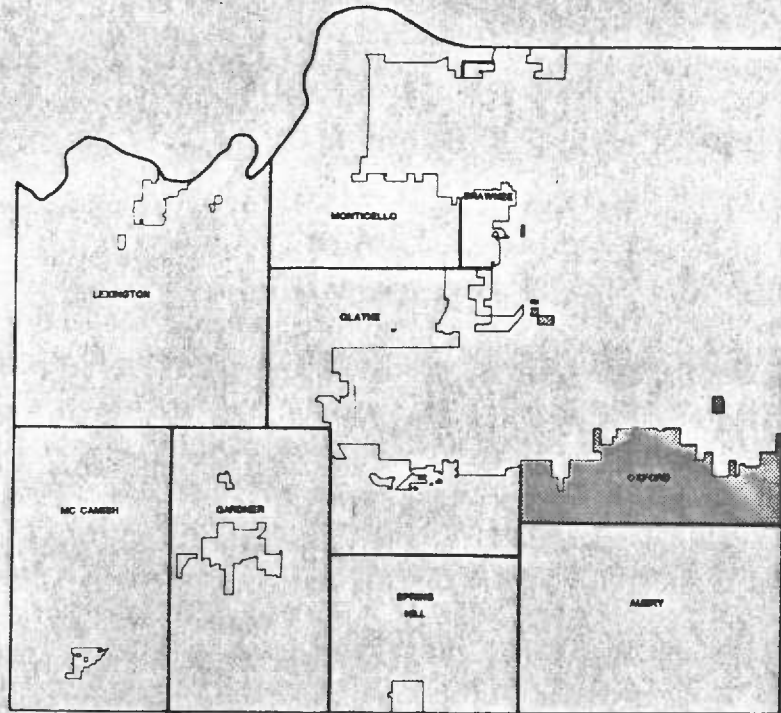


ZONING & SUBDIVISION REGULATIONS

OXFORD TOWNSHIP



**JOHNSON COUNTY,
KANSAS**

MARCH, 1982

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OFFICIAL COPY AS
INCORPORATED BY RESOLUTION
NO. 30-82

Zoning and Subdivision Regulations
Oxford Township
Johnson County, Kansas
March, 1982

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ARTICLE 1

TITLE; PURPOSE; DEFINITION;
DISTRICT AND GENERAL REGULATIONS

Sections:

- 1-101 Title
- 1-102 Purpose
- 1-103 Definitions
- 1-104 Districts
- 1-105 General Regulations Governing All
Zoning Districts

1-101 Title: These Regulations and the maps depicting zoning districts shall be known as the Zoning Regulations of Oxford Township, Johnson County, Kansas.

1-102 Purpose: The Zoning Regulations and districts, as herein established, have been made to promote the safety, morals, order, convenience, prosperity, and the general welfare of the citizens of Oxford Township, Johnson County, and to provide for efficiency and economy in the process of development for the appropriate and best use of land, for convenience of traffic and circulation of people and goods, for the use and occupancy of buildings, for healthful and convenient distribution of population, for good civic design and arrangement, and for adequate public utilities and facilities by regulating the location and use of buildings, structures, and land for trade, industry, and residence, by regulating and limiting or determining the height and bulk of buildings and structures, the area of yards and other open spaces, and the density of use. They have been made with reasonable consideration, among other things, to the character of the district and its peculiar suitability for particular uses and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout Oxford Township, Johnson County, Kansas.

1-103 Definitions: For the purpose of these Regulations, certain terms and words are hereby defined. Words used in the present tense include the future; words in the singular number include the plural and words in the plural number include the singular; the word "building" includes the word "structure"; the word "dwelling" includes the word "residence"; the word "lot" includes the word "plot"; the word "shall" is mandatory and not directory.

(1) ACCESS: The right to cross between public and private property allowing pedestrians and vehicles to enter and leave property.

- (2) ACCESSORY BUILDING: A subordinate building or portion of the main building, located on the same lot and the use of which is clearly incidental to that of the main building or to the use of the land on which it is located. Customary accessory buildings include, but are not limited to, garages, carports, garden houses, small storage sheds and childrens playhouses.
- (3) ACCESSORY USE: A subordinate use which serves an incidental function to that of the principal use of the premises. Customary accessory uses include, but are not limited to, tennis courts, swimming pools, air conditioners, barbecue ovens, and fireplaces.
- (4) AGRICULTURAL USE: The use of a tract of land for the raising of crops; animal husbandry; dairying; pasturage; general farming; truck farming; cultivation of field crops; orchards; groves; raising fish, birds or poultry; and accessory uses, necessary for the carrying out of farming operations, including structures for storage, processing and sale of products raised on the premises. Agricultural uses shall not include the following:
- (A) The operation or maintenance of greenhouses, nurseries, or hydroponic farms operated at retail.
 - (B) Wholesale or retail sales as an accessory use unless the same are permitted by these Regulations.
 - (C) The operation or maintenance of a commercial stockyard or feedlot.
- (5) AIRPORT OR AIRCRAFT LANDING FIELD: Any landing area, runway or other facility designed, used, or intended to be used either publicly or privately by any person or persons for the landing and taking off of aircraft, including all necessary taxiways, aircraft storage, tiedown areas, hangars, and other necessary and customarily accessory buildings and open spaces.
- (6) ALLEY: A dedicated public right-of-way, other than a street, which provides only a secondary means of access to abutting property, the right-of-way of which is twenty (20) feet or less in width.
- (7) ALTERATION: Alteration, as applied to a building or structure, is a change or rearrangement in the structural parts of an existing building or structure. Enlargement, whether by extending a side, increasing in height, or the moving from one location or position to another shall be considered as an alteration.

- (8) AMENDMENT: A change or alteration to the zoning regulations in one of the following forms: (1) a comprehensive revision or modification of the zoning text and/or map; (2) a text change in the zone requirements; or (3) a change in the map, i.e., the zoning designation of a particular parcel or parcels. The third form is also known as rezoning.
- (9) AMUSEMENT ARCADE: A commercially operated business that provides various devices for entertainment and may also provide food and non-alcoholic beverages for consumption on the premises.
- (10) ANIMAL HOSPITAL OR CLINIC: An establishment where animals are admitted principally for examination, treatment, board or care, by a Doctor of Veterinary Medicine. This does not include boarding or breeder kennels.
- (11) APARTMENT: A room or a suite of rooms within an apartment complex arranged, intended or designed for a place of residence of a family.
- (12) APARTMENT COMPLEX: A building or buildings containing apartments used as a place of residence for more than two families.
- (13) APPLICANT: The owner or duly designated representative of land for which an amendment has been requested. Consent shall be required from the legal owner of the premises, if applicant is other than the owner.
- (14) AREA: A piece of land capable of being described with such definiteness that its location may be established and boundaries definitely ascertained.
- (15) AUCTION SALES YARD: A tract of land and accompanying buildings, arranged or designed to be used for the sale by auction of merchandise and/or livestock offered on consignment.
- (16) AUTOMOTIVE SALES AREA: An open area, other than a street, used for display or sale of new or used motor vehicles, and where no repair work is done except minor incidental repair of motor vehicles to be displayed and sold on the premises.
- (17) AUTOMOTIVE AND MACHINERY REPAIR SHOPS: A building used for the repair of motor vehicles or machinery. Such repair shall be wholly within a completely enclosed building.
- (18) AUTOMOTIVE SERVICE STATION: Any building, structure or land used for the dispensing, sale or offering for sale

at retail any motor vehicle fuels, oils, or accessories, including lubrication of motor vehicles and replacement or installation of minor parts and accessories, but not including major repair work such as motor replacement, body and fender repair or spray painting.

- (19) BASEMENT: That portion of a building which is partly or wholly below grade. For purposes of height measurement, a basement shall be counted as a story when more than one-half (1/2) of its height is above the average level of the adjoining ground.
- (20) BOARDING OR LODGING HOUSE: A building, other than a hotel, where; for compensation and by pre-arrangement for definite periods, meals and/or lodging are provided for three (3) or more persons, but not more than twenty (20) persons; and where individual cooking facilities are not provided.
- (21) BOND: Any form of security including a cash deposit, surety bond, collateral, property or instrument of credit in an amount and form satisfactory to the County. All bonds shall be approved by the County whenever a bond is required by these Zoning Regulations.
- (22) BREEZEWAY: A structure entirely open except for roof and supporting columns which connects a residence and an accessory building on the same lot.
- (23) BUFFER AREA: Open and unobstructed ground area of a plot in addition to any required yards or road widenings around the perimeter of any plot where required.
- (24) BUILDABLE WIDTH: The width of that part of a lot not included within the open spaces herein required.
- (25) BUILDING: Any structure having a roof supported by columns or walls for the housing or enclosure of persons, animals, chattels, or movable property of any kinds, and which is permanently affixed to the land.
- (26) BUILDING, COMPLETELY ENCLOSED: Any building having no outside openings other than ordinary doors, windows, and ventilators.
- (27) BUILDING, COMMUNITY: A building for social, educational, or recreational activities of a neighborhood or community, provided any such use is not operated for commercial gain.

- (28) BUILDING HEIGHT: The vertical dimension measured from the average elevation of the finished lot grade at the front of the building to the highest point of a flat roof, to the deck line of a mansard roof; and to the average height between the plate and ridge of a gable, hip or gambrel roof.
- (29) BUILDING LINE: A line, usually fixed parallel to the lot line, beyond which a building cannot extend under the terms of these regulations. The building line is equivalent to the setback or yard line.
- (30) BUILDING, PRINCIPAL: A building in which is conducted the main or principal use of the plot on which said building is situated.
- (31) CAMP: Any plot, including its area of land and/or water, on which are located two (2) or more cabins, tents, shelters, houseboats or other accommodations of the design or character suitable for seasonal or other more or less temporary living purposes, but not including a day camp, trailer camp, rooming house, tourist home, hotel, summer colony, hospital, place of detention, school of general instruction or nursery school.
- (32) CANOPY: Any structure, movable or stationary, attached to and deriving its support from framework or posts or other means independent of a connected structure for the purpose of shielding a platform, stoop, or sidewalk from the elements; or, a roof-like structure of a permanent nature which projects from the wall of a structure and overhangs the public way.
- (33) CAR WASH: A building, or portion thereof, containing facilities for washing motor vehicles, using production line methods with a chain conveyor, blower, steam cleaning device or other mechanical devices; or providing space, water, equipment and/or soap for the complete or partial hand-washing of such motor vehicles, whether by operator or by customer.
- (34) CEMETERY: Land used for burial, and dedicated for cemetery purposes, including columbariums, crematories, mausoleums, and mortuaries when operated in conjunction with and within the boundaries of such cemetery.
- (35) CLINIC: An office building or a group of offices for one (1) or more professionals licensed to practice by the State Board of Healing Arts, engaged in treatment of the sick or injured, but not including rooms for abiding patients.

- (36) CLUB: Buildings and facilities owned or operated by a corporation, association, person or persons for social, educational, or recreational purposes, but not necessarily for a profit.
- (37) CLUB, MEMBERSHIP: Membership clubs, including private clubs as defined by K.S.A. 41-2601 et seq. and succeeding amendments.
- (38) CLUSTER HOUSING: The site planning technique of grouping dwelling units around courts, parking areas, common open spaces and private drives as opposed to fronting all on a public street.
- (39) COMMON OPEN SPACE: An area of land or water or combination thereof planned for passive or active recreation, but does not include areas utilized for streets, alleys, driveways, or private roads, off-street parking or loading areas. However, the area of recreational activities such as swimming pools, tennis courts, shuffleboard courts, etc., may be included as common open space.
- (40) CONDITIONAL USE: A use of any building, structure or parcel of land that, by its nature, is perceived to require special care and attention in siting so as to assure compatibility with surrounding properties and uses. Conditional uses are allowed only after public notice, hearing and approval as prescribed in these regulations and may have special conditions and safeguards attached to assure that the public interest is served.
- (41) CONDOMINIUM: A building containing two (2) or more dwelling units, which are designed and intended to be separately owned in fee under the Townhouse Ownership Act (K.S.A. 58-3710 et. seq.) of the State of Kansas.
- (42) COUNTY: Johnson County, Kansas.
- (43) COUNTY COUNSELOR: The County Counselor or such licensed attorney designated by the County Counselor, or the Governing Body to furnish legal assistance for the administration of these Regulations.
- (44) COUNTY ENGINEER: The County Engineer or such licensed professional engineer designated by the County Engineer or Governing Body to provide engineering assistance in administering these and other Regulations governing areas of the normal responsibilities assigned to the County Engineer.

- (45) COUNTY HEALTH OFFICER: The Director of the County Health Department or such person designated to administer the health regulations of the County.
- (46) COURT: An unobstructed open area bounded on three (3) or more sides by the walls of a building or buildings; an OUTER COURT extends to a street or yard, and an INNER COURT does not.
- (47) DAY CARE CENTER: A building, residence, or portion thereof, used to care for eleven (11) or more children at any one time for a fee.
- (48) DAY CARE HOME: A building, residence, or portion thereof, used for the care of ten (10) or less children at any one time for a fee, unless otherwise allowed by these regulations.
- (49) DENSITY: The average number of dwelling units per unit of land, expressed in terms of "per acre". (Example: 300 dwelling units occupying 40 acres of land is 7.5 units per acre.)
- (50) DEVELOPER: The owner, or any other person, firm or corporation authorized by the owner, undertaking proceedings under the provisions of these regulations for the purpose of rezoning or seeking a conditional use on land.
- (51) DISTRICT: An area or areas of the unincorporated area of Johnson County, Kansas for which the Zoning Regulations governing the use of buildings and premises, the height of buildings, the size of yards, and the intensity of use are uniform.
- (52) DOG: Any canine species over twelve (12) months of age.
- (53) DRIVE-THROUGH ESTABLISHMENT: Any restaurant, financial institution or product vending enterprise where the patron does not necessarily enter and remain within a building during the transaction of his business. Food vending establishments where the food is not normally consumed within a building or where facilities are provided for eating outside a building, are included in this definition.
- (54) DRIVE-IN RESTAURANT: A place of business being operated for the sale and purchase at retail of food and/or beverages (but not cereal malt or alcoholic beverages), any part of which is laid out or equipped so as to allow its patrons to be served or accommodated while remaining in parked vehicles.

- (55) DWELLING: A building or portion thereof, not including mobile homes, which is designed and used exclusively for residential purposes.
- (56) DWELLING, MULTIPLE-FAMILY: A building designed for or occupied exclusively by three (3) or more families living independently of each other.
- (57) DWELLING, SINGLE-FAMILY: A detached residential building housing accommodations for and occupied exclusively by one (1) family.
- (58) DWELLING, TWO-FAMILY, OR DUPLEX: A building designed for or occupied exclusively by two (2) families living independently of each other.
- (59) DWELLING UNIT: A building, or part thereof, containing complete housekeeping facilities for one (1) family.
- (60) EASEMENT: Authorization by a property owner for the use by another, for a specified purpose, of any designated part of his property.
- (61) ESTABLISHED SETBACK: The average setback on each street on which a plot fronts, within the same district and within three hundred (300) feet on each side of such plot along the same side of the street, but not beyond any intersecting street, established by three (3) or more buildings.
- (62) EXOTIC BIRDS OR ANIMALS: Birds or animals not commonly kept domestically or that are not native to Johnson County and/or the United States. Exotic birds or animals includes, but is not limited to, bears, lions, llamas, ostrichs and peafowl.
- (63) FAMILY: One (1) or more persons related by blood, marriage or adoption, living together as a single housekeeping unit plus usual domestic servants; or a group of not more than four (4) unrelated persons living together as a single housekeeping unit.
- (64) FEEDLOT, COMMERCIAL: A livestock feedlot or feedyard as defined by K.S.A. 47-1501 et. seq., licensed by and operated under standards set forth by the Kansas Livestock Commission.
- (65) FENCE: An unroofed barrier or unroofed enclosing structure, including retaining walls.
- (66) FLOOD PLAIN: That area of land subject to inundation of water as a result of what is commonly known as the

100-year flood. Such areas are subject to and regulated by the "Flood Plain Regulations of Johnson County, Kansas."

- (67) FLOOR AREA: The square foot area of all space within the outside line of a wall including the total area of all floor levels, but excluding porches, garages, or unfinished space in a basement or cellar.
- (68) FRONT: The part or side of any building or structure facing the street or frontage road which is used as the basis for establishing the permanent address for the building or structure.
- (69) FRONTAGE:
 - (A) Street Frontage: All of the property on one side of a street between two (2) intersecting streets (crossing or terminating), measured along the line of the street, or if the street is dead-ended, then all of the property abutting on one side between an intersecting street and the dead-end of the street.
 - (B) Lot Frontage: The distance for which the front boundary line of the lot and the right-of-way are coincident.
- (70) GARAGE, PRIVATE: A detached accessory building or portion of a main building for the parking or temporary storage of motor vehicles owned or used by the occupants of the premises.
- (71) GARAGE, STORAGE: A building or portion thereof, designed or used exclusively for storage of motor vehicles and where motor vehicles are not equipped, repaired, hired, or sold.
- (72) GARDEN APARTMENT BUILDING: An apartment building located on a lot, either singly or together with other similar apartment buildings, the total ground floor area of which does not exceed twenty-five percent (25%) of the area of the lot, and which building does not exceed two and one-half stories in height; and having at least two sides or ends of each dwelling unit exposed to outside light and air.
- (73) GOVERNING BODY: The Board of County Commissioners of Johnson County, Kansas.
- (74) GRADE: The slope of a road, street or other public way, specified in percent (%).
- (75) GREENHOUSE: A glass enclosure used for the cultivation or protection of tender plants.

- (76) GROUP BOARDING HOME FOR MINORS: A residential facility for five (5) or more persons under eighteen (18) years of age who, for various reasons cannot reside in their natural home and where twenty-four (24) hour adult care, supervision and consultation shall exist and which is licensed by the Kansas State Board of Health.
- (77) GROUP HOMES FOR ADULTS: A residential facility for five (5) or more persons, eighteen (18) years of age or over, who have been institutionalized for various reasons and released, or who have or have had physical or social disabilities which make operation in society difficult and require the protection of a group setting to facilitate the transition to a functional member of society (e.g. former convicts, alcoholics, drug addicts, mental patients, etc.)
- (78) GUEST HOUSE: Living quarters within a detached accessory building located on the same premises with the main building for use by temporary guests of the occupants of the premises, such quarters having no kitchen facilities or separate utilities and not rented or otherwise used as a separate dwelling.
- (79) HAZARDOUS WASTE DISPOSAL FACILITY: Any facility which meets the requirements as defined in K.S.A. 65-3402, as amended.
- (80) HIGHWAY, LIMITED ACCESS: A freeway, or expressway providing for through traffic, in respect to which owners or occupants of abutting property or lands and other persons have no legal right of access to or from the same, except at such points and in such manner as may be determined by the public authority having jurisdiction over such trafficway.
- (81) HOME OCCUPATION: Any occupation or activity which is clearly incidental and secondary to use of the premises for dwelling.
- (82) HOSPITAL: A building or group of buildings, having room facilities for one (1) or more abiding patients, used for providing services for the in-patient medical and surgical care of sick or injured humans, and which may include related facilities such as laboratories, out-patient department, training facilities, central service facilities, and staff offices; provided, however, that such related facilities must be incidental and subordinate to the main use and must be an integral part of the hospital operation.
- (83) HOTEL: A building or portion thereof, or a group of buildings, used as a transient abiding place which may or

may not serve meals; regardless of whether such establishments are designated as a hotel, inn, automobile court, motel, motor inn, motor lodge, motor court, tourist cabin, tourist court, or other similar designation.

