure is not shown on the original Site Plan of the lot on which it is proposed, a Administrative Site Plan shall also be submitted with the Zoning Compliance Certificate application.
- B. When a conditional use is required for a secondary use or structure, a Administrative Site Plan shall be submitted with the application.
- C. When a Building Permit is required for a secondary structure, Development Site Plan approval shall be required.

**5.7. Accessory Uses & Structures**

- A. The following are allowable accessory uses/structures, subject to the provisions below, setback requirements, and as otherwise provided in these regulations, as applicable.
  - 1. Above- and in-ground swimming pools, jetted spas
  - 2. Arbors, trellises, yard art, BBQ grills, outdoor furnishings
  - 3. Attached garages and carports
  - 4. Awnings, other attached window/entrance canopies
  - 5. Basketball goals, play equipment, swing sets, slides
  - 6. Bay windows, eaves, gutters, chimneys, window wells, wing walls
  - 7. Clotheslines, flagpoles
  - 8. Cupolas, siccopes, elevator/stairway enclosures, skylights, solar panels, similar rooftop features
  - 9. Fences, decks, patios, porches

10. Fire escapes, stairways, steps, wheelchair ramps for primary or secondary access
  11. HVAC components, telephone, utility service connections
  12. Play houses, storm shelters
  13. Radio antennas, satellite TV dishes, collocated small cell and wireless communication facilities
  14. Required compatibility buffers (per Article 09)
  15. Off-street parking and loading (per Article 07)
  16. Signs
  17. Storage shed or structure
- B. General Provisions for Accessory Structures**
1. Minimum setback requirements shall apply to all accessory uses and structures, except those listed as permitted obstructions in Section 04.06.J.
  2. Accessory structures shall be setback a minimum of ten (10) feet from rear lot lines. Detached garages and carports with direct access to an alley shall require a rear setback of twenty (20) feet.
  3. No accessory structure shall be located within ten (10) feet of a principal structure or within five (5) feet of another accessory structure.
    - (a) Carports are exempt from the 10-ft. setback requirement of a principal structure.
  4. Zoning district bulk regulations shall apply to all accessory structures. However, accessory structures in R-R, R-1, R-2, R-3, and R-4 districts shall not exceed a height of twenty (20) feet.
  5. No accessory structure shall be constructed on or otherwise occupy a lot that has no principal structure.
  6. No accessory structure shall be located in any easement.
- C. Off-street Parking**
1. Uncovered and unenclosed off-street parking stalls may be located in any required yard, except within the sight triangle and where not permitted as an obstruction.
  2. Attached garages and carports containing off-street parking stalls shall meet the setback requirements for the zoning district in which they are located.
  3. Detached garages and carports shall be subject to all minimum setback requirements.
- D. Fences**
1. An approved fence permit shall be required prior to the construction of any fence or wall, even those that are not required as a visual buffer, and shall be subject to applicable Building Code provisions.
  2. When not required as a visual buffer, fences/walls used for decoration, privacy, security, or safety shall be allowed and regulated as follows:
    - a. Open fences (chain link, picket, wrought iron, etc.  $\geq$  75% open space on vertical face)
      - i. Up to six (6) feet in height allowed in all yards of lots having any use.
      - ii. Over six (6) feet in height allowed only by conditional use.
    - b. Closed fences/walls (privacy, masonry, etc.  $\leq$  75% open space on vertical face)
      - i. Up to four (4) feet in height allowed in all yards having any use.
      - ii. Up to six (6) feet in height allowed in rear and side yards of lots with single-family residential uses.
      - iii. Over six (6) feet in height allowed only by conditional use.
- E. Recreational Vehicle/Utility Trailer Parking & Storage**
- Recreational vehicles and other recreational equipment is regulated by City Code (Article 14-219). The outdoor parking and/or storage of major recreational equipment such as boats, camping or house trailers, motor homes, horse trailers or utility trailers shall be regulated as follows:
1. Major recreational equipment shall not be utilized for living purposes, except for the convenience of temporary lodging and when stored as personal property of the occupant. Temporary lodging shall be limited to 30 days in a calendar year.
  2. Parking and/or storage in the public right-of-way, whether in whole or in part, is prohibited.
  3. Parking and/or storage that obstructs the view for ingress and egress of alleys, driveways, and street corner sight triangles is prohibited.
  4. Parking and/or storage shall not impair utility and drainage easements.

5. Parking and/or storage between the front property line and the front building line (extending to the lot's side property lines) is allowed only on a paved hard surface such as concrete, asphalt or at least 4 inches of packed rock or gravel. The drive area between the street and property line shall be poured concrete or asphalt. Paving on City property requires a permit. The minimum number of off street parking spaces required in the zoning district must still be maintained.
6. Parking and/or storage in the side yard or back yard is allowed.