- (84) INDUSTRIAL PARK: A special or exclusive type of planned industrial area designed and equipped to accommodate a community of industries, providing them with all necessary facilities and services in attractive surroundings among compatible neighbors. Industrial parks may be promoted or sponsored by private developers, community organizations, or government organizations.
- (85) INTENSITY: The degree of level of concentration to which land is used for commercial, industrial or any other nonresidential purpose.
- (86) KENNEL, BOARDING: Any place, area, building or structure where dogs (including those under one (1) year of age) are boarded, housed, cared for, fed or trained by other than the owner.
- (87) KENNEL, BREEDER: Any place, area, building or structure where more than four (4) dogs are kept for purposes for breeding, raising or as pets.
- (88) LABORATORY, MEDICAL: An establishment which provides bacteriological, biological, medical, x-ray, pathological and other similar analytical or diagnostic services.
- (89) LANDSCAPING: The improvement of a lot, parcel or tract of land with grass and/or shrubs and/or trees. Landscaping may include pedestrian walks, flowerbeds, ornamental objects such as fountains, statuary, and other similar natural and artificial objects designed and arranged to produce an aesthetically pleasing effect.
- (90) LAUNDRY: An establishment where commercial laundry and dry cleaning work is undertaken.
- (91) LAUNDRY, SELF-SERVICE: An establishment equipped with individual coin-operated washing, drying and/or dry cleaning machines.
- (92) LIVESTOCK SALES YARD: An enclosure or structure designed or used for holding livestock for purposes of sale or transfer by auction, consignment, or other means.
- (93) LOADING SPACE OR LOADING BERTH: A space within the main building or on the same lot, providing for the standing, loading, or unloading of motor vehicles.

- (94) LOT: A portion of a subdivision or other parcel of land intended as a unit of ownership and occupied or intended to be occupied by one (1) main building and an accessory building or a complex of buildings, including the open spaces and parking required by these Regulations. A lot may be more than one (1) lot of record or may be a metes-and-bounds described tract having its principal frontage upon a street or officially approved place.
- (95) LOT, AREA: The total area within the property lines of the lot, plot or tract.
- (96) LOT, CORNER: A lot situated at the intersection of two (2) streets, the interior angle of such intersection not exceeding one hundred thirty-five (135) degrees.
- (97) LOT COVERAGE: The total area of building expressed as a percentage of the total lot, plot or tract.
- (98) LOT, DEPTH OF: The distance from the front lot line to the rear lot line measured in the mean direction of the side lot lines.
- (99) LOT, DOUBLE FRONTAGE: A lot having a frontage on two (2) non-intersecting streets, as distinguished from a corner lot.
- (100) LOT, INTERIOR: A lot whose side line or lines do not abut upon any street.
- (101) LOT LINES: The lines bounding a lot as defined herein.
- (102) LOT OF RECORD: A lot which is a part of a subdivision, the plat of which has been recorded in the office of the Register of Deeds or a lot described by metes-and-bounds, the description which has been recorded in the office of the Register of Deeds.
- (103) LOT, WIDTH OF: The horizontal distance between the side lot lines as measured at the front building line.
- (104) LOT, ZONING: A parcel or tract of land used, developed, or built as a unit under single ownership or control. Said parcel or tract may consist of one (1) or more lots of record, one (1) or more portions of a lot or lots of record, or any combination thereof.
- (105) MANUFACTURE: Any method of processing, developing, fabricating, assembling, either raw materials, semi-finished materials or parts into a semi-finished or finished product.

- (106) MOBILE HOME: Any prefabricated structure composed of one (1) or more units designed for full-time occupancy, which has been or reasonably can be, equipped with wheels or other devices for transporting the structure from place to place, in essentially a complete condition ready for occupancy except for minor and incidental unpacking and assembly operations.
- (107) MOBILE HOME ACCESSORY BUILDING OR STRUCTURE: A subordinate building or structure which is an addition to or supplements the facilities provided by a mobile home such as awnings, cabanas, storage structures, carports, porches, fences, skirtings, or windbreaks.
- (108) MOBILE HOME LOT: A plot of ground within a mobile home park for the placement of one (1) mobile home for single family occupancy and the exclusive use of its occupants and which provides the necessary utility services for water, sewage and electricity.
- (109) MOBILE HOME PAD: That portion of an individual lot on which the mobile home unit and any attached awning is placed.
- (110) MOBILE HOME PARK: Any area, piece, parcel, tract, or plot of ground equipped as required for support of mobile homes and used or intended to be used by two (2) or more occupied mobile homes, but under no circumstances shall the mobile home spaces be sold or offered for sale individually. The term "mobile home park" does not include sale lots on which unoccupied mobile homes, whether new or used, are parked for the purposes of storage, inspection or sale.
- (111) MOBILE HOME PARK PERMIT: A written document of certification issued by the Johnson County Zoning Administrator permitting the construction, alteration or extension of a mobile home park.
- (112) MOBILE HOME SALES AREA: An open area, other than a street, used for display or sale of new or used mobile homes and where no repair work is done except minor incidental repair of mobile homes to be displayed and sold on the premises.
- (113) MOBILE HOME SKIRTING: The enclosing of the area between the mobile home and the ground with a material designed to obscure from view the chassis of a mobile home.
- (114) MOBILE HOME SUBDIVISION: Any area, piece, parcel, tract or plot of ground used or intended to be used for the purpose of selling lots for occupancy by mobile homes.

- (115) MOBILE HOME UNIT, DOUBLE WIDE: A mobile home which exceeds twenty (20) feet in width when affixed to the mobile home pad.
- (116) MOBILE HOME UNIT, SINGLE WIDE: A mobile home which measures twenty (20) feet or less in width when affixed to the mobile home pad.
- (117) MOTOR VEHICLE: A motorized vehicle with rubber tires for use of highways, including passenger cars, pick-ups and trucks.
- (118) NONCONFORMING LOT: An unimproved lot which does not comply with the lot size requirements for any permitted use in the district in which it is located.
- (119) NONCONFORMING USE: Any land occupied by a use at the time of the passage of these Regulations which does not conform with the provisions of these Regulations.
- (120) NOXIOUS MATTER: Material which is capable of causing injury to living organisms by chemical reaction or is capable of causing detrimental effects upon the physical or economic well-being of individuals.
- (121) NURSERY: Any land used to raise trees, shrubs, flowers and other plants for sale or for transporting.
- (122) NURSING HOMES OR CONVALESCENT HOMES: An institution or agency licensed by the State for the reception, board, care or treatment of five (5) or more unrelated individuals, but not including group boarding homes for minors or group homes for adults.
- (123) OPEN SPACE: Useable open space designed and intended for the use of all residents of a residential development, including space dedicated to the public.
- (124) OUTDOOR STORAGE: The storage of goods and materials outside of any building or structure, but not including storage of a temporary or emergency nature.
- (125) OWNER: Any person, group of persons, firm or firms, corporation or corporations or any other legal entity having legal title to or sufficient proprietary interest in a tract of land.
- (126) PACKAGE LIQUOR STORE: An establishment in which alcoholic beverages are sold for consumption off the premises.
- (127) PARKING LOT: Any plot used for the storage of motor vehicles which contains space rented or made available to the general public.

- (128) PARKING SPACE: Any area surfaced for all-weather use, including gravel, sand, or comparable materials for the purpose of storing one (1) parked motor vehicle.
- (129) POLE BUILDING: A structure built with no foundation or footings, using poles embedded directly in the ground as its primary support to hold metal, plastic, fiberglass or wood covering to form the building.
- (130) RESTAURANT: A building wherein food and/or beverage are prepared and sold to the public for human consumption. Restaurant includes, but is not limited to, cafe, cafeteria, grill, pizza parlor, diner, snack shop, hamburger shop and steak house.
- (131) RETAIL SALES: The sale of goods, merchandise and/or commodities to the ultimate consumer.
- (132) RIDING STABLES: Structures in which saddle horses are kept, maintained and/or boarded, and in connection with which saddle horses may be rented to the general public or made available to members of a private club. Exercise rings and show rings shall be considered uses accessory to the use of the premises for a riding stable.
- (133) RIGHT-OF-WAY: A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main; or for another special use.
- (134) SALVAGE YARD: An area of land with or without buildings, used for or occupied by a deposit, collection or storage, outside a completely enclosed building, of used or discarded materials such as wastepaper, rags or scrap material; or used building materials, house furnishings, machinery, motor vehicles or parts thereof with or without the dismantling, processing, salvage, sale or other use or disposition of the same. A deposit or the storage on a plot of two (2) or more wrecked or broken-down motor vehicles or parts of two (2) or more such motor vehicles for one (1) week in a residential district, or for three (3) weeks or more in any other district, shall be deemed a salvage yard.
- (135) SANITARY LANDFILL: A lot or parcel of land used primarily for the disposal and burial of garbage, sewage, trash, refuse, junk, discarded machinery or motor vehicles or parts thereof, or other waste.
- (136) SCHOOL: Any public or private elementary, junior high, high school, college, university, post-graduate, technical or vocational school, offering courses in general instruction at least five (5) days per week and seven (7) months per year.

- (137) SCREENING: Fencing or vegetation maintained for the purpose of concealing from view.
- (138) SETBACK: The distance between a building and the lot line, or road easement line, whichever provides the desired minimum distance.
- (139) SIGN: See Article 22 - Sign Regulations.
- (140) STOCKYARD, COMMERCIAL: A penned enclosure, or structure, where livestock are maintained temporarily for the purpose of slaughtering, marketing or shipping.
- (141) STORY: That portion of a building, other than a basement included between the surface of any floor and the surface of the floor next above it or if there be no floor above it, then the space between the floor and the ceiling next above it.
- (142) STORY, HALF: A space under a sloping roof which has the line of intersection of roof decking and wall face not more than three (3) feet above the top floor level, and in which space not more than two-thirds (2/3) of the floor area is finished off for use. A half-store (1/2) containing independent apartment or living quarters shall be counted as a full story.
- (143) STREET: An easement or right-of-way, other than an alley, which provides principal access to adjacent properties.
- (144) STRUCTURE: Anything constructed or erected, which requires location on the ground, or attached to something having a location on the ground.
- (145) SWIMMING CLUB: A pool and accessory buildings operated for members and their guests, whether or not operated for gain.
- (146) SWIMMING POOL, PRIVATE: A pool which is an accessory use to a residence and for the exclusive use of the occupants of the residential building and their guests.
- (147) SWIMMING POOL, PUBLIC: A pool and accessory buildings, generally owned and operated by a governmental entity, whether open or enclosed, and open for use by the general public.
- (148) TAVERN: An establishment which derives more than fifty (50) percent of its revenues from the sale of cereal malt beverages.

- (149) TOWNHOUSE: A single-family dwelling constructed as part of a series of dwellings, all of which are either attached to the adjacent dwelling or dwellings by party walls or are located immediately adjacent thereto with no visible separation between walls or roofs.
- (150) TOWNSHIP ZONING BOARD: The advisory board, appointed by the governing body as provided by K.S.A. 19-2902, as amended; charged with carrying out the provisions of these regulations as specified herein.
- (151) TRAILER: Any automobile trailer, trailer coach, house car, recreational vehicle, or any vehicle or structure so designed and constructed as to permit occupancy thereof as a temporary dwelling or sleeping quarters for one (1) or more persons and so designed or constructed that it is or may be mounted on wheels or moved by the use of any device from site to site by its own or other motive power.
- (152) TRAILER PARK: A tract, lot or parcel of land upon which temporary accommodations are provided for two (2) or more trailers; such park being open to the public either free or for a fee.
- (153) USE: The specific purpose for which land or a building is used.
- (154) USEABLE OPEN SPACE: Land or water which is free of buildings, structures and/or other substantial improvements and which is readily accessible by the public or residents of a residential development. Useable open space does not include streets, alleys, off-street parking or loading areas, roofs, or slopes in excess of fifty percent (50%).
- (155) YARD: A required open space, other than a court, unoccupied and unobstructed by any structure or portion of a structure from thirty (30) inches above the general ground level of the graded lot upward; provided however, that fences, walls, poles, posts and other customary yard accessories, ornaments and furniture may be permitted in any yard subject to height limitations and requirements limiting obstruction of visibility.
- (156) YARD, FRONT: A yard extending across the full width of the lot, the depth of which is the least distance between the lot line or road easement or right-of-way line and the front building line.
- (157) YARD, REAR: A yard extending across the full width of the lot between the rear building line and the rear lot

line, the depth of which is the least distance between the rear lot line and the rear building line.

- (158) YARD, SIDE: A yard between the side building line and the side line of the lot and extending from the front yard to the rear yard and being the least distance between a side lot line and the side building line.
- (159) ZONE OR DISTRICT: A section of the zoning area for which uniform regulations governing the use, height, area, size, and intensity of use of buildings, land, and open space about buildings are herein established.
- (160) ZONING ADMINISTRATOR: The Community Development Planner or his designate, assigned the responsibility to administer and enforce the Zoning Regulations of Oxford Township, Johnson County, Kansas.

1-104 Districts: In order to regulate and restrict the location of trades, industries, and the location of buildings erected or altered for specific uses, to regulate and limit the height and bulk of the buildings hereafter erected or structurally altered, to regulate and limit population density and the intensity of the use of lot areas and to regulate and determine the areas of yards, courts, and other open spaces surrounding such buildings, Oxford Township is hereby divided into districts of which they shall be in number, known as:

"A"	Agricultural District
"RR"	Rural Residential District
"R-1A"	Single-Family Residential
"R-1B"	Single-Family Residential
"R-2"	Two-Family Residential District
"R-3"	Townhouse District
"R-4"	Apartment District
"PUD"	Planned Unit Development District
"MHP"	Mobile Home Park District
"MHS"	Mobile Home Subdivision District
"CP-0"	Planned Commerical Office District
"CP-1"	Planned Neighborhood Business District
"CP-2"	Planned General Business District
"CP-3"	Planned Commercial District
"IP-1"	Planned Light Industrial District
"IP-2"	Planned Industrial District
"IP-3"	Planned Heavy Industrial District

- (1) Such land and the district classification thereof, shall be as shown on the official map designated as the "Zoning District Boundary Map of Oxford Township, Johnson County, Kansas". Such Zoning District Boundary Map and all notations, dimensions, references, and symbols shown thereon pertaining to

such districts shall be as much a part of these Regulations as if fully described herein and shall be filed as part of these Regulations; provided, any lot or tract of land less than ten (10) acres in size, that is filed and on record in the Register of Deeds office before the effective date of these regulations, that is shown as "A" Agricultural on the Zoning District Boundary Map shall be declared as being zoned "RR" Rural Residential even though said lot or tract of land is not shown that way on the Zoning District Boundary Map. Such Map shall be available for public inspection in the Johnson County Community Development office and any later alterations of this Map adopted by amendment as provided in these Regulations shall be filed and made available for public reference. The above stated "Zoning District Boundary Map of Oxford Township, Johnson County, Kansas" shall hereinafter be referred to as the "Map" in this document.

- (2) When uncertainty exists with respect to the boundaries of the various districts as shown on the Map accompanying and made a part of the Regulations, the following rules shall apply:
 - (A) In cases where a boundary line is given a position within a street, alley or navigable or non-navigable stream, it shall be deemed to be in the center of the street, alley, or stream, and if the actual location of such street, alley, or stream varies slightly from the location as shown on the Map then the actual location shall control.
 - (B) In cases where a boundary line is shown as being located a specific distance from a street line or other physical feature, this distance shall control.
 - (C) In cases where a boundary line is shown adjoining or coincident with a railroad, it shall be deemed to be in the center of the railroad right-of-way and distances measured from a railroad shall be measured from the center of such right-of-way.
 - (D) Where the district boundaries are not otherwise indicated and where the property has been or may hereafter be, divided into blocks and lots, the district boundaries shall be construed to be the lot lines and, where the districts designated on the Map accompanying and made a

part of these Regulations are bounded approximately by lot lines, said lot lines shall be construed to be the boundary of such districts unless said boundaries are otherwise specifically indicated on the Map or by Resolution.

- (E) In unsubdivided property, unless otherwise indicated, the district boundary line on the Map accompanying and made a part of these Zoning Regulations shall be determined by the use of the scale contained on such Map, unless otherwise specified by Resolution.
 - (F) When a lot held in one (1) ownership on the effective date of these Regulations is divided by a district boundary line, the entire lot shall be construed to be within the less restrictive district unless the application of this rule would increase the area of the less restrictive portion of the lot more than twenty-five (25) percent.
- (3) Where a district boundary follows a street, alley, watercourse or other right-of-way, in case of the vacation of said street, alley, watercourse, or other right-of-way, the abutting zoning classification on each side thereof shall automatically be extended to the center line of said vacated street, alley, watercourse or right-of-way. Two districts shall be deemed to adjoin even though separated by a public way or portion thereof.

1-105 General Regulations Governing All Zoning Districts:

- (1) Except as hereinafter provided:
 - (A) No land may be used except for a purpose permitted in the district in which it is located.
 - (B) No building shall be erected, converted, enlarged, reconstructed, moved or structurally altered, nor shall any building or part thereof be used, except for a use permitted in the district in which the building is located.
 - (C) No building shall be erected, converted, enlarged, reconstructed, moved or structurally altered to exceed the height, area and bulk regulations, the parking regulations, or the off-street loading regulations herein established for the district in which the building is located.

- (D) If a use in any structure is hereafter changed to another, then the new use must comply with the use regulations of these Zoning Regulations.
- (E) The minimum yards, parking space, open spaces, including lot area per family, required by these Regulations for each and every building existing at the time of the passage of these Regulations, or of any building hereafter erected, shall not be encroached upon or considered as required yard or open space, for any other building, nor shall any lot area be reduced below the requirements of these Regulations.
- (F) Every building hereafter erected or structurally altered shall be located on a lot as herein defined and except as hereinafter provided, in no case shall there be more than one (1) main building on one lot.
- (G) No structure shall hereafter be built or moved and no structure or land shall hereafter be used, occupied or designed for use or occupancy unless the minimum off-street parking and off-street loading spaces required by Articles 21 and 22 are provided. No structure or use already established on the effective date of these Regulations shall be enlarged unless the minimum off-street parking and loading spaces which would be required by Articles 21 and 22 are provided for the whole structure or use as enlarged.

ARTICLE 2

"A" AGRICULTURAL DISTRICT REGULATIONS

Sections:

- 2-101 Application
- 2-102 Use Regulations
- 2-103 Parking Regulations
- 2-104 Off-Street Loading Regulations
- 2-105 Sign Regulations
- 2-106 Height, Area, and Bulk Regulations
- 2-107 Supplementary Height, Area and Bulk Regulations
- 2-108 Supplementary Use Regulations

2-101 Application: The regulations set forth in this Article, or set forth elsewhere in these Regulations when referred to in this Article, are the regulations in the "A" Agricultural District. The purpose of this District is to provide for a full range of agricultural activities, including processing and sale of agricultural products raised on the premises, and at the same time offer protection to agricultural land from the depreciating effect of objectionable, hazardous and unsightly uses. The District is also intended for purposes of protecting watersheds and water supplies, to protect forest areas and scenic areas, to conserve fish and wildlife, to promote forestry and to prevent and/or discourage untimely scattering of more dense urban development.

2-102 Use Regulations: In District "A", no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one (1) or more of the following uses:

- (1) Agricultural use.
- (2) Grain storage structures.
- (3) Wellhead stations, well separators, tank batteries, or other similar above ground facilities used merely for distribution, transmission or temporary storage of oil or natural gas.
- (4) Oil and/or gas well-drilling operations and temporary storage of oil and gas field-related equipment and supplies, but not a salvage yard.
- (5) Single-family dwellings.
- (6) Railroad right-of-ways, including a strip of land with tracks and auxiliary facilities for track operations, but not including passenger stations,

freight terminals, switching and classification yards, repair shops, roundhouses, powerhouses, interlocking towers, and fueling, sanding, and watering stations.

- (7) Home occupations such as, but not limited to the following:

Accountant
Architect
Artist
Author or writer
Chiropractor
Clergyman
Contractor
Cosmetologist
Counselor
Dentist
Engineer
Insurance agency
Lawyer
Osteopath
Photographer
Physician
Planner
Real Estate agent
Salesman
Seamstress/dressmaker
Secretary/typist
Teaching or instruction provided not more than three (3) students are taught at any one time and not more than twelve (12) students per day.
Day-care home for children, provided a maximum of four (4) children, with not more than two (2) under two (2) years of age, or six (6) children with none under two (2) years of age, including the operator's own children, receiving care during the day.

The following conditions and restrictions shall apply to such customary home occupations:

- (1) That the home occupation shall be carried on wholly within a main building or structure, or within a permitted accessory building or structure, provided that the primary use of the main building or structure is clearly the dwelling used by the person as his or her private residence.

- (2) That employees or other assistance shall be limited to immediate members of the family residing on the premises and/or one (1) other person.
- (3) That only one (1) non-illuminated ground or wall sign not more than four (4) square feet in area is used to advertise the home occupation.
- (4) That no display or storage of equipment or materials outside of a building or structure shall be permitted.
- (5) That no equipment or machine is used in such activities that is perceptible off the premises by reason of noise, smoke, dust, odor, heat, glare, radiation, electrical interference or vibration.
- (6) That off-street parking and loading shall be provided and that no generation of substantial volumes of vehicular or pedestrian traffic or parking demand shall be permitted.

2-103 Parking Regulations: The Parking Regulations for permitted uses are contained in Article 21 of these Regulations.

2-104 Off-Street Loading Regulations: The Off-Street Loading Regulations for permitted uses are contained in Article 22 of these Regulations.

2-105 Sign Regulations: The Sign Regulations are contained in Article 23 of these Regulations.

2-106 Height, Area, and Bulk Regulations: In the "A" Agricultural District the height of buildings, the minimum dimensions of lots and yards, and the minimum lot area per family permitted on any lot shall be as follows:

- (1) Height: Buildings or structures shall not exceed thirty-five (35) feet and/or two and one-half (2 1/2) stories in height.
- (2) Front Yard: The depth of the front yard shall be at least fifty (50) feet.
- (3) Side Yard: There shall be a side yard on each side of a dwelling; no side yard shall be less than twenty-five (25) feet.
- (4) Rear Yard: The depth of the rear yard shall be at least twenty-five (25) feet.

- (5) Lot Dimensions: The minimum width of a lot shall be three hundred (300) feet. The minimum depth of a lot shall be three hundred (300) feet.
- (6) Lot Area Per Family: Every dwelling hereafter erected, constructed, reconstructed, moved or altered, shall provide a minimum lot area of four hundred thirty five thousand, six hundred (435,600) square feet per family.

The Height, Area and Bulk Regulations are also set forth in the chart of Article 24. Said chart, and all notations and requirements shown therein, shall have the same force and effect as if all the notations and requirements were fully set forth or described herein.

2-107 Supplementary Height, Area and Bulk Regulations: Supplementary Height, Area and Bulk Regulations are contained in Article 25 of these Regulations.

2-108 Supplementary Use Regulations: Supplementary Use Regulations, including permitted Accessory Uses, are contained in Article 26 of these Regulations.

ARTICLE 3

"RR" RURAL RESIDENTIAL DISTRICT REGULATIONS

Sections:

- 3-101 Application
- 3-102 Use Regulations
- 3-103 Parking Regulations
- 3-104 Off-Street Loading Regulations
- 3-105 Sign Regulations
- 3-106 Height, Area, and Bulk Regulations
- 3-107 Supplementary Height, Area and Bulk Regulations
- 3-108 Supplementary Use Regulations

3-101 Application: The regulations set forth in this Article, or set forth elsewhere in these Regulations, when referred to in this Article, are the regulations in the "RR" Rural Residential District. The purpose of this District is to provide for the development of the low-density residential neighborhoods that retain the character of the basically rural area and yet allow an influx of residential development.

3-102 Use Regulations: In District "RR", no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more of the following uses:

- (1) Agricultural use.
- (2) Single-family dwellings.
- (3) Churches and parish halls, temples, convents, and monasteries.
- (4) Schools.
- (5) Public parks, playgrounds, and community buildings.
- (6) Railroad right-of-ways, including a strip of land with tracks and auxiliary facilities for track operations, but not including passenger stations, freight terminals, switching and classification yards, repair shops, roundhouses, powerhouses, interlocking towers, and fueling, sanding, and watering stations.

- (7) Home occupations such as, but not limited to the following:

Accountant
Architect
Artist
Author or writer
Chiropractor
Clergyman
Contractor
Cosmetologist
Counselor
Dentist
Engineer
Insurance agency
Lawyer
Osteopath
Photographer
Physician
Planner
Real Estate agent
Salesman
Seamstress/dressmaker
Secretary/typist
Teaching or instruction provided not more than three (3) students are taught at any one time and not more than twelve (12) students per day.
Day-care home for children, provided a maximum of four (4) children, with not more than two (2) under two (2) years of age, or six (6) children with none under two (2) years of age, including the operator's own children, receiving care during the day.

The following conditions and restrictions shall apply to such customary home occupations:

- (1) That the home occupation shall be carried on wholly within a main building or structure, or within a permitted accessory building or structure, provided that the primary use of the main building or structure is clearly the dwelling used by the person as his or her private residence.
- (2) That employees or other assistance shall be limited to immediate members of the family residing on the premises and/or one (1) other person.
- (3) That only one (1) non-illuminated ground or wall sign not more than four (4) square feet in area is used to advertise the home occupation.

- (4) That no display or storage of equipment or materials outside of a building or structure shall be permitted.
- (5) That no equipment or machine is used in such activities that is perceptible off the premises by reason of noise, smoke, dust, odor, heat, glare, radiation, electrical interference or vibration.
- (6) That off-street parking and loading shall be provided and that no generation of substantial volumes of vehicular or pedestrian traffic or parking demand shall be permitted.

3-103 Parking Regulations: The Parking Regulations for permitted uses are contained in Article 21 of these Regulations.

3-104 Off-Street Loading Regulations: The Off-Street Loading Regulations for permitted uses are contained in Article 22 of these Regulations.

3-105 Sign Regulations: The Sign Regulations are contained in Article 23 of these Regulations.

3-106 Height, Area, and Bulk Regulations: In the "RR" Rural Residential District, the height of buildings, the minimum dimensions of lots and yards, and the minimum lot area per family permitted on any lot shall be as follows:

- (1) Height: Buildings or structures shall not exceed thirty-five (35) feet and/or two and one-half (2 1/2) stories in height.
- (2) Front Yard: The depth of the front yard shall be at least fifty (50) feet.
- (3) Side Yard: There shall be a side yard on each side of a dwelling; no side yard shall be less than twenty-five (25) feet.
- (4) Rear Yard: The depth of the rear yard shall be at least twenty-five (25) feet.
- (5) Lot Dimensions: The minimum width of a lot shall be one hundred (100) feet. The minimum depth of a lot shall be one hundred fifty (150) feet.
- (6) Lot Area Per Family: Every dwelling hereafter erected, constructed, reconstructed, moved or altered, shall provide a minimum lot area of forty three thousand, five hundred sixty (43,560) square feet per family.

The Height, Area and Bulk Regulations are also set forth in the chart of Article 24. Said chart, and all notations and requirements shown therein, shall have the same force and effect as if all the notations and requirements were fully set forth or described herein.

3-107 Supplementary Height, Area and Bulk Regulations: Supplementary Height, Area, and Bulk Regulations are contained in Article 25 of these Regulations.

3-108 Supplementary Use Regulations: Supplementary Use Regulations, including permitted Accessory Uses, are contained in Article 26 of these Regulations.

ARTICLE 4

"R-1A" SINGLE-FAMILY RESIDENTIAL DISTRICT REGULATIONS

Sections:

- 4-101 Application
- 4-102 Use Regulations
- 4-103 Parking Regulations
- 4-104 Off-Street Loading Regulations
- 4-105 Sign Regulations
- 4-106 Height, Area, and Bulk Regulations
- 4-107 Supplementary Height, Area and Bulk Regulations
- 4-108 Supplementary Use Regulations

4-101 Application: The regulations set forth in this Article, or set forth elsewhere in these Regulations, when referred to in this Article, are the regulations in the "R-1A" Single-Family Residential District. The purpose of this District is to provide for single-family residential development of moderately spacious character together with such public buildings, schools, churches, public recreational facilities, and accessory uses, as may be necessary or are normally compatible with residential surroundings. The District is also designed to protect and preserve existing development of a similar character.

4-102 Use Regulations: In District "R-1A", no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more of the following uses:

- (1) Single-family dwellings.
- (2) Churches and parish halls, temples, convents, and monasteries.
- (3) Schools.
- (4) Public and/or non-profit libraries, museums, or art galleries.
- (5) Public parks, playgrounds, and community buildings.
- (6) Railroad right-of-ways, including a strip of land with tracks and auxiliary facilities for track operations, but not including passenger stations, freight terminals, switching and classification yards, repair shops, roundhouses, powerhouses, interlocking towers, and fueling, sanding, and watering stations.

- (7) Temporary buildings, the uses of which are incidental to construction operations or sale of lots during development being conducted on the same or adjoining tract or subdivision, but not for use as a residence; and which shall be removed upon completion or abandonment of such construction, or upon the expiration of a period of one year from the time of erection of such temporary buildings, whichever is sooner.
- (8) Home occupations such as, but not limited to the following:

Accountant
Architect
Artist
Author or writer
Chiropractor
Clergyman
Contractor
Cosmetologist
Counselor
Dentist
Engineer
Insurance agency
Lawyer
Osteopath
Photographer
Physician
Planner
Real Estate agent
Salesman
Seamstress/dressmaker
Secretary/typist
Teaching or instruction provided not more than three (3) students are taught at any one time and not more than twelve (12) students per day.
Day-care home for children, provided a maximum of four (4) children, with not more than two (2) under two (2) years of age, or six (6) children with none under two (2) years of age, including the operator's own children, receiving care during the day.

The following conditions and restrictions shall apply to such customary home occupations:

- (1) That the home occupation shall be carried on wholly within a main building or structure, or within a permitted accessory building or structure, provided that the primary use of the

main building or structure is clearly the dwelling used by the person as his or her private residence.

- (2) That employees or other assistance shall be limited to immediate members of the family residing on the premises.
- (3) That only one (1) non-illuminated ground or wall sign not more than two (2) square feet in area is used to advertise the home occupation.
- (4) That no display or storage of equipment or materials outside of a building or structure shall be permitted.
- (5) That no equipment or machine is used in such activities that is perceptible off the premises by reason of noise, smoke, dust, odor, heat, glare, radiation, electrical interference or vibration.
- (6) That off-street parking and loading shall be provided and that no generation of substantial volumes of vehicular or pedestrian traffic or parking demand shall be permitted.

4-103 Parking Regulations: The Parking Regulations for permitted uses are contained in Article 21 of these Regulations.

4-104 Off-Street Loading Regulations: The Off-Street Loading Regulations for permitted uses are contained in Article 22 of these Regulations.

4-105 Sign Regulations: The Sign Regulations are contained in Article 23 of these Regulations.

4-106 Height, Area, and Bulk Regulations: In the "R-1A" Single-Family Residential District, the height of buildings, the minimum dimensions of lots and yards, and the minimum lot area per family permitted on any lot shall be as follows:

- (1) Height: Buildings or structures shall not exceed thirty-five (35) feet and/or two and one-half (2 1/2) stories in height.
- (2) Front Yard: The depth of the front yard shall be at least thirty-five (35) feet.

- (3) Side Yard: There shall be a side yard on each side of a dwelling; the sum total of the side yards shall be at least twenty-five (25) feet, with one side allowed to be a minimum of ten (10) feet.
- (4) Rear Yard: The depth of the rear yard shall be at least twenty (20) feet.
- (5) Lot Dimensions: The minimum width of a lot shall be seventy-five (75) feet. The minimum depth of a lot shall be one hundred (100) feet.
- (6) Lot Area Per Family: Every dwelling hereafter erected, constructed, reconstructed, moved or altered, shall provide a minimum lot area of twenty thousand, (20,000) square feet per family.

The Height, Area and Bulk Regulations are also set forth in the chart of Article 24. Said chart, and all notations and requirements shown therein, shall have the same force and effect as if all the notations and requirements were fully set forth or described herein.

- 4-107 Supplementary Height, Area and Bulk Regulations: Supplementary Height, Area and Bulk Regulations are contained in Article 25 of these Regulations.
- 4-108 Supplementary Use Regulations: Supplementary Use Regulations, including permitted Accessory Uses, are contained in Article 26 of these Regulations.

ARTICLE 5

"R-1B" SINGLE-FAMILY RESIDENTIAL DISTRICT REGULATIONS

Sections:

- 5-101 Application
 - 5-102 Use Regulations
 - 5-103 Parking Regulations
 - 5-104 Off-Street Loading Regulations
 - 5-105 Sign Regulations
 - 5-106 Height, Area and Bulk Regulations
 - 5-107 Supplementary Height, Area, and Bulk Regulations
 - 5-108 Supplementary Use Regulations
- 5-101 Application: The regulations set forth in this Article, or set forth elsewhere in these Regulations, when referred to in this Article, are the regulations in the "R-1B" Single-Family Residential District. The purpose of this District is to provide for single-family residential development of moderately spacious character together with such other uses, as may be necessary or are normally compatible with residential surroundings. The District is also designed to protect and preserve existing development of a similar character.
- 5-102 Use Regulations: In District "R-1B" no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more of the following uses:
- (1) Any use permitted in the "R-1A" Single-Family Residential District.
- 5-103 Parking Regulations: The Parking Regulations for permitted uses are contained in Article 21 of these Regulations.
- 5-104 Off-Street Loading Regulations: The Off-Street Loading Regulations for permitted uses are contained in Article 22 of these Regulations.
- 5-105 Sign Regulations: The Sign Regulations are contained in Article 23 of these Regulations.
- 5-106 Height, Area and Bulk Regulations: In the "R-1B", Single-Family Residential District, the height of buildings, the minimum dimensions of lots and yards, and the minimum lot area per family permitted on any lot shall be as follows:

- (1) Height: Buildings or structures shall not exceed thirty-five (35) feet and/or two and one-half (2 1/2) stories in height.
- (2) Front Yard: The depth of the front yard shall be at least thirty-five (35) feet.
- (3) Side Yard: There shall be a side yard on each side of a dwelling; the sum total of the side yards shall be at least twenty-five (25) feet, with one side allowed to be a minimum of ten (10) feet.
- (4) Rear Yard: The depth of the rear yard shall be at least twenty (20) feet.
- (5) Lot Dimensions: The minimum width of a lot shall be seventy-five (75) feet. The minimum depth of a lot shall be one hundred (100) feet.
- (6) Lot Area Per Family: Every dwelling hereafter erected, constructed, reconstructed, moved or altered, shall provide a minimum lot area of ten thousand (10,000) square feet per family.

The Height, Area and Bulk Regulations are also set forth in the chart of Article 24. Said chart, and all notations and requirements shown therein, shall have the same force and effect as if all the notations and requirements were fully set forth or described herein.

5-107 Supplementary Height, Area, and Bulk Regulations: Supplementary Height, Area, and Bulk Regulations are contained in Article 25 of these Regulations.

5-108 Supplementary Use Regulations: Supplementary Use Regulations, including permitted Accessory Uses, are contained in Article 26 of these Regulations.

ARTICLE 6

"R-2" TWO-FAMILY RESIDENTIAL DISTRICT REGULATIONS

Sections:

- 6-101 Application
- 6-102 Use Regulations
- 6-103 Parking Regulations
- 6-104 Off-Street Loading Regulations
- 6-105 Sign Regulations
- 6-106 Height, Area, and Bulk Regulations
- 6-107 Supplementary Height, Area, and Bulk Regulations
- 6-108 Supplementary Use Regulations

6-101 Application: The regulations set forth in this Article, or set forth elsewhere in these Regulations, when referred to in this Article, are the regulations in the "R-2" Two-Family Residential District. The purpose of this District is to maintain a generally spacious residential environment of single-family character, but at the same time permit two-family dwellings. Population density is low enough to be compatible with neighboring single-family development.

6-102 Use Regulations: In District "R-2", no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more of the following uses:

- (1) Any use permitted in the "R-1B" Single-Family Residential District.
- (2) Two-family dwellings.

6-103 Parking Regulations: The Parking Regulations for permitted uses are contained in Article 21 of these Regulations.

6-104 Off-Street Loading Regulations: The Off-Street Loading Regulations for permitted uses are contained in Article 22 of these Regulations.

6-105 Sign Regulations: The Sign Regulations are contained in Article 23 of these Regulations.

6-106 Height, Area, and Bulk Regulations: In the "R-2" Two-Family Residential District the height of buildings, the minimum dimensions of lots and yards, and the minimum lot area per family permitted on any lot shall be as follows:

- (1) Height: Buildings or structures shall not exceed thirty-five (35) feet and/or two and one-half (2 1/2) stories in height.
- (2) Front Yard: The depth of the front yard shall be at least thirty-five (35) feet.
- (3) Side Yard: There shall be a side yard on each side of a building used for residential purposes; no side yard shall be less than ten (10) feet.
- (4) Rear Yard: The depth of the rear yard shall be at least twenty (20) feet.
- (5) Lot Dimensions: The minimum width of a lot shall be seventy-five (75) feet. The minimum depth of a lot shall be one hundred (100) feet.
- (6) Lot Area Per Family: Every single-family dwelling hereafter erected, constructed, reconstructed, moved or altered, shall provide a minimum lot area of ten thousand (10,000) square feet per family. Every two-family dwelling hereafter erected, constructed, reconstructed, moved or altered, shall provide a minimum lot area of five thousand (5,000) square feet per family or ten thousand (10,000) square feet per building.

The Height, Area and Bulk Regulations are also set forth in the chart of Article 24. Said chart, and all notations and requirements shown therein, shall have the same force and effect as if all the notations and requirements were fully set forth or described herein.

6-107 Supplementary Height, Area and Bulk Regulations: Supplementary Height, Area and Bulk Regulations are contained in Article 25 of these Regulations.

6-108 Supplementary Use Regulations: Supplementary Use Regulations, including permitted Accessory Uses, are contained in Article 26 of these Regulations.

ARTICLE 7

"R-3" TOWNHOUSE DISTRICT REGULATIONS

Sections

- 7-101 Application
 - 7-102 Use Regulations
 - 7-103 Parking Regulations
 - 7-104 Off-Street Loading Regulations
 - 7-105 Sign Regulations
 - 7-106 Height, Area, and Bulk Regulations
 - 7-107 Supplementary Height, Area, and Bulk Regulations
 - 7-108 Supplementary Use Regulations
- 7-101 Application. The regulations set forth in this Article, or set forth elsewhere in these Regulations, when referred to in this Article, are the regulations in the "R-3" Townhouse District. The purpose of this District is to provide for medium density, residential development opportunities in areas where it is deemed necessary.
- 7-102 Use Regulations: In District "R-3", no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more of the following uses:
- (1) Two-family dwellings.
 - (2) Condominiums.
 - (3) Garden Apartment Buildings.
 - (4) Townhouses.
 - (5) Public parks, playgrounds, and community buildings.
- 7-103 Parking Regulations: The Parking Regulations for permitted uses are contained in Article 21 of these Regulations.
- 7-104 Off-Street Loading Regulations: The Off-Street Loading Regulations for permitted uses are contained in Article 22 of these Regulations.
- 7-105 Sign Regulations: The Sign Regulations are contained in Article 23 of these Regulations.
- 7-106 Height, Area, and Bulk Regulations: In the "R-3" Townhouse District the height of buildings, the minimum dimensions of lots and yards, and the minimum lot area per family permitted on any lot shall be as follows:

- (1) Height: Buildings or structures shall not exceed forty-five (45) feet and/or three (3) stories in height.
- (2) Front Yard: The depth of the front yard shall be at least thirty-five (35) feet.
- (3) Side Yard: There shall be a side yard on each side of a building used for residential purposes: no side yard shall be less than twenty (20) feet.
- (4) Rear Yard: The depth of the rear yard shall be at least twenty (20) feet.
- (5) Lot Dimensions: The minimum width of a lot shall be seventy-five (75) feet. The minimum depth of a lot shall be one hundred (100) feet.
- (6) Lot Area Per Family: Every residential building hereafter erected, constructed, reconstructed, moved or altered, shall provide a minimum lot area of five thousand (5,000) square feet per family for the first two dwelling units, and four thousand (4,000) square feet per family for each additional dwelling unit over two.

The Height, Area and Bulk Regulations are also set forth in the chart of Article 24. Said chart, and all notations and requirements shown therein, shall have the same force and effect as if all the notations and requirements were fully set forth or described herein.

7-107 Supplementary Height, Area and Bulk Regulations: Supplementary Height, Area, and Bulk Regulations are contained in Article 25 of these Regulations.

7-108 Supplementary Use Regulations: Supplementary Use Regulations, including permitted Accessory Uses, are contained in Article 26 of these Regulations.

ARTICLE 8

"R-4" APARTMENT DISTRICT REGULATIONS

Sections:

- 8-101 Application
- 8-102 Use Regulations
- 8-103 Parking Regulations
- 8-104 Off-Street Loading Regulations
- 8-105 Sign Regulations
- 8-106 Height, Area, and Bulk Regulations
- 8-107 Supplementary Height, Area, and Bulk Regulations
- 8-108 Supplementary Use Regulations

8-101 Application: The regulations set forth in this Article, or set for elsewhere in these Regulations when referred to in this Article, are the regulations in the "R-4" Apartment District. The purpose of this District's to provide high density residential development opportunities in areas where it is deemed necessary.

8-102 Use Regulations: In District "R-4", no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more the following uses:

- (1) Apartment Complexes.
- (2) Multiple-family dwellings.
- (3) Public parks, playgrounds and community buildings.

8-103 Parking Regulations: The Parking Regulations for permitted uses are contained in Article 21 of these Regulations.

8-104 Off-Street Loading Regulations: The Off-Street Loading Regulations for permitted uses are contained in Article 22 of these Regulations.

8-105 Sign Regulations: The Sign Regulations are contained in Article 23 of these Regulations.

8-106 Height, Area, and Bulk Regulations: In the R-4" Apartment District the height of buildings, the minimum dimensions of lots and yards, and the minimum lot area per family permitted on any lot shall be as follows:

- (1) Height: Buildings or structures shall not exceed forty-five (45) feet and/or three (3) stories in height.

- (2) Front Yard: The depth of the front yard shall be at least thirty-five (35) feet.
- (3) Side Yard: There shall be a side yard on each side of a building used for residential purposes; no side yard shall be less than twenty (20) feet.
- (4) Rear Yard: The depth of the rear yard shall be at least twenty (20) feet.
- (5) Lot Dimensions: The minimum width of a lot shall be seventy-five (75) feet. The minimum depth of a lot shall be one hundred (100) feet.
- (6) Lot Area Per Family: Every residential building hereafter erected, constructed, reconstructed, moved or altered, shall provide a minimum lot area of five thousand (5,000) square feet per family for the first two dwelling units, and three thousand (3,000) square feet per family for each additional dwelling unit over two.

The Height, Area and Bulk Regulations are also set forth in the chart of Article 24. Said chart, and all notations and requirements shown therein, shall have the same force and effect as if all the notations and requirements were fully set forth or described herein.

- 8-107 Supplementary Height, Area, and Bulk Regulations: Supplementary Height, Area, and Bulk Regulations are contained in Article 25 of these Regulations.
- 8-108 Supplementary Use Regulations: Supplementary Use Regulations, including permitted Accessory Uses, are contained in Article 26 of these Regulations.

ARTICLE 9

"PUD" PLANNED UNIT DEVELOPMENT REGULATIONS

Section:

- 9-101 Purpose
- 9-102 Local Administrative Authority
- 9-103 Definitions
- 9-104 Permitted Uses
- 9-105 Ownership Requirements
- 9-106 Availability of Public Services
- 9-107 Preliminary Development Plan
- 9-108 Final Development Plan
- 9-109 Amendments to the Final Development Plan
- 9-110 Design Standards
- 9-111 Use Regulations
- 9-112 Density and Design Standard

9-101 Purpose: In order that the public health, safety, morals and general welfare be furthered in an era of growing demand for housing of all types and designs; and, to provide for necessary commercial facilities conveniently located to such housing, the Planned Unit Development "PUD" District is hereby created and established as authorized by K.S.A. 12-725 through K.S.A. 12-733.

In order to encourage the effective management of land and its environmental resources within Oxford Township while recognizing the economic constraints and limitations inherent in all types of development, the following objectives are hereby established;

- (1) Promote and encourage innovation in residential and limited commercial development so that growing demands of the population may be met by greater variety in type, design and layout of buildings.
- (2) Conserve and more efficiently use open space and recreation areas.
- (3) Provide greater opportunities for better housing, recreation and convenient commercial facilities.
- (4) Allow developers to incorporate and reflect changes in technology of land development so that resulting economics may inure to the benefit of those who need shelter.
- (5) Produce a pattern of development which preserves trees, outstanding natural topographic and geological features, and prevents soil erosion.

- (6) Promote an efficient use of land resulting in smaller networks of utilities and streets and, thereby, lower housing costs.
- (7) Provide an environment of stable character in harmony with surrounding development and in a manner consistent with the preservation of property values within established residential areas.
- (8) Encourage a more desirable environment than would be possible through the strict application of other sections of these Regulations.
- (9) Ensure that the increased flexibility afforded by this Article is subject to the administrative standards and procedures outlined herein.
- (10) Encourage and promote the disposition of proposals for land development under this Article without undue delay.

This Article is designed to provide for small and large scale development incorporating a single type or a variety of residential and related uses which are planned and developed as a unit. Such development may consist of individual lots or it may have common building sites and mixture of the two may be allowed. Any building, or portion thereof, may be owned in condominium under the provisions of K.S.A. 53-3101 et seq.

Common land must be an essential and major element of the plan which is related to and affects the long-term value of the house and other development. A planned unit shall be a separate entity with a distinct character in harmony with surrounding development.

The Article is not intended to permit a greater overall density than that allowed for like development as set forth elsewhere in these Regulations, but is to provide a greater flexibility in the design of buildings, yards, courts, recreation areas, circulation and other like features than would otherwise be possible through the strict application of these Regulations.

9-102 Local Administrative Authority: The local administrative authority having the authority to administer the provisions of this Article shall be the Oxford Township Zoning Board together with the Zoning Administrator for Johnson County, provided, the Governing Body shall also approve all Planned Unit Developments as specified herein.

9-103 Definitions: For the purpose of this Article, certain terms, phrases, and words used throughout this Article shall have the meaning assigned them in this section.

- (1) Common Open Space: A parcel or parcels of land or an area of water, or combination of both land and water, within a site designated as a Planned Unit Development District and designed and intended for the use and enjoyment of the residents and owners of the Planned Unit Development. Common open space does not include streets, alleys, public parks, off-street parking or loading areas, public open space, or other facilities dedicated by the developer for public use. Common open space shall be substantially free of structures but may contain such improvements as are approved as a part of the general development plan and are appropriate for the recreation of residents of the Planned Unit Development.
- (2) Landowner: The legal or beneficial owner or owners of all land proposed to be included in a Planned Unit Development. The holder of a contract to purchase or other person having an enforceable proprietary interest in such land shall be deemed to be a landowner for the purpose of this Article.
- (3) Non-Residential Uses: Any usage of land within a "PUD" not designated for residential use.
- (4) Plan: The provisions for development of a Planned Unit Development, including such drawings as shall serve as a plat or subdivision, all covenants relating to use, location and bulk of buildings and other structures, intensity of use or density of development, private streets, ways and parking facilities, common open space and public facilities. The phrase "provisions of the plan" when used in this Article shall mean the written and graphic materials referred to in this definition.
- (5) Private Streets: Any street or right-of-way within a "PUD" that is maintained by the "PUD" and not by Johnson County.
- (6) Planned Unit Development: An area of land controlled by a landowner to be developed as a single entity for a number of dwelling units, office uses, commercial uses, or any combination thereof, if any; the plan for which does not correspond in lot size, bulk or type of dwelling or commercial use, density, lot coverage and required open space, to the requirements of the appropriate district regulations contained elsewhere within these regulations. The term "PUD", used herein, shall mean Planned Unit Development.

9-104 Permitted Uses: If a "PUD" is denied, withdrawn or voided for any reason, the uses permitted will be allowed in the original zoning district by right. Variances, amendments, commercial and other nonresidential uses will be permitted only on approval as provided elsewhere within these Regulations.

Whatever non-residential uses are permitted and included in a predominantly residential "PUD" shall be subject to specific standards, as discussed in this Article.

9-105 Ownership Requirements: An application for approval of a "PUD" may be filed by a person having an interest in the property to be included in the planned unit. The "PUD" applications shall be filed in the name or names of the recorded owner or owners of property included in the development.

The applicant must show evidence of a full ownership interest in the land - legal title or the execution of a binding sales agreement before the final approval of this plan.

Where several owners of adjoining property wish to make a joint application for "PUD" approval the project shall be in a single ownership by the time the final development plan is approved.

9-106 Availability of Public Services: The following requirements are also essential in "PUD" approval and shall be a major factor for the applicant in the final approval of "PUD" development.

(1) Relation to Major Transportation Facilities: "PUD" Districts shall be so located with respect to major streets and highways or other transportation facilities as to provide direct access to such Districts without creating traffic along minor streets in residential neighborhoods outside such Districts.

(2) Relation to Utilities, Public Facilities: "PUD" Districts shall be so located in relation to sanitary sewers, water lines, storm and surface drainage systems, and other utilities systems and installations that neither extension nor enlargement of such systems will be required in manner, form, character, location, degree, scale, or timing resulting in either higher or earlier incursion of public cost than would development in a form generally planned for the area. Such Districts shall be so located with respect to schools, parks, playgrounds, and other public facilities required as to have access in the same degree as would development in a form generally planned for the area.

However, if the applicant will:

- (1) Provide private utilities, facilities, or services approved by the public agencies which would normally provide such utilities, facilities, or services as substituting on an equivalent basis, and assure their satisfactory continuing operation and maintenance permanently or until equivalent public utilities, facilities, or services are available, or
- (2) Make provision acceptable to the County for off-setting any added public cost or early commitment of public funds necessitated by such development, the location of the "PUD" District may be approved.

In any computations of added public costs, the difference in anticipated public revenue shall be given due consideration, among other pertinent factors. Costs for making such determinations, as may be required above, shall be paid by the applicant. The determinations shall be made by the County or by experts acceptable to the County.

9-107 Preliminary Development Plan: Application for "PUD" Planned Unit Development zoning and preliminary development plan approval shall be made in accordance with the provisions outlined in Article 29 of these Regulations. The application shall include a preliminary development plan which describes the applicant's intentions for the use and development of the property. The applicant must submit, in support of his "PUD" application, the following information:

- (1) Written Documents:
 - (A) A legal description of the total site proposed for development, including a statement of present and proposed ownership.
 - (B) A statement of planning objectives to be achieved by the "PUD" through the particular approach proposed by the applicant. This statement should include a description of the character of the proposed development and the rationale behind the assumptions and choices made by the applicant.
 - (C) A development schedule indicating the approximate date when construction of the "PUD" or stages of the "PUD" can be expected to begin and be completed.

- (D) A statement of the applicant's intentions with regard to the future selling or leasing of all or portions of the "PUD", such as land areas, dwelling units, etc.
 - (E) Quantitative data for the following: total number and type of dwelling units; parcel size; proposed lot coverage of buildings and structures; approximate gross and net residential densities; total amount of open space (including a separate figure for usable open space and the form of agency proposed to own and maintain the common open space); total amount of nonresidential construction (including a separate figure for commercial or institutional facilities); economic feasibility studies or market analysis where necessary or requested by either the local Administrative Authority or the Governing Body; and other studies as required by the local Administrative Authority or the Governing Body.
- (2) Site Plan and Supporting Maps: A site plan and any maps necessary to show the major details of the proposed "PUD" must contain the following minimum information:
- (A) The existing site conditions including contours at no more than five (5) foot intervals (sea level datum), watercourse, flood plains, unique natural features, and forest cover.
 - (B) Proposed lot lines and plot designs.
 - (C) The location and floor area size of all existing and proposed nonresidential buildings, structures, and other improvements including maximum heights; types of dwelling units with density per type; and nonresidential structures, including commercial facilities.
 - (D) The location and size in acres or square feet of all areas to be conveyed, dedicated, or reserved as common open spaces, public parks, recreational areas, school sites, and similar public and semi-public uses.
 - (E) The existing and proposed circulation system of arterial, collector, and local streets including off-street parking areas, service areas, loading areas, and major points of access to public right-of-ways (including major points of ingress and egress to development). Notations on proposed ownership - public or

private - should be included where appropriate. Detailed engineering drawings of cross sections and street standards should be handled in the final development plan stage.

- (F) The existing and proposed pedestrian circulation system, including its interrelationships with the vehicular circulation system, indicating proposed treatments of points of conflict.
- (G) The existing and proposed utility systems including sanitary sewers, storm sewers, and water, electric, gas and telephone lines.
- (H) A general landscape plan indicating the treatment of materials used for private and common open spaces. The landscape plan should be in general schematic form at this stage.
- (I) Enough information on land areas adjacent to the proposed "PUD" to indicate the relationships between the proposed development and existing and proposed adjacent areas, including land uses, zoning classifications, densities, circulation systems, public facilities, and unique natural features of the landscape.
- (J) The proposed treatment of the perimeter of the "PUD", including materials and techniques used such as screens, fences, and walls.
- (K) Any additional information as required by the local Administrative Authority or the Governing Body necessary to evaluate the character and impact of the proposed "PUD".

The Oxford Township Zoning Board shall hold a Public Hearing within forty-five (45) days from the date of the application, at which the applicant shall present the proposal.

The Oxford Township Zoning Board must then review all recommendations and take formal action in writing by either approving the plan as presented, approving it subject to certain specified modifications, or disapproving it. The Oxford Township Zoning Board may continue action on the application for the "PUD", but must take a formal action within three (3) months of the first Public Hearing. The recommendation of the Oxford Township Zoning Board shall then be forwarded to the Governing Body for consideration, as outlined at Article 29 herein.

If the preliminary development plan is approved, either in total or subject to modifications, the Governing Body shall not amend the zoning map and no building permits may be issued on land with the "PUD" until the final development plans for the total project area or the first phase of the project have been approved by the Oxford Township Zoning Board.

After approval of a preliminary development plan by the Oxford Township Zoning Board, the applicant shall file with the Register of Deeds a statement that such a plan has been approved and that such "PUD" is applicable to certain specified legally-described land and that copies of said plan are on file in the office of the local Administrative Authority giving the address of Johnson County Community Development. Such statement recorded with the Register of Deeds shall also specify the nature of the plan, the proposed density or intensity of land uses and other pertinent information sufficient to notify any prospective purchasers or users of land of the existence of such a plan.

The recorded statement shall specify that the preliminary development plan shall become binding upon all successors and assigns unless amended in conformance with these Regulations. Substantial or significant changes in the "PUD" shall be made after rehearing and reapproval of the preliminary plan.

Within a maximum of one (1) year following the approval of the preliminary development plan, the applicant shall file with the local Administrative Authority a final development plan containing, in a final detailed form, the information required in Section 9-108. At its discretion and for good cause, the local Administrative Authority may extend for an additional six (6) months the period for filing of the final development plan.

If the applicant fails to apply for final development plan approval for any reason, the preliminary development plan approval shall be deemed to be revoked and all that portion of the area included in the development plan for which final approval has not been given shall be subject to the Zoning and Subdivision Regulations otherwise applicable thereto. If the preliminary development plan approval is revoked after a statement has been filed with the Register of Deeds as outlined above, the Governing Body shall cause an appropriate statement to be filed with the Register of Deeds indicating the same.

9-108 Final Development Plan: The applicant shall submit his final development plan for the total project area or the appropriate phase of the development to the local Administrative Authority for their review.

If the final development plan does not vary substantially from the preliminary development plan, no Public Hearing shall be held.

In addition to ensuring substantial compliance with the preliminary development plan, the local Administrative Authority shall review the finalized, detailed plans of the final development plan which include, site plans sufficient for recording and engineering drawings. All schematic plans presented in the preliminary development plan stage, such as a landscape plan, must be presented in their detailed form. Any items not submitted during the preliminary stage must be reviewed, and any final plats and public dedication documents shall also be submitted at this time.

A plan submitted for final approval shall be deemed to be in substantial compliance with the plan previously given tentative approval provided any modification by the applicant of the plan as tentatively approved does not:

- (1) Vary the proposed gross residential density or intensity of use by more than five (5) percent or involve a reduction in the area set aside for common open space, nor the substantial relocation of such area, nor
- (2) Increase by more than ten (10) percent the floor area proposed for nonresidential use, nor
- (3) Increase by more than five (5) percent the total ground area covered by buildings nor involve a substantial change in the height of buildings.

A Public Hearing need not be held to consider modifications on location and design of streets or facilities for water or disposal of storm water or sanitary sewers or other public facilities required as a tentative condition of approval of a preliminary development plan. The burden shall, nevertheless, be upon the landowner to show the local Administrative Authority good cause for any variation between the plan as tentatively approved and the plan as submitted for final approval.

In the event a public hearing is not required for final approval and the application for final approval has been

filed, together with all drawings, specifications and other documents in support thereof, the local Administrative Authority shall, within forty-five (45) days of such filing, grant such plan final approval; provided, however, that in the event the plan as submitted contains variations from the plan given tentative approval but remains in substantial compliance with the plan as submitted for tentative approval, the local Administrative Authority may, after meeting with the landowner, refuse to grant final approval and shall within forty-five (45) days from the filing of the application for final approval so advise the landowner in writing of said refusal, setting forth in said notice the reasons why one or more said variations are not in the public interest. The landowner may either treat the refusal as a denial of final approval and resubmit said final plan in accordance with the request of the local Administrative Authority, or he may notify the local Administrative Authority within forty-five (45) days of notice of the date of refusal, his notice to appeal the decision of the local Administrative Authority.

In the event such an appeal is filed, the Oxford Township Zoning Board shall schedule a Public Hearing, giving such notice as is required for preliminary approval. After a Public Hearing by the Oxford Township Zoning Board, and in the event the landowner is not in agreement with the decision of the Oxford Township Zoning Board, the landowner may request within thirty (30) days that the application for final approval be submitted to the Governing Body for final decision. Any reason for disapproval of the final development plan by either the Oxford Township Zoning Board or the Governing Body shall be set forth in full. A plan or any part thereof which has been given final approval by the Oxford Township Zoning Board or upon appeal to the Governing Body shall be so certified by the secretary of the Oxford Township Zoning Board and shall be filed on record with the Register of Deeds, immediately following the satisfying of all conditions precedent and conditioned upon such approval.

In the event that a plan or section thereof is given final approval and thereafter the landowner shall abandon said plan or the section thereof finally approved and shall so notify the Governing Body in writing, or in the event the applicant shall fail to commence the "PUD" within eighteen (18) months after final approval has been granted, then such final approval shall terminate and shall be deemed null and void unless such time period is extended by the Governing Body upon written application by the landowner.

Upon written approval from the local Administrative Authority, the Governing Body will consider for approval the final development plan and, if said final development plan is approved, will conduct the necessary legislative actions relevant to the project, such as accepting and recording site plans and plats, accepting any dedicated properties, streets, right-of-ways, and so forth. These actions must then be certified by the proper officials and recorded.

Separate actions under the Oxford Township Subdivision Regulations for developments seeking a "PUD" zoning shall not be required; however, all conditions and requirements specified within said Subdivision Regulations must be met before any final plat can be accepted or approved by the Governing Body and/or recorded with the Register of Deeds.

Following formal acceptance and recording, "PUD" zoning shall be declared, building permits may be issued and construction may begin. Final approvals, subject to modifications or conditions should be agreed to in writing by the landowners before recording and formal acceptance.

- 9-109 Amendments to the Final Development Plan: Minor changes in the location, siting, or character of buildings and structures may be authorized by the Zoning Administrator, if required by engineering or other circumstances not foreseen at the time the final development plan was approved. No change authorized by the Zoning Administrator under this Section may increase the size of any building or structure by more than five (5) percent, nor change the location of any building or structure by more than ten (10) feet in any direction; provided, notwithstanding anything in the foregoing, the Zoning Administrator shall not permit changes beyond the minimum or maximum requirements set forth in these Regulations.

All other changes in the "PUD", including changes in the site plan and in the development schedule, must be made under the procedures that are applicable to the initial approval of a "PUD".

- 9-110 Design Standards: General Requirements of the Tract
- (1) The minimum required land area for a planned unit development shall be twenty (20) contiguous acres.
 - (2) The applicant shall provide for, within the "PUD", a sanitary sewer disposal system which shall be of sufficient size and design to collect and dispose of all sewage from all present and probable structures in the planned unit, and shall be otherwise con-

structed and maintained in conformity with the statues, ordinances, and regulations of the State of Kansas and Johnson County, Kansas.

- (3) The applicant shall provide for, within the "PUD", a storm drainage system which shall be of sufficient size and design as will, in the opinion of the County Engineer of Johnson County, collect, carry off and dispose of all predictable surface water run-off within the development, and shall be so constructed as to conform with all applicable regulations of Johnson County, Kansas.
- (4) The applicant shall provide for, within the "PUD", a potable water system which shall be of sufficient size and design to supply potable water to each of the structures to be erected in the development. The applicant shall also provide a fire hydrant within six hundred (600) feet of each structure.

9-111 Use Regulations: A building may be erected or used and a lot may be used or occupied for any of the following purposes and no other:

- (1) Single-family attached or detached dwelling.
- (2) Two-family dwellings.
- (3) Apartment complex.
- (4) Townhouses, condominiums and cluster housing.
- (5) Accessory private garage.
- (6) Public or private park or recreation area which may include a golf course, swimming pool, tennis court, ski slope, toboggan run, ice skating rink and other similar recreational uses, but which may not include any use or activity which produces noise, glare, odor, air pollution, fire hazards or other safety hazards, smoke, fumes or other things detrimental to existing or prospective adjacent structures or to existing or prospective development of the neighborhood.
- (7) Community building.
- (8) School.
- (9) Church, parsonage, or parish house.
- (10) All uses authorized in "CP-0" Planned Commercial Office District and "CP-1" Planned Neighborhood Business District.

9-112 Density and Design Standard: Area limitations for various allowed uses are as follows:

- (1) Within a "PUD" the following percentages of the total land area shall be devoted to the specified uses:
 - (A) A maximum of eighty (80) percent for residential use; land devoted to residential use shall be deemed to include those streets, alleys, parking areas, private open spaces and courts which abut and service primarily residences or groups of residences, but it shall not include useable open space which is available for use by the general public or by persons who do not live in the residences or groups of residences immediately adjacent to it.
 - (B) A maximum of twenty (20) percent for theatre, restaurant, enclosed recreational uses, art gallery, professional office, and parking associated with these uses.
 - (C) A minimum of twenty (20) percent for open-air recreational uses and other useable open space. Useable open space shall be defined as an open area designed and developed for use by the occupants of the development or by others for recreation (whether commercial, private or public), courts, gardens, or household service activities such as clothes drying, which space is effectively separated from automobile traffic and parking and is readily accessible; the term shall not include space devoted to streets and parking.
- (2) Residential Density: The density of residences shall not exceed thirteen (13) dwelling units per acre measured by the total number of residential units versus the total acreage of the "PUD" exclusive of areas devoted to commercial use and/or dedicated to the public.
- (3) Lot Size, Etc: There shall be no minimum lot size, no minimum setbacks, no minimum percentage of lot coverage and no minimum lot width. However, every single-family dwelling shall have access to a street, court, walkway or other area dedicated to such use. No structure and no group of structures (such as semi-detached dwellings or row of town-houses) shall be erected within twenty (20) feet of any other structure or group of structures.

- (4) Height: The height of any single-family residential structure within a "PUD" shall not exceed thirty-five (35) feet, and the height of other structures (except churches) shall not exceed forty-five (45) feet.
- (5) Length: There shall be no continuous structure of townhouses, attached dwellings, apartments or other such units containing more than twelve (12) dwelling units on the ground floor.
- (6) Location of Structures: The proposed location and arrangement of structures shall not be detrimental to existing or prospective adjacent structures or to existing or prospective development of the neighborhood.
- (7) Protection of Open Spaces: Open spaces between structures, including those spaces being used as public or private recreational areas, shall be protected by adequate covenants running with the land or by conveyances or dedications, as the Governing Body shall specify.
- (8) Roads and Parking Areas: The dimensions and construction of roads, alleys and/or parking areas within the development, whether or not dedication of them to the public is contemplated, shall conform with all applicable regulations as if such roads, alleys and/or parking areas were going to be so dedicated. All plans and specifications shall be approved by the County Engineer before final "PUD" approval can be given by the Governing Body.

ARTICLE 10

"MHP" MOBILE HOME PARK DISTRICT REGULATIONS

Sections:

- 10-101 Purpose
- 10-102 Use Regulations
- 10-103 Supplementary Use Regulations
- 10-104 Site Plan Approval and Mobile Home Park Permit Procedure
- 10-105 Lot Area and Yard Requirements
- 10-106 Performance Standards
- 10-107 Structural Quality of Mobile Homes
- 10-108 Penalties for Noncompliance

10-101 Purpose: The regulations set forth in this Article, or set forth elsewhere in these Regulations, when referred to in this Article, are the regulations in the Mobile Home Park District. The "MHP" District is intended to accommodate the grouping of mobile home sites for use under a rental or lease arrangement. The planning requirements of the "MHP" District are intended to provide a safe and healthy living environment and to assure the mutual compatibility of Mobile Home Parks with adjoining land uses.

10-102 Use Regulations: In District "MHP", no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more of the following uses:

- (1) Mobile homes located in Mobile Home Parks used for single-family occupancy.
- (2) Service buildings common to the Mobile Home Park which provide laundry facilities, sanitary facilities, recreational facilities, park management buildings, maintenance buildings and community buildings.
- (3) No part of any Park shall be used for nonresidential purposes except such uses that are required for the direct servicing and well-being of Park residents and for the management and maintenance of the Park. However, this shall in no way prohibit the sale by the owner of a mobile home affixed to a mobile home pad and connected to the appropriate utilities.

10-103 Supplementary Use Regulations: Supplementary Use Regulations, including permitted Accessory Uses, are contained in Article 26 of these Regulations.

10-104 Site Plan Approval and Mobile Home Park Permit Procedure: The construction, alteration or extension of any Mobile Home Park shall not be permitted unless a Mobile Home Park permit has been issued by the Zoning Administrator in the name of the person proposing the specific construction, alteration or extension. No permit for a Mobile Home Park shall be issued until the site plan has been approved as a part of the rezoning process and the proposed construction, alteration or extension is in compliance with the terms of this Article.

(1) Site Plan Approval: Application for "MHP" zoning and plan approval shall be made in accordance with the procedures outlined in Article 29 of these Regulations. The application shall include a site plan prepared at a scale of 1" = 100' and shall include, either displayed on or attached to the plan, the following information:

- (A) Name and address of the owner/applicant.
- (B) Location and legal description of the Mobile Home Park.
- (C) Topographic survey of the property with contour intervals of five (5) feet, natural features and existing utilities.
- (D) The area and dimensions of the tract of land proposed to be rezoned.
- (E) The number, location and dimensions of all mobile home lots, including proposed setbacks of mobile homes from the Park's exterior property lines and setbacks on individual lots; location of riser pipes and other utility hook-ups.
- (F) The location and width of roadways and walkways.
- (G) The number, location and size of all parking stalls and parking areas.
- (H) Plans for the water supply, refuse and sewage disposal facilities, electrical service and gas service.
- (I) The location of water, sewer, gas, electrical, and other utility lines and easements protecting these utilities.
- (J) Plans for controlling surface drainage.

- (K) The location of recreation areas, storage areas, laundry areas, and other facilities and/or service buildings common to the Mobile Home Park.
- (L) The location and description of the lighting system.
- (M) Plans for screening through the use of plant materials, fencing and other landscaping structures and features.
- (N) Other information as may be requested by the Township Zoning Board or the Governing Body.

The Township Zoning Board shall review the rezoning request, including the site plan, and recommend approval or denial to the Governing Body or may request modifications to the proposed site plan as are deemed necessary to carry out the spirit and intent of the Mobile Home Park District.

Approval by the Governing Body shall amend the Zoning Map, establishing an "MHP" District for the property designated within the application, and shall constitute approval and permanency of the site plan.

(2) Application for a Mobile Home Park Permit:
Application for a Mobile Home Park Permit to construct, alter or extend any Mobile Home Park shall be made to the Zoning Administrator or his designee. The application shall be accompanied by the following information:

- (A) Engineering plans and specifications of the water supply and distribution system approved by the water supplier.
- (B) Engineering plans and specifications of sewage disposal facilities and sewer lines approved by the Unified Wastewater Districts.
- (C) Plans and specifications for the lighting and electrical systems.
- (D) Plans and specifications for gas lines.
- (E) Plans and specifications for streets.

All review comments regarding engineering aspects from the Johnson County Health Department, Kansas State Department of Health

and Environment, Johnson County Engineer and other appropriate persons and agencies shall be directed to the Zoning Administrator. The Zoning Administrator shall issue a Mobile Home Park Permit when he is assured that the construction, alteration or extension shall be in compliance with the site plan as approved by the Governing Body, the provisions of this Article and the "Mobile Home Set-Up Procedures and Standards" on file with Johnson County Community Development.

10-105 Lot Area and Yard Requirements: The location of mobile homes, common facilities and service buildings should be arranged within the Mobile Home Park in a manner which provides optimum open space, accessibility and compatibility of uses. Likewise, the size and orientation of individual lots within a Mobile Home Park should be designed to provide maximum outdoor living area and a compatible relationship between the mobile home, parking, storage building area, utility corridor and outdoor living space. The following minimum requirements shall be observed in the "MHP" District:

(1) Mobile Home Park:

- (A) Size: A Mobile Home Park shall be at least five (5) acres.
- (B) Density: A Mobile Home Park shall not be developed at a gross density greater than seven (7) mobile home lots per acre.
- (C) Yard Requirements: No part of any mobile home or other building or structure shall be located within fifty (50) feet of any public road right-of-way, nor within twenty-five (25) feet of any exterior property line of the Mobile Home Park.

(2) Individual Mobile Home Lot:

- (A) Lot Area: Each mobile home lot to be occupied by a single-wide unit shall consist of at least four thousand five hundred (4,500) square feet for the exclusive use of the occupant. The minimum width of each lot shall not be less than forty-five (45) feet and the minimum length shall not be less than one hundred (100) feet. Each mobile home lot to be occupied by a double-wide unit (units exceeding twenty (20) feet in width) shall consist of at least five thousand (5,000) square feet. The minimum width of each lot shall not be less than fifty-

five (55) feet and the minimum length shall not be less than ninety (90) feet.

(B) Front Yard: Each lot shall have a front yard of at least twenty (20) feet measured from the edge of the pavement to the closest point of the lower face of the mobile home. The front yard may be reduced to ten (10) feet when on-street parking is provided along the same side of the street.

(C) Side & Rear Yards: Side and rear yards shall be provided and maintained so as to provide a minimum separation of at least thirty (30) feet between all mobile homes. This separation may be reduced to twenty-five (25) feet between mobile homes placed end-to-end and a separation of twenty (20) feet may be permitted between a mobile home and another building or structure on an adjoining lot.

All mobile homes shall be setback a minimum of five (5) feet from either side lot line and a minimum of ten (10) feet from the rear lot line.

(D) Maximum Height: No mobile home or other building or structure shall exceed twenty (20) feet in height.

10-106 Performance Standards: Minimum requirements pertaining to structural, design, utility service, and maintenance features within the Mobile Home Park shall be as follows:

(1) Utilities: Sanitary sewer and water facilities shall be provided for each lot within the Mobile Home Park.

All mobile homes within the Mobile Home Park shall be served by a central water supply adequate to supply fire protection by hydrants, and a central sanitary sewer system.

All utility lines shall be placed underground and there shall be no overhead wires or support poles except those required for street or other lighting purposes.

(2) Streets: All internal streets shall be asphalt or concrete surface and shall be durable and well drained under normal use and weather conditions. The surface shall be maintained free of cracks, holes and other hazards by the mobile home park

management. All internal streets shall be owned and maintained by the owner of the Mobile Home Park.

Grades of all streets shall be sufficient to insure adequate surface drainage. Grades shall not exceed eight (8) percent.

Minimum pavement widths shall be as follows:

- (A) Entrance streets and all other streets with parking allowances on both sides of the street shall be a minimum of forty-two (42) feet in width.
 - (B) Streets with parking allowance on one side only shall be a minimum of thirty-two (32) feet in width.
 - (C) Streets with no parking allowance shall be a minimum of twenty-four (24) feet in width.
- (3) Mobile Home Pad: A pad shall be provided on every mobile home lot to accommodate the mobile home and its attached accessory structures. The pad shall be graded to insure adequate surface drainage. Anchoring facilities for the placement and tie-down of the mobile home to secure it against accidental uplift, sliding, rotation and over-turning shall be installed before any mobile home is occupied.
- (4) Recreation: One or more recreation areas shall be provided within every Mobile Home Park. The size of such recreation area(s) shall not be less than ten (10) percent of the gross area of the Mobile Home Park and shall be located so as to be easily accessible to all Park residents. Recreation areas shall be maintained by the park management and may include space for community building and community use facilities such as indoor recreation, meeting rooms and similar uses. Only Mobile Home Parks of ten (10) or less acres may consider the area within the fifty (50) foot front yard setback as part of the required recreation area.
- (5) Parking: Adequate parking shall be provided for the use of Park residents and guests. Each mobile home lot shall have off-street or on-street parking space for at least two (2) automobiles. In addition, each Mobile Home Park shall maintain an off-street parking area(s) and/or on-street parking lanes for guests in the amount of at least one (1) parking space lot every three (3) mobile home lots and located within three hundred (300) feet of the unit to be served.

Each parking space shall be a minimum of nine (9) feet by nineteen (19) feet and all parking areas shall be constructed with asphalt or concrete and provide adequate drainage.

All on-street parking shall be parallel. No angle parking shall be allowed on-street.

- (6) Skirting: Skirtings of a durable type of material and construction shall be installed on each mobile home to enclose the open space between the bottom of the mobile home floor and the grade level of the mobile home pad. Such skirting shall be constructed of non-combustible material consistent with the exterior surface of the mobile home and maintained in a manner to enhance the appearance of the Mobile Home Park.
- (7) Screening: Effective screening shall be provided along the boundary lines of Mobile Home Parks adjoining industrial, commercial or lower density residential uses or zoning districts to serve as a buffer through the use of plantings, fencing, berms or other landscaping features.
- (8) Lighting: Adequate lighting shall be provided for all streets, walkways, service buildings and other facilities subject to nighttime use.
- (9) Common Storm Safety Facility: A common storm safety facility capable of providing adequate shelter from severe weather for all Mobile Home Park residents shall be provided.
- (10) Walkways: The provision and maintenance of a common surfaced walk system shall be required between locations where pedestrian traffic is concentrated and where pedestrian and vehicular traffic might interfere with one another.
- (11) Storage Lot: All Mobile Home Parks shall have an area or areas set aside for the storage of boats, boat trailers, hauling trailers, automobiles, snowmobiles, and other equipment for seasonal or periodic use to be non-commercially operated and for the exclusive use of residents of the Mobile Home Park. Such equipment shall not be stored upon a mobile home lot nor upon the streets within the Mobile Home Park.

Storage lots shall be screened in accordance with Section 10-106 (7) herein.

(12) Lot Identification: Each mobile home lot within the Mobile Home Park shall be numbered in an orderly fashion and in a manner secure and consistent throughout the Mobile Home Park. The lot number shall be displayed on the lot and be visible at all times.

All items listed above shall comply, where applicable, with the "Mobile Home Set-up Procedures and Standards" as on file with Johnson County Community Development, and all other rules and regulations governing any portion of the development of said Mobile Home Park.

10-107 Structural Quality of Mobile Homes: All mobile homes proposed to be placed in Oxford Township shall either:

- (A) have been manufactured after September 1, 1973 and the owner must show verification of such to the Zoning Administrator to assure said Administrator of compliance with K.S.A. 75-1214, as amended; or
- (B) comply with all building codes and ancillary codes adopted and in effect in unincorporated Johnson County.

10-108 Penalties for Noncompliance: Failure on the part of a Mobile Home Park owner and/or operator to comply with the provisions and standards of this Article shall make said owner and/or operator subject to the penalties outlined in Article 30 of these Regulations.

ARTICLE 11

"MHS" MOBILE HOME SUBDIVISION DISTRICT REGULATIONS

Sections

- 11-101 Purpose
- 11-102 Use Regulations
- 11-103 Supplementary Use Regulations
- 11-104 Site Plan Approval and Platting Procedure
- 11-105 Lot, Area and Yard Requirements
- 11-106 Performance Standards
- 11-107 Structural Quality of Mobile Homes

11-101 Purpose: The regulations set forth in this Article, or set forth elsewhere in these Regulations when referred to in this Article, are the regulations in the Mobile Home Subdivision District. The "MHS" District is intended to accommodate mobile homes on legally subdivided lots deeded to individual property owners. The planning requirements of the "MHS" District are intended to provide a safe and healthy living environment and to assure the mutual compatibility of mobile home subdivisions with adjoining land uses.

11-102 Use Regulations: In "MHS", no building, structure, land or premises shall be used and no building or structure, shall be hereafter erected, constructed, reconstructed, moved or altered, except for the following uses:

- (1) Mobile homes used for single-family occupancy and in accordance with the provisions of this Article.
- (2) Service buildings, recreational facilities, maintenance buildings, community buildings and similar uses and buildings which exclusively serve the Mobile Home Subdivision when held in common ownership such as a homeowners association or similar organization.
- (3) Public parks, playgrounds and community buildings.
- (4) Home occupations such as, but not limited to the following:

- Accountant
- Architect
- Artist
- Author or writer
- Chiropractor
- Clergyman
- Contractor

Cosmetologist
Counselor
Dentist
Engineer
Insurance agent
Lawyer
Osteopath
Photographer
Physician
Planner
Real Estate agent
Salesman
Seamstress/dressmaker
Secretary/typist
Teaching or instruction provided not more than three (3) students are taught at any one time and not more than twelve (12) students per day.
Day-care home for children, provided a maximum of four (4) children, with not more than two (2) under two (2) years of age, or six (6) children with none under two (2) years of age, including the operator's own children, receiving care during the day.

The following conditions and restrictions shall apply to such customary home occupations:

- (1) That the home occupation shall be carried on wholly within a main building or structure, or within a permitted accessory building or structure, provided that the primary use of the main building or structure is clearly the dwelling used by the person as his or her private residence.
- (2) That employees or other assistance shall be limited to immediate members of the family residing on the premises.
- (3) That only one (1) non-illuminated wall sign not more than two (2) square feet in area is used to advertise the home occupation.
- (4) That no display or storage of materials of equipment outside of a building or structure shall be permitted.
- (5) That no equipment or machine is used in such activities that is perceptible off the premises by reason of noise, smoke, dust, odor, heat, glare, radiation, electrical interference or vibration.

- (6) That off-street parking and loading shall be provided and that no generation of substantial volumes of vehicular or pedestrian traffic or parking demand shall be permitted.

11-103 Supplementary Use Regulations: Supplementary Use Regulations, including permitted Accessory Uses, are contained in Article 26 of these Regulations.

11-104 Site Plan Approval and Platting Procedure: The construction, alteration or extension of any Mobile Home Subdivision shall not be permitted unless a site plan has been approved as a part of rezoning process and a final plat has been approved in accordance with the Oxford Township Subdivision Regulations.

(1) Site Plan Approval: Application for Mobile Home Subdivision zoning and plan approval shall be in accordance with the procedures outlined in Article 29 of these Regulations. The application shall include a site plan prepared at a scale of 1"=100' and shall include either displayed on or attached to the plan, the following information:

- (A) Name and address of the owner/applicant.
- (B) Location and legal description of the Mobile Home Subdivision.
- (C) Topographic survey of the property with contour intervals of five (5) feet, natural features and existing utilities.
- (D) The area and dimensions of the tract of land proposed to be rezoned.
- (E) The number, location and dimensions of all mobile home lots, location of riser pipes and/or other utility hook-ups.
- (F) The location and width of all streets and walkways.
- (G) The number, location and size of all parking stalls and parking areas.
- (H) Plans for the water supply, refuse and sewage disposal facilities, electrical service and gas service.
- (I) The location of water, sewer, gas, electrical, and other utility lines and easements protecting these utilities.

- (J) Plans for controlling surface drainage.
- (K) The location of recreation areas, storage areas, laundry areas, and any other facilities and service buildings common to the Mobile Home Subdivision.
- (L) The location and description of the lighting system.
- (M) Plans for screening through the use of plant materials, fencing or other landscaping structures and features.
- (N) Other information as may be requested by the Township Zoning Board or the Governing Body.

The Township Zoning Board shall review the rezoning request including the site plan and recommend approval or denial to the Governing body or may request modifications to the proposed site plan as are deemed necessary to carry out the spirit and intent of the Mobile Home Subdivision District.

Approval by the Governing Body shall amend the Zoning Map, establishing an "MHS" District for the property designated within the application, and shall constitute approval and permanency of the site plan.

- (2) Platting Requirement: The construction, alteration or extension of any Mobile Home Subdivision shall be subject to the provisions and requirements of the Oxford Township Subdivision Regulations. No mobile home shall be permitted within a Mobile Home Subdivision until a final plat has been approved in accordance with said Subdivision Regulations. For the purpose of the Mobile Home Subdivision District Regulations, the site plan may represent the preliminary plat and approval of the site plan may constitute approval of the preliminary plat. No additional fees will be required when the above rule is applied for a site plan/preliminary plat of a Mobile Home Subdivision, however, all final plat requirements of the Oxford Township Subdivision Regulations must be complied with.

11-105 Lot, Area and Yard Requirements: The location of mobile homes, common facilities and service buildings should be arranged within the Mobile Home Subdivision in a manner which provides optimum open space, accessibility and compatibility of uses. Likewise, the size and

orientation of individual lots within a Mobile Home Park should be designed to provide maximum outdoor living area and a compatible relationship between the mobile home, parking, storage building area, utility corridor and outdoor living space. The following minimum requirements shall be observed in the "MHS" District.

(1) Mobile Home Subdivision:

(A) Density: A Mobile Home Subdivision shall not be developed at a gross density greater than five (5) mobile home lots per acre.

(2) Individual Mobile Home Lot:

(A) Lot Area: Each lot shall consist of at least seven thousand five hundred (7,500) square feet.

(B) Front Yard: Each lot shall have a front yard of at least thirty (30) feet measured from the front lot line to the closest point of the face of the mobile home or any accessory structure.

(C) Side Yard: Each lot shall have a side yard of at least fifteen (15) feet on both sides of the mobile home.

(D) Rear Yard: Each lot shall have a rear yard of at least twenty (20) feet.

(E) Maximum Height: No mobile home or accessory building shall exceed twenty (20) feet in height.

11-106 Performance Standards: Design and construction standards for streets, water service, sewage disposal and other utility improvements shall be complied with as set forth in the Oxford Township Subdivision Regulations. Additional minimum requirements pertaining to structural, design, utility service and maintenance features within the Mobile Home Subdivision shall be as follows:

(1) Utilities: All utility lines shall be placed underground and there shall be no overhead wires or support poles except those required for street or other lighting purposes.

(2) Parking: Adequate parking shall be provided for the use of subdivision residents and guests. Each lot within the subdivision shall have off-street parking space for at least two (2) automobiles. Each parking space shall be a minimum of nine (9) feet by nineteen (19) feet and all parking areas shall be

constructed of asphalt or concrete, and provide adequate drainage.

- (3) Skirting: Skirtings of a durable type of material and construction shall be installed on each mobile home to enclose the open space between the bottom of the mobile home floor and the grade level of the mobile home pad. Such skirting shall be constructed of non-combustible material consistent with the exterior surface of the mobile home and maintained in a manner to enhance the appearance of the Mobile Home Subdivision.
- (4) Screening: Effective screening shall be provided along the boundary lines of Mobile Home Subdivisions adjoining industrial, commercial or lower density residential uses or zoning districts to serve as a buffer through the use of plantings, fencing, berms or other landscaping features.
- (5) Lighting: Adequate lighting shall be provided for all streets, walkways, service buildings and other facilities subject to nighttime use.

All items cited previously, and any other issue concerning the placement of the mobile home, shall comply, where applicable, with the "Mobile Home Set-Up Procedures and Standards" as on file with Johnson County Community Development and all other rules and regulations governing any portion of the development of the Mobile Home Subdivision.

11-107 Structural Quality of Mobile Homes: All mobile homes proposed to be placed in Oxford Township shall either:

- (A) have been manufactured after September 1, 1973 and the owner must show verification of such to the Zoning Administrator to assure said Administrator of compliance with K.S.A. 75-1214, as amended; or,
- (B) comply with all building codes and ancillary codes adopted and in effect in unincorporated Johnson County.

ARTICLE 12

PLANNED COMMERCIAL DISTRICT PROCEDURES

Sections:

- 12-101 Purpose
- 12-102 Application, Review, Approval Procedure
- 12-103 Preliminary Development Plan
- 12-104 Final Development Plan
- 12-105 Remedies for Noncompliance

12-101 Purpose: The procedures and requirements set forth in this Article, or the requirements set forth elsewhere in these Regulations, when referred to in this Article, are for the "C-P" Planned Commercial Districts. The "C-P" Districts are specifically intended to accommodate:

- (1) The fully planned, coordinated and orderly development or relatively large tracts of land for commercial uses.
- (2) The conversion of relatively small parcels of land to a commercial use when such parcels abut a developed commercial use or zoning district and/or an existing residential use or zoning district.

The requirements and regulations herein prescribed pertaining to height, open space, setbacks, parking, loading and signs may be adjusted or modified so that the property in question may be developed in a reasonable manner and at the same time will not be detrimental to the public welfare and the interests of the community, but in keeping with the general intent and spirit of the zoning regulations. Such adjustments or modifications may be made as a part of the rezoning process or may be allowed after recommendation from the Township Zoning Board and approved by the Governing Body.

12-102 Application, Review, Approval Procedure: The procedure for approval of a Planned Commercial District shall consist of the following:

- (1) Application for Planned Commercial District, designating which commercial zoning or zones to be utilized, and preliminary development plan approval.
- (2) Final development plan approval.

No building permit shall be issued in a Planned Commercial District until the property has been zoned and

the final development plan for the entire district and/or each phase of development has been approved in accordance with the provisions of these Regulations.

12-103 Preliminary Development Plan: Application for Planned Commercial zoning and preliminary development plan approval shall be made in accordance with the procedures outlined in Article 29 of these Regulations. The application shall include a preliminary development plan which describes the applicant's intentions for the use and development of the property.

The preliminary development plan shall include and/or display the following information:

(1) A certified topographic survey indicating:

(A) Legal description, existing contours, existing utilities, and natural and manmade features.

The topographic survey shall be prepared at a minimum scale of 1" = 100'. The contour intervals shall be no more than five (5) feet.

(2) A site plan indicating:

(A) The location and orientation of buildings; areas to be used for parking including the arrangement and number of stalls; areas to be developed for screening including the location of plant materials and other screening structures and features; pedestrian and vehicular circulation and their relationship to existing streets, alleys and public right-of-ways; points of ingress and egress; location of all existing and proposed utilities (sanitary sewer, water system, storm sewer, gas, telephone and electrical power); drainage controls (retention ponds, etc.); location, size and characteristics of identification and business signs; lighting layout, appurtenances, and intensity of illumination; elevation of buildings and structures.

(B) The site plan shall be prepared at the same scale as the topographic survey. Existing contours shall be shown as dashed lines and proposed contours shall be shown as solid lines. A statement of intent shall accompany the site plan to explain the measures used to achieve compatibility of the proposed development with surrounding properties through the planning of the site and the location and design of structures.

The Township Zoning Board shall review the rezoning request, including the preliminary development plan, and recommend approval or denial to the Governing Body or may request modification to the preliminary development plan as are deemed necessary to carry out the spirit and intent of the Planned Commercial District.

Approval by the Governing Body shall amend the Zoning Map, establishing the "C-P" District requested for the property designated within the application and shall constitute approval and permanency of the preliminary development plan.

12-104 Final Development Plan: The purpose of the final development plan is to assure that each phase, or all of the development plan substantially conforms to the intent of the approved preliminary development plan on which the zoning change was adopted. Upon approval of the preliminary development plan by the Governing Body, the applicant shall submit a final development plan to the Township Zoning Board prior to any construction. The final development plan may be submitted separately for the first and each successive phase of construction; however, it must be submitted for at least the first phase of construction within one (1) year after the Governing Body approves the preliminary development plan.

The Township Zoning Board shall review the final development plan and submit its recommendation to the Governing Body. The Governing Body shall act on the final development plan after receiving a recommendation from the Township Zoning Board. Upon approval by the Governing Body, the final development plan shall be filed for record in the office of the Zoning Administrator.

The final development plan shall be in substantial compliance with the intent of the approved preliminary development plan. Any major deviation shall require resubmittal and approval of the preliminary development plan subject to the original requirements and procedures for preliminary development plan approval. Major deviations shall be determined by the Zoning Administrator and may include, but not be limited to, changes in building location, parking areas, open spaces, street patterns, and building heights and setbacks.

After the final development plan has been approved, and when in the course of carrying out this plan, minor adjustments are requested by the applicant and such adjustments conform to the minimum standards established by the approved final development plan for building coverage, parking spaces, points of ingress and egress, heights, setback and other requirements, such adjustments may be made by the Zoning Administrator.

12-105 Remedies for Noncompliance: Failure to comply with the time requirements specified in Section 12-104 herein shall cause the approved preliminary development plan to be voided. The Planned Commercial zoning shall remain in effect, but shall do so without an approved preliminary development plan. Further development of the site will require submission and approval of a preliminary development plan under the same procedures outlined in Section 12-103 herein, the only difference being that the Planned Commercial zoning will already be in effect.

If the approved preliminary development plan is voided, as outlined above, the Township Zoning Board or the Governing Body may initiate an action to have the Planned Commercial zoning changed to the previous zoning classification or to some other more restrictive zoning classification by following the procedures outlined in Article 29 within the Regulations.

ARTICLE 13

"CP-0" PLANNED COMMERCIAL OFFICE DISTRICT REGULATIONS

Sections:

- 13-101 Application
- 13-102 Use Regulations
- 13-103 Performance Standards
- 13-104 Approval Procedure
- 13-105 Parking Regulations
- 13-106 Off-Street Loading Regulations
- 13-107 Sign Regulations
- 13-108 Height, Area and Bulk Regulations
- 13-109 Supplementary Height, Area and Bulk Regulations
- 13-110 Supplementary Use Regulations

13-101 Application: The regulations set forth in this Article, or set forth elsewhere in these Regulations when referred to in this Article, are the regulations in the "CP-0" Planned Commercial Office District. The purpose of this District is to provide for office and non-retail business developments that provide a service or support a neighborhood or community. This District is intended to be used to transition, where deemed appropriate, from residential developments to more intensive types of commercial and/or retail business activity.

13-102 Use Regulations: In District "CP-0", no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more of the following uses:

- (1) Offices and office buildings to be used only for the administrative functions of companies, corporations, social or philanthropic organizations or societies
- (2) Medical Clinics
- (3) Savings and loan institutions, credit union offices and banks
- (4) Other offices limited to the following:

- Accountants
- Architects
- Brokers
- Engineers
- Dentists
- Insurance

Lawyers
Physicians, osteopaths, chiropractors
Planners
Real Estate

(5) Radio and television studios, provided no broadcasting towers are located on the premises.

(6) Photographic studios.

13-103 Performance Standards: No merchandise shall be handled or displayed except inside buildings and no equipment or vehicle other than motor passenger cars shall be stored outside a building in this District.

13-104 Approval Procedure: The procedures and requirements for application, review and approval for "CP-0" Planned Commercial Office zoning are as contained in Article 12, Planned Commercial District Procedures, of these Regulations.

13-105 Parking Regulations: The Parking Regulations for permitted uses are contained in Article 21 of these Regulations.

13-106 Off-Street Loading Regulations: The Off-Street Loading Regulations for permitted uses are contained in Article 22 of these Regulations.

13-107 Sign Regulations: The Sign Regulations are contained in Article 23 of these Regulations.

13-108 Height, Area and Bulk Regulations: In the "CP-0" Planned Commercial Office District, unless specifically adjusted by the Township Zoning Board and the Governing Body, the height of buildings, the minimum dimensions of lots and yards shall be as follows:

(1) Height: Buildings or structures shall not exceed twenty (20) feet and/or two (2) stories in height.

(2) Front Yard: The depth of the front yard shall be at least thirty-five (35) feet.

(3) Side Yard: There shall be a side yard on each side of a building; no side yard shall be less than fifteen (15) feet.

(4) Rear Yard: The depth of the rear yard shall be at least twenty (20) feet.

The Height, Area and Bulk Regulations are also set forth in the chart of Article 24. Said chart, and all notations and requirements shown therein, shall have the same force and effect as if all the notations and requirements were fully set forth or described herein.

13-109 Supplementary Height, Area and Bulk Regulations: Supplementary Height, Area and Bulk Regulations are contained in Article 25 of these Regulations.

13-110 Supplementary Use Regulations: Supplementary Use Regulations, including permitted Accessory Uses, are contained in Article 26 of these Regulations.

ARTICLE 14

"CP-1" PLANNED NEIGHBORHOOD BUSINESS DISTRICT REGULATIONS

Sections:

- 14-101 Application
- 14-102 Use Regulations
- 14-103 Performance Standards
- 14-104 Approval Procedures
- 14-105 Parking Regulations
- 14-106 Off-Street Loading Regulations
- 14-107 Sign Regulations
- 14-108 Height, Area and Bulk Regulations
- 14-109 Supplementary Height, Area and Bulk Regulations
- 14-110 Supplementary Use Regulations

14-101 Application: The regulations set forth in this Article, or set forth elsewhere in these Regulations, when referred to in this Article, are the regulations in "CP-1" Planned Neighborhood Business District. The purpose of this District is to provide for retail shopping and personal service uses to be developed either as a unit or in individual parcels to serve the needs of nearby residential neighborhoods.

14-102 Use Regulations: In District "CP-1", no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more of the following uses:

- (1) Any use permitted in the "CP-0" Planned Commercial Office District.
- (2) Automotive service stations, provided bulk storage of flammable liquids is underground.
- (3) Hospital or clinic for small animals, dogs, cats, birds, and the like, provided that such hospital or clinic and any treatment rooms, cages, pens or kennels, be maintained within a completely enclosed, soundproof building and that such hospital or clinic be operated in such a way as to produce no objectionable odors outside its walls.
- (4) Hospitals.
- (5) Mortuaries.

- (6) Retail stores and shops which supply the regular and customary needs of the residents of the neighborhood and which are primarily for their convenience, including but not limited to, the following:

Antique shop
Appliance store
Art school, gallery or museum
Artist materials, supply studio
Auto supply store
Baby shop
Bakery goods store
Barber shop
Beauty shop
Book and stationery store
Camera shop
Candy shop
Catering establishment
Cleaning, pressing, laundry collection agency
Clothing or apparel store
Curio or gift shop
Dry goods store
Dairy products or ice cream store
Delicatessen
Department store
Florist shop
Furniture store
Grocery store or supermarket
Hardware store
Jewelry or notion store
Lodge hall
Meat market
Medical facility
Messenger or telegraph service
Musical instrument sales
Newspaper or magazine sales
Optical sales and service
Package liquor store
Paint and decorating shop
Pharmacy
Radio and television sales and service
Restaurant
Self-service laundry or dry cleaning
Sewing machine sales, instruction
Sporting goods sales
Shoe store or repair shop
Tailor shop
Toy store
Variety store

14-103 Performance Standards: The following standards shall not be exceeded by any use in this District:

- (1) No wholesale sales shall be conducted.
- (2) No merchandise or equipment shall be stored or displayed outside a building.
- (3) All products shall be sold and all services rendered inside a building except that banks and savings and loan establishments may have drive-up or walk-up service.
- (4) Alcoholic beverages and cereal malt beverages shall not be sold for consumption on the premises, except that places serving food for consumption inside the building only may serve cereal malt beverages.
- (5) No alcoholic or cereal malt beverages shall be sold or offered for sale by any establishment whose building or premises is closer than one thousand (1,000) feet to the lot occupied by a church, school, hospital or library.

14-104 Approval Procedures: The procedures and requirements for application, review and approval for "CP-1" Planned Neighborhood Business zoning are as contained in Article 12, Planned Commercial District Procedures, of these Regulations.

14-105 Parking Regulations: The Parking Regulations for permitted uses are contained in Article 21 of these Regulations.

14-106 Off-Street Loading Regulations: The Off-Street Loading Regulations for permitted uses are contained in Article 22 of these Regulations.

14-107 Sign Regulations: The Sign Regulations are contained in Article 23 of these Regulations.

14-108 Height, Area, and Bulk Regulations: In the "CP-1" Planned Neighborhood Business District, unless specifically adjusted by the Township Zoning Board and the Governing Body, the height of buildings, the minimum dimensions of lots and yards shall be as follows:

- (1) Height: Buildings or structures shall not exceed thirty (30) feet and/or two (2) stories in height.
- (2) Front Yard: The depth of the front yard shall be at least thirty-five (35) feet.
- (3) Side Yard: There shall be a side yard on each side of a building; no side yard shall be less than ten (10) feet.

- (4) Rear Yard: The depth of the rear yard shall be at least ten (10) feet.

The Height, Area and Bulk Regulations are also set forth in the chart of Article 24. Said chart, and all notations and requirements shown therein, shall have the same force and effect as if all the notations and requirements were fully set forth or described herein.

- 14-109 Supplementary Height, Area and Bulk Regulations: Supplementary Height, Area and Bulk Regulations are contained in Article 25 of these Regulations.

- 14-110 Supplementary Use Regulations: Supplementary Use Regulations, including permitted Accessory Uses, are contained in Article 26 of these Regulations.

ARTICLE 15

"CP-2" PLANNED GENERAL BUSINESS DISTRICT REGULATIONS

Sections:

- 15-101 Application
- 15-102 Use Regulations
- 15-103 Approval Procedures
- 15-104 Parking Regulations
- 15-105 Off-Street Loading Regulations
- 15-106 Sign Regulations
- 15-107 Height, Area and Bulk Regulations
- 15-108 Supplementary Height, Area and Bulk Regulations
- 15-109 Supplementary Use Regulations

15-101 Application: The regulations set forth in this Article, or set forth elsewhere in these Regulations, when referred to in this Article, are the regulations in the "CP-2" Planned General Business District. The purpose of this District is to provide sufficient space in appropriate locations for certain commercial and service activities while at the same time affording protection of surrounding properties from heavier types of commercial activity.

15-102 Use Regulations: In District "CP-2", no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more of the following uses:

- (1) Any use permitted in the "CP-1" Planned Neighborhood Business District.
- (2) Auditorium or theatre, but not open-air drive-in theatres.
- (3) Bowling alleys and amusement arcades.
- (4) Drive-through establishments.
- (5) Food storage lockers.
- (6) Hotels, motels, or motor hotels.
- (7) Membership clubs, including private clubs as defined by K.S.A. 41-2601 et seq., and subsequent amendments.

(8) Printing, publishing, and engraving firms, including newspaper publishing; provided said operations are principally retail businesses.

(9) Taverns.

15-103 Approval Procedure: The procedures and requirements for application, review and approval for "CP-2" Planned General Business Zoning are as contained in Article 12, Planned Commercial District Procedures, of these Regulations.

15-104 Parking Regulations: The Parking Regulations for permitted uses are contained in Article 21 of these Regulations.

15-105 Off-Street Loading Regulations: The Off-Street Loading Regulations for permitted uses are contained in Article 22 of these Regulations.

15-106 Sign Regulations: The Sign Regulations are contained in Article 23 of these Regulations.

15-107 Height, Area, and Bulk Regulations: In the "CP-2" Planned General Business District, unless specifically adjusted by the Township Zoning Board and the Governing Body, the height of buildings and the minimum dimensions of lots and yards shall be as follows:

(1) Height: Buildings or structures shall not exceed thirty (30) feet and/or two (2) stories in height.

(2) Front Yard: The depth of the front yard shall be at least fifty (50) feet.

(3) Side Yard: There shall be a side yard on each side of a building; no side yard shall be less than fifteen (15) feet.

(4) Rear Yard: The depth of the rear yard shall be at least fifteen (15) feet.

The Height, Area and Bulk Regulations are also set forth in the chart of Article 24. Said chart, and all notations and requirements shown therein, shall have the same force and effect as if all the notations and requirements were fully set forth or described herein.

15-108 Supplementary Height, Area and Bulk Regulations: Supplementary Height, Area and Bulk Regulations are contained in Article 25 of these Regulations.

15-109 Supplementary Use Regulations: Supplementary Use Regulations, including permitted Accessory Uses, are contained in Article 26 of these Regulations.

ARTICLE 16

"CP-3" PLANNED COMMERCIAL DISTRICT REGULATIONS

Sections:

- 16-101 Application
- 16-102 Use Regulations
- 16-103 Approval Procedures
- 16-104 Parking Regulations
- 16-105 Off-Street Loading Regulations
- 16-106 Sign Regulations
- 16-107 Height, Area and Bulk Regulations
- 16-108 Supplementary Height, Area and Bulk Regulations
- 16-109 Supplementary Use Regulations

16-101 Application: The regulations set forth in this Article, or set forth elsewhere in these Regulations, when referred to in this Article, are the regulations in the "CP-3" Planned Commercial District. The purpose of this District is to provide sufficient space in appropriate locations for all types of business, commercial, and miscellaneous service activities, particularly along certain existing major streets where a general mixture of commercial and service activity now exists, but which uses are not characterized by extensive warehousing, frequent heavy trucking activity, open storage of materials, or the nuisance factors of dust, odor, and noise associated with manufacturing.

16-102 Use Regulations: In District "CP-3", no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one (1) or more of the following uses:

- (1) Any use permitted in the "CP-2" Planned General Business District.
- (2) Hospital or clinic for large or small animals; provided:
 - (A) Such hospital or clinic shall be located on a tract of land of five (5) acres or more and that all buildings, structures, pens, or open kennels shall be located at least one hundred (100) feet from any lot lines.
 - (B) Open pens shall not be required to be served by sanitary sewer facilities unless soil conditions will not support adequate percolation.

(C) That such hospital or clinic and treatment rooms be maintained within a completely enclosed, soundproof building, and that such hospital or clinic be operated in such a way as to produce no objectionable odors outside its walls.

(3) Wholesale establishment or warehouse in a completely enclosed building so lone as floor area devoted to such uses shall not exceed twenty thousand (20,000) square feet, but not greenhouse or nursery.

(4) All other commercial or retail activities not otherwise prohibited or restricted by these Regulations, including but not limited to the following:

- Appliance repair shop
- Car wash
- Drive-in restaurant
- Dyeing and cleaning works
- Farm machinery sales and service, including storage yard
- General service and repair establishments
- Lumber yard
- Motor vehicle sales, service and/or repair
- Painting shop
- Parking lots operated as a business
- Plumbing and heating shop
- Tire sales and service, including vulcanizing but not manufacture
- Trailer and mobile home sales area
- Used car sales

16-103 Approval Procedure: The procedures and requirements for application, review and approval for "CP-3" Planned Commercial zoning are as contained in Article 12, Planned Commercial District Procedures, of these Regulations.

16-104 Parking Regulations: The Parking Regulations for permitted uses are contained in Article 21 of these Regulations.

16-105 Off-Street Loading Regulations: The Off-Street Loading Regulations for permitted uses are contained in Article 22 of these Regulations.

16-106 Sign Regulations: The Sign Regulations are contained in Article 23 of these Regulations.

16-107 Height, Area, and Bulk Regulations: In the "CP-3" Planned Commercial District, unless specifically adjusted by the Township Zoning Board and the Governing Body, the

height of buildings and the minimum dimensions of lots and yards shall be as follows:

- (1) Height: Buildings or structures shall not exceed thirty (30) feet and/or two (2) stories in height.
- (2) Front Yard: The depth of the front yard shall be at least fifty (50) feet.
- (3) Side Yard: There shall be a side yard on each side of a building; no side yard shall be less than fifteen (15) feet.
- (4) Rear Yard: The depth of the rear yard shall be at least fifteen (15) feet.

The Height, Area and Bulk Regulations are also set forth in the chart of Article 24. Said chart, and all notations and requirements shown therein, shall have the same force and effect as if all the notations and requirements were fully set forth or described herein.

16-108 Supplementary Height, Area and Bulk Regulations:
Supplementary Height, Area and Bulk Regulations are contained in Article 25 of these Regulations.

16-109 Supplementary Use Regulations:
Supplementary Use Regulations, including permitted Accessory Uses, are contained in Article 26 of these Regulations.

ARTICLE 17

PLANNED INDUSTRIAL DISTRICT PROCEDURES

Sections:

- 17-101 Purpose
- 17-102 Application, Review, Approval Procedure
- 17-103 Preliminary Development Plan
- 17-104 Final Development Plan
- 17-105 Remedies for Noncompliance

17-101 Purpose: The procedures and requirements set forth in this Article, or the requirements set forth elsewhere in these Regulations, when referred to in this Article, are for the Planned Industrial Districts. The Planned Industrial Districts are intended to accommodate industrial uses in those areas where there is a potential to provide a desirable industrial environment.

The requirements and regulations herein prescribed pertaining to height, open space, setbacks, parking, loading and signs may be adjusted or modified so that the property in question may be developed in a reasonable manner and at the same time will not be detrimental to the public welfare and the interests of the community, but in keeping with the general intent and spirit of the Zoning Regulations. Such adjustments or modifications may be made as a part of the rezoning process or may be allowed after recommendation from the Township Zoning Board and approval by the Governing Body.

17-102 Application, Review, Approval Procedure: The procedure for approval of a Planned Industrial District shall consist of the following:

- (1) Application for "I-P" Planned Industrial District, designating which industrial zoning or zones to be utilized, and preliminary development plan approval.
- (2) Final development plan approval.

No building permit shall be issued in a Planned Industrial District until the property has been zoned and the final development plan for the entire district and/or each phase of development has been approved in accordance with the provisions of these Regulations.

17-103 Preliminary Development Plan: Application for Planned Industrial zoning and preliminary development plan approval shall be made in accordance with the procedures outlined in Article 29 of these Regulations. The application shall include a preliminary development plan which describes the applicant's intentions for the use and development of the property.

The preliminary development plan shall include and/or display the following information:

- (1) A certified topographic survey indicating:
 - (A) Legal description, existing contours, existing utilities, and natural and man-made features.

The topographic survey shall be prepared at a minimum scale of 1" = 100'. The contour intervals shall be no less than five (5) feet.

- (2) A site plan indicating:
 - (A) The location and orientation of buildings; areas to be used for parking including the arrangement and number of stalls; areas to be developed for screening including the location of plant materials and other screening structures and features; pedestrian and vehicular circulation and their relationship to existing streets, alleys and public right-of-ways; points of ingress and egress; location of all existing and proposed utilities (sanitary sewer, water system, storm sewer, gas, telephone and electrical power); drainage controls (retention ponds, etc.); location, size and characteristics of identification and business signs; lighting layout, appurtenances, and intensity of illumination; elevation of buildings and structures.
 - (B) The site plan shall be prepared at the same scale as the topographic survey. Existing contours shall be shown as dashed lines and proposed contours shall be shown as solid lines. A statement of intent shall accompany the site plan to explain the measures used to achieve compatibility of the proposed development with surrounding properties through the planning of the site and the location and design of structures.

The Township Zoning Board shall review the rezoning request, including the preliminary development plan, and recommend approval or denial to the Governing Body, or

may request modifications to the preliminary development plan as are deemed necessary to carry out the spirit and intent of the Planned Industrial District.

Approval by the Governing Body shall amend the Zoning Map, establishing the "I-P" District requested for the property designated within the application and shall constitute approval and permanency of the preliminary development plan.

17-104 Final Development Plan: The purpose of the final development plan is to assure that each phase, or all of the final development plan, substantially conforms to the intent of the approved preliminary development plan on which the zoning change was adopted.

Upon approval of the preliminary development plan by the Governing Body, the applicant shall submit a final development plan to the Township Zoning Board prior to any construction. The final development plan may be submitted separately for the first and each successive phase of construction; however, it must be submitted for the first phase of construction within one (1) year after the Governing Body approves the preliminary development plan.

The Township Zoning Board shall review the final development plan and submit its recommendation to the Governing Body. The Governing Body shall act on the final development plan after receiving a recommendation from the Township Zoning Board. Upon approval by the Governing Body the final development plan shall be filed for record in the offices of the Zoning Administrator.

The final development plan shall be in substantial compliance with the intent of the approved preliminary development plan. Any major deviation shall require resubmittal and approval of the preliminary development plan subject to the original requirements and procedures for preliminary development plan approval. Major deviations shall be determined by the Zoning Administrator and may include, but not be limited to, changes in building location, parking areas, open spaces, street patterns, and building heights, and setbacks.

After the final development plan has been approved, and when in the course of carrying out this plan, minor adjustments are requested by the applicant and such adjustments conform to the minimum standards established by the approved final development plan for building coverage, parking spaces, points of ingress and egress, heights, setback and other requirements, such adjustments may be made by the Zoning Administrator.

17-105 Remedies for Noncompliance: Failure to comply with the time requirements specified in Section 17-104 herein shall cause the approved preliminary development plan to be voided. The Planned Industrial zoning shall remain in effect, but shall do so without an approved preliminary development plan. Further development of the site will require submission and approval of a preliminary development plan under the same procedures outlined in Section 17-103 herein, the only difference being that the Planned Industrial zoning will already be in effect.

If the approved preliminary development plan is voided, as outlined above, the Township Zoning Board or the Governing Body may initiate an action to have the Planned Industrial zoning changed to the previous zoning classification, or to some other more restrictive zoning classification by following the procedures outlined in Article 29 within these Regulations.

ARTICLE 18

"IP-1" PLANNED LIGHT INDUSTRIAL DISTRICT REGULATIONS

Sections:

- 18-101 Application
- 18-102 Use Regulations
- 18-103 Approval Procedure
- 18-104 Parking Regulations
- 18-105 Off-Street Loading Regulations
- 18-106 Sign Regulations
- 18-107 Height, Area and Bulk Regulations
- 18-108 Supplementary Height, Area and Bulk Regulations
- 18-109 Supplementary Use Regulations

18-101 Application: The regulations set forth in this Article, or set forth elsewhere in these Regulations, when referred to in this Article, are the regulations in the "IP-1" Planned Light Industrial District. This District is intended primarily for light manufacturing, fabricating, warehousing, and wholesale distributing in low buildings with off-street loading and off-street parking for employees and with access by major streets and/or railroads.

18-102 Use Regulations: In District "IP-1", no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more of the following uses:

- (1) The following uses and any similar uses which are not likely to create any more offensive noise, vibration, dust, heat, smoke, odor, glare or other objectionable influences than the minimum amount normally resulting from other uses permitted, such permitted uses being generally wholesale trade, very restricted retail activity (accessory or related only), service industries and light industries that manufacture, process, store, and distribute goods and materials, and are, in general, dependent on raw materials refined elsewhere, and manufacture, compounding, processing, packaging, or treatment, as specified, of the following products or similar products:

(A) Chemicals, Petroleum, Coal and Allied Products:

- Cosmetics and toiletries.
- Ice manufacture, including dry ice.

Ink manufacturing (mixing only).
Insecticides, fungicides, disinfectants,
and related industrial and household
chemical compounds (blending only).
Laboratories.
Perfumes and perfumed soap (compounding only).
Pharmaceutical products.
Soap, washing or cleaning, powder or soda,
(compounding only)
Thermo-plastic processing

(B) Food and Beverage:

Bakery products, wholesale (manufacturing
permitted).
Beverage, blending, bottling (all types).
Candy, wholesale (manufacturing permitted).
Chewing gum.
Chocolate, cocoa, and cocoa products.
Coffee, tea, and spices, processing and
packaging.
Condensed and evaporated milk processing
and canning.
Creamery and dairy operations.
Dairy products.
Flour, feed, and grain (packaging, blending,
and storage only).
Fruit and vegetable processing (including
canning, preserving, drying and freezing).
Gelatin products.
Glucose and dextrine.
Grain blending and packaging, but not milling.
Ice cream, wholesale (manufacturing
permitted).
Macaroni and noodle manufacture.
Malt products, manufacture (except breweries).
Meat products, packaging and processing (no
slaughtering).
Oleomargarine (compounding and packaging
only).
Poultry packing and slaughtering (wholesale).
Yeast.

(C) Metals and Metal Products:

Agricultural or farm implements
(manufacturing only).
Aluminium, extrusion, rolling, fabrication,
and forming.
Bicycle manufacture and assembly.
Boat manufacture (vessels less than five
tons).
Bolts, nuts, screws, washers and rivets.

Container (metal).
Culvert.
Firearms.
Foundry products manufacture (electrical only).
Heating, ventilation, cooking, and refrigeration supplies and appliances.
Iron (ornamental) fabrication.
Machinery, manufacture.
Nails, brads, tacks, spikes, and staples.
Needles and pins.
Plating, electrolytic process.
Plumbing supplies.
Scale and vault.
Sheetmetal products.
Silverware and plated ware.
Stove and range.
Tinsmith shop.
Tool, die, gauge, and machine shops.
Tools and hardware products.
Vitreous enameled products.

(D) Textiles, Fibers, and Bedding:

Bedding (mattress, pillow, and quilt).
Carpet, rug, and mat.
Hat, bodies of fur and wool felt (including men's hats) manufacture.
Hosiery mill.
Knitting, weaving, printing, finishing of textiles, and fibers into fabric goods.
Rubber and synthetic treated fabrics (excluding all rubber and synthetic processing).
Yard, threads, and cordage.

(E) Wood and Paper Products:

Basket and hamper (wood, reed, rattan, etc.)
Box and crate.
Cooperage works (except cooperage stock mill).
Furniture (wood, reed, rattan, etc.)
Pencils.
Planing and millwork.
Pulp goods, pressed or molded (including paper mache products).
Shipping container (corrugated board, fiber, or wire bound).
Trailer, carriage, and wagon.
Wood products.

(F) Unclassified Uses:

Building materials, (cement, lime in bags or containers, sand, gravel, shell, lumber and the like), storage and sales.
Bus garage and repair shop.
Button manufacture.
Carbon paper and inked ribbons manufacture.
Cigar and cigarette manufacture.
Cleaning and dyeing of garments, hats, and rugs.
Coal and coke storage and sales.
Fur finishing.
Industrial vocational training school, including internal combustion engines.
Laboratories, research, experimental, including combustion-type motor testing.
Leather goods manufacture, but not including tanning operations.
Laundries, (commercial only).
Market, wholesale.
Motion picture production.
Printing, publishing, and engraving.
Produce and storage warehouse.
Railroad switching yard, primarily for railroad service in the district.
Tire retreading and vulcanizing shop.
Truck or transfer terminal, freight.
Wholesale houses and distributors.

- (2) Dwellings for resident night watchmen and caretakers employed on the premises.
- (3) Offices and office buildings.
- (4) Restaurants and automatic food and beverage vending machine.

18-103 Approval Procedure: The procedures and requirements for application, review and approval for "IP-1" Planned Light Industrial zoning are as contained in Article 17, Planned Industrial District Procedures, of these Regulations.

18-104 Parking Regulations: The Parking Regulations for permitted uses are contained in Article 21 of these Regulations.

18-105 Off-Street Loading Regulations: The Off-Street Loading Regulations for permitted uses are contained in Article 22 of these Regulations.

18-106 Sign Regulations: The Sign Regulations are contained in Article 23 of these Regulations.

18-107 Height, Area, and Bulk Regulations: In the "IP-1" Planned Light Industrial District, unless specifically adjusted by the Township Zoning Board and the Governing Body, the height of buildings and the minimum dimensions of lots and yards shall be as follows:

- (1) Height: Buildings or structures shall not exceed thirty (30) feet and/or two (2) stories in height.
- (2) Front Yard: The depth of the front yard shall be at least fifty (50) feet.
- (3) Side Yard: There shall be a side yard on each side of a building; no side yard shall be less than fifteen (15) feet.
- (4) Rear Yard: The depth of the rear yard shall be at least twenty-five (25) feet.

The Height, Area and Bulk Regulations are also set forth in the chart of Article 24. Said chart, and all notations and requirements shown therein, shall have the same force and effect as if all the notations and requirements were fully set forth or described herein.

18-108 Supplementary Height, Area and Bulk Regulations: Supplementary Height, Area, and Bulk Regulations are contained in Article 25 of these Regulations.

18-109 Supplementary Use Regulations: Supplementary Use Regulations, including permitted Accessory Uses, are contained in Article 26 of these Regulations.

ARTICLE 19

"IP-2" PLANNED INDUSTRIAL DISTRICT REGULATIONS

Sections:

- 19-101 Application
- 19-102 Use Regulations
- 19-103 Approval Procedure
- 19-104 Parking Regulations
- 19-105 Off-Street Loading Regulations
- 19-106 Sign Regulations
- 19-107 Height, Area and Bulk Regulations
- 19-108 Supplementary Height, Area and Bulk Regulations
- 19-109 Supplementary Use Regulations

19-101 Application: The regulations set forth in this Article, or set forth elsewhere in these Regulations, when referred to in this Article, are the regulations in the "IP-2" Planned Industrial District. This District provides for industrial operations that are more intensive in nature and, as a result, requires more consideration in siting and also requires greater access to major facilities and services such as highways, railroads, utilities, etc.

19-102 Use Regulations: In District "IP-2", no building, structure, land or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more of the following uses:

(1) Any use permitted in the "IP-1" Planned Light Industrial District.

(2) The following uses and any similar industrial uses which are not likely to create any more offensive noise, vibration, dust, heat, smoke, odor, glare, or other objectionable influences than the minimum amount normally resulting from other uses permitted, and manufacture, compounding, processing, packaging, or treatment of the following products or similar products:

(A) Chemicals, Petroleum, Coal and Allied Products:

- Adhesives.
- Bleaching products.
- Blueing.
- Calcimine.
- Candle.
- Dyestuff.

Essential oils.
Exterminating agents and poisons.
Ink manufacture from primary raw materials
(including colors and pigments).
Soap and soap products.

(B) Clay, Stone, and Glass Products:

Abrasive wheels, stones, paper, cloth, and
related products.
Brick, firebrick, and clay products.
Concrete products (except central mixing
and proportioning plant).
Glass and glass products.
Monument and architectural stone.
Pottery and porcelain products.
Refractories.
Sand-lime products.
Stone products.
Wallboard and plaster, building, insulation,
and composition flooring.

(C) Food and Beverage:

Breweries.
Fish, shrimp, oysters, and other seafood,
processing, packaging and storing, except
fish curing.
Flour, feed, and grain milling.
Molasses.
Oils, shortenings, and fats (edible) and
storage.
Pickles, vegetable relish, and sauces.
Rice cleaning and polishing.
Sauerkraut.
Sugar refining.

(D) Metal and Metal Products:

Boat manufacture (over five (5) tons).
Boiler manufacture.
Brass and bronze foundaries.
Forge plant, pneumatic, drop and forging
hammering.
Foundaries.
Galvanizing or plating (hot dip).
Lead oxide.
Locomotive and railroad car building and
repair.
Motor testing (internal combustion motors).
Ore dumps and elevators.
Structural iron and steel fabrication.
Wire rope and cable.

(E) Textiles, Fibers, and Bedding:

Bleachery.
Cotton wadding and linter.
Hair and felt products, washing, curing,
dyeing.
Jute, hemp, and sisal products.
Linoleum and other hard surface floor
covering (except wood).
Oilcloth, oil-treated products, and
artificial leather.
Shoddy.
Wool, pulling or scouring.

(F) Wood and Paper Products:

Excelsior.
Paper and paperboard (from paper machine
only).
Sawmill (including cooperage stock mill).
Wallboard.

(G) Unclassified Industries and Uses:

Railroad switching and classification yard,
roundhouses, repair, and overhaul shops.
Oils, vegetables, and animal (non-edible)
processing and storage.
Paint, lacquer, shellac, and varnish
(including colors and pigments, thinners
and removers).
Roofing materials, building paper, and felt
(including asphalt and composition).

19-103 Approval Procedure: The procedures and requirements for application, review and approval for "IP-2" Planned Industrial zoning are as contained in Article 17, Planned Industrial District Procedures, of these Regulations.

19-104 Parking Regulations: The Parking Regulations for permitted uses are contained in Article 21 of these Regulations.

19-105 Off-Street Loading Regulations: The Off-Street Loading Regulations for permitted uses are contained in Article 22 of these Regulations.

19-106 Sign Regulations: The Sign Regulations are contained in Article 23 of these Regulations.

19-107 Height, Area, and Bulk Regulations: In the "IP-2" Planned Industrial District, unless specifically adjusted by the Township Zoning Board and the Governing Body, the height of buildings and the minimum dimensions of lots and yards shall be as follows:

- (1) Height: Buildings or structures shall not exceed fifty (50) feet and/or four (4) stories in height.
- (2) Front Yard: The depth of the front yard shall be at least fifty (50) feet.
- (3) Side Yard: There shall be a side yard on each side of a building; no side yard shall be less than fifteen (15) feet.
- (4) Rear Yard: The depth of the rear yard shall be at least twenty-five (25) feet.

The Height, Area and Bulk Regulations are also set forth in the chart of Article 24. Said chart, and all notations and requirements shown therein, shall have the same force and effect as if all the notations and requirements were fully set forth or described herein.

19-108 Supplementary Height, Area and Bulk Regulations: Supplementary Height, Area and Bulk Regulations are contained in Article 25 of these Regulations.

19-109 Supplementary Use Regulations: Supplementary Use Regulations, including permitted Accessory Uses, are contained in Article 26 of these Regulations.

ARTICLE 20

"IP-3" PLANNED HEAVY INDUSTRIAL DISTRICT REGULATIONS

Sections:

- 20-101 Application
- 20-102 Use Regulations
- 20-103 Approval Procedure
- 20-104 Parking Regulations
- 20-105 Off-Street Loading Regulations
- 20-106 Sign Regulations
- 20-107 Height, Area and Bulk Regulations
- 20-108 Supplementary Height, Area and Bulk Regulations
- 20-109 Supplementary Use Regulations

20-101 Application: The regulations set forth in this Article, or set forth elsewhere in these Regulations, when referred to in this Article, are the regulations in the "IP-3" Planned Heavy Industrial District. This District provides for those industrial operations that have certain potentially hazardous characteristics and are allowed only after special consideration to assure protection of public interest and surrounding property and persons.

20-102 Use Regulations: In District "IP-3", no building, structure, land, or premises shall be used and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more of the following uses:

- 1) The following uses or manufacture, compounding, processing, packaging or treatment of the following products which, having accompanying hazards, such as fire, explosion, noise, vibration, dust, or the emission of smoke, odor or toxic gases, shall not be allowed until there has been shown that the public health, safety, morals, and general welfare will be properly protected, and that necessary safeguards will be provided for the protection of surrounding property and person. The Township Zoning Board, in reviewing the plans and statements, may consult with other agencies created for the promotion of public health and safety:

(A) Chemicals, Petroleum, Coal and Allied Products:

- Acids and derivatives.
- Acetylene, generation and storage.
- Alcohol, industrial.
- Ammonia.
- Caustic soda.

Cellulose and cellulose storage.
Chlorine.
Coke oven products (including fuel gas) and
coke oven products storage.
Creosote.
Distillation, manufacture, or refining of
coal, tar, asphalt, wood and bones.
Fertilizer (organic or non-organic).
Fish oils and meal.
Fuel briquettes.
Glue, gelatin, or size.
Hydrogen and oxygen.
Nylon.
Petroleum, gasoline, and lubricating oil
refining, and wholesale storage.
Plastic materials and synthetic resins.
Potash.
Pyroxylin.
Rayon.
Rendering and storage of dead animals, offal,
garbage, or waste products.

(B) Food and Beverage:

Casin.
Cider and vinegar.
Distilleries (alcoholic), breweries and
alcoholic spirits (non-industrial).
Fat rendering.
Fish curing.
Slaughtering of animals.
Starch manufacture.

(C) Metals and Metal Products:

Aircraft and aircraft parts.
Automobile, truck trailer, mobile home,
motorcycle and bicycle assembly.
Blast furnace, cupolas.
Blooming mill.
Metal and metal ores, reduction, refining,
smelting and alloying.
Scrap metal reduction.
Steel works and rolling mill (ferrous).

(D) Wood and Paper Products:

Match manufacture.
Wood preserving treatment.
Wood pulp and fiber, reduction and processing.

(E) Unclassified Industries and Uses:

Bag cleaning.
Cotton seed oil refining.
Hair, hides, and raw fur, curing, tanning,
dressing, dyeing, and storage.
Leather tanning and curing.
Rubber (natural or synthetic), gutta perchas,
chicle, and balata processing.
Rubber tire and tube.
Storage battery (wet cell).

20-103 Approval Procedure: The procedures and requirements for application, review and approval for "IP-3" Planned Heavy Industrial zoning are as contained in Article 17, Planned Industrial District Procedures, of these Regulations.

20-104 Parking Regulations: The Parking Regulations for permitted uses are contained in Article 21 of these Regulations.

20-105 Off-Street Loading Regulations: The Off-Street Loading Regulations for permitted uses are contained in Article 22 of these Regulations.

20-106 Sign Regulations: The Sign Regulations are contained in Article 23 of these Regulations.

20-107 Height, Area, and Bulk Regulations: In the "IP-3" Planned Heavy Industrial District, unless specifically adjusted by the Township Zoning Board and the Governing Body, the height of buildings and the minimum dimensions of lots and yards shall be as follows:

- (1) Height: Buildings or structures shall not exceed fifty (50) feet and/or four (4) stories in height.
- (2) Front Yard: The depth of the front yard shall be at least fifty (50) feet.
- (3) Side Yard: There shall be a side yard on each side of a building; no side yard shall be less than fifteen (15) feet.
- (4) Rear Yard: The depth of the rear yard shall be at least twenty-five (25) feet.

The Height, Area and Bulk Regulations are also set forth in the chart of Article 24. Said chart, and all notations and requirements shown therein, shall have the same force and effect as if all the notations and requirements were fully set forth or described herein.

20-108 Supplementary Height, Area and Bulk Regulations:
Supplementary Height, Area and Bulk Regulations are
contained in Article 25 of these Regulations.

20-109 Supplementary Use Regulations: Supplementary Use
Regulations, including permitted Accessory Uses, are
contained in Article 26 of these Regulations.

ARTICLE 21

PARKING REGULATIONS

Sections:

- 21-101 Parking Requirements
- 21-102 Interpretation of the Chart
- 21-103 Joint Use and Off-Site Facilities
- 21-104 Design Standards
- 21-105 Performance Standards

21-101 Parking Requirements: Except as otherwise provided in these Regulations, when any building or structure is hereafter erected or structurally altered to the extent of increasing the floor area by fifty (50) percent or more, or any building or structure hereafter erected is converted for the uses listed in Column 1 of the chart below, when such uses are located in the districts listed in Column 2, accessory off-street parking spaces shall be provided as required in Column 3 or Column 4 or as required in subsequent sections of this Article.

Column 1 USE OR USE CATEGORY	Column 2 LOCATION	Column 3 SPACES REQUIRED PER BASIC MEASURING UNIT	Column 4 ADD. REQUIREMENTS
One-family dwelling	All districts	2 per dwelling unit	
Church, temple or similar place or of assembly	All districts	1 per 5 seats or bench seat spaces	(Seats in main aud. only)
College or high school	All districts	1 per 5 seats in main auditorium	or 8 per class-room whichever is greater
Elementary or nursery school	All districts	1 per 10 seats - main assembly room	or 1 per class-room, whichever is greater
Country club or golf club	All districts	To be determined by the Township Zoning Board and the Governing Body	
Public library, museum, art gallery, or community center	All districts	5 per building	Plus 1 add'l for each 300 sq. ft. of floor area in excess of 1,000 sq. ft.

Column 1 USE OR USE CATEGORY	Column 2 LOCATION	Column 3 SPACES REQUIRED PER BASIC MEASURING UNIT ADD.	Column 4 REQUIREMENTS
Two-Family dwellings	All districts	2 per dwelling unit	
Multiple-family dwelling, townhouses or condominiums	All districts	1 1/2 per dwelling unit	
Private clubs- fraternities sororities & lodges with sleeping rooms	All districts	2 per 3 sleeping rooms or suites	or 1 per 5 active members, whichever is greater
Sanitarium- convalescent home-home for the aged or similar institution	All districts	1 per 5 patient beds	
Hotel	All districts	1 per guest room or suite	
Tourist court- motel-motor hotel or motor lodge	All districts	1 per sleeping room or suite	
Rooming, boarding, or lodging house	All districts	1 per 2 sleeping rooms	
Hospital	All districts	1 per 3 patient beds	1 per 2 employees or staff members per shift
Office or office building, studio or clinic	All districts	1 per 200 sq. ft. of floor area	3 spaces minimum
Funeral home	All districts	1 per 5 seats in auditorium or chapel	
Restaurant or other establishment for consumption of food or beverage on the premises	All districts	1 per 2 seats or seating spaces	

Column 1 USE OR USE CATEGORY	Column 2 LOCATION	Column 3 SPACES REQUIRED PER BASIC MEASURING UNIT	Column 4 ADD. REQUIREMENTS
Retail store or personal service establishment and banks	All districts	1 per 200 sq. ft. of floor area	Retail food stores over 4,000 sq. ft. 1 per 150 sq. ft. of floor area
Furniture or appliance store, machinery, equipment and auto and boat sales & service	All districts	1 per 300 sq. ft. of floor area	2 spaces minimum Auto sales & service- 10 minimum
Auditorium-theatre-gymnasium, stadium-arena or convention hall	All districts	1 per 4 seats or seating spaces	
Bowling alley	All districts	5 per 1,000 sq. ft. of gross floor area	
Food storage locker	All districts	1 per 200 sq. ft. customer service area	
Amusement place-dance hall-skating rink-swimming pool-auditorium, or exhibition hall without fixed seats	All districts	1 per 100 sq. ft. of floor area	Does not apply to accessory uses
General service or repair establishment-printing publishing-plumbing, heating-broadcasting	All districts	1 per 250 sq. ft. of floor area	Auditorium for broadcasting station requires spaces as above
Manufacturing or industrial establishment, research, or testing lab, creamer, bottling plant, wholesale warehouse or similar establishment	All districts	2 per 1,000 sq. ft. of floor area	Plus space for storage of trucks or other vehicles used in connection with the business or industry

21-102 Interpretation of the Chart:

- (1) The use regulations for each District are not affected by arrangement of uses in the chart.
- (2) The parking requirements in this Article do not limit other requirements in these Regulations for parking contained in the district regulations, particularly in the Planned Districts, where special requirements may be imposed.
- (3) The parking requirements in this Article do not limit special requirements which may be imposed in connection with Conditional Uses, Article 26.
- (4) Floor area as used in the chart shall be as defined in Article 1, Definitions.
- (5) Where fractional spaces result, the parking spaces required shall be construed to be the next highest whole number.
- (6) The parking space required for a use not specifically listed in the chart shall be the same as for a listed use of similar characteristics with similar demands for parking.
- (7) In the case of mixed uses (uses with different parking requirements occupying the same building or premises) or in the case of joint use of a building or premises by more than one use having the same parking requirements, the parking spaces required shall equal the sum of the requirements of the various uses computed separately.
- (8) Whenever a building or use, constructed or established after the effective date of these Regulations, is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity or otherwise, to create a need for an increase of ten (10) percent or more in the number of existing parking spaces, such spaces shall be provided on the basis of the enlargement or change.

21-103 Joint Use and Off-Site Facilities: All parking spaces required herein shall be located on the same lot with the building or use served, except that where an increase in the number of spaces is required by a change or enlargement of use or where such spaces are provided collectively or used jointly by two (2) or more buildings or establishments, the required spaces may be located and maintained not to exceed three hundred (300) feet from the building served.

- (1) Up to fifty (50) percent of the parking spaces required for (a) theatres, public auditoriums, bowling alleys, dance halls, night clubs or cafes, and up to one hundred (100) percent of the parking spaces required for a church auditorium may be provided and used jointly by (b) banks, offices, retail stores, repair shops, service establishments and similar uses not normally open, used or operated during the same hours as those listed in (a); provided, however, that written agreement hereto is properly executed and filed as specified below.
- (2) In any case where the required parking spaces are not located on the same lot with the building or use served, or where such spaces are collectively or jointly provided and used, a written agreement thereby assuring their retention for such purposes shall be properly drawn and executed by the parties concerned, approved as to form by the County Counselor and shall be filed with the application for a building permit.

21-104 Design Standards:

- (1) An off-street parking space is an all-weather surfaced area not in a street or alley, being a minimum of nine (9) feet by nineteen (19) feet, exclusive of driveways or access drives, permanently reserved for the temporary storage of one (1) automobile and connected with a street or alley by an all-weather surfaced driveway which affords satisfactory ingress and egress for automobiles.
- (2) Entrances or exits for all parking facilities shall comply with existing requirements of the County Engineer.
- (3) Screening, as defined, shall be required to protect neighboring residents from all parking lots hereafter constructed to contain ten (10) or more spaces.

21-105 Performance Standards:

- (1) All off-street parking spaces, and their access drives required for all commercial and industrial uses, shall be paved with an asphalt or concrete surface. Said paving shall be completed before the activity or use can commence and the Building Code Official shall not issue a Certificate of Occupancy until this requirement has been met.

- (2) All off-street parking spaces, and their access drives, shall be planned and engineered to assure proper drainage of surface water. The owner shall maintain all off-street parking spaces, and their access drives, in such a manner that no nuisance or offensive condition shall arise.
- (3) The Township Zoning Board, or the Governing Body, may require plans to be prepared and presented to assure proper design and construction of any off-street parking spaces and their access drives, if conditions of the site are such that compliance with these requirements may be difficult or may pose a potential problem with adjacent properties.

ARTICLE 22

OFF-STREET LOADING REGULATIONS

Sections:

- 22-101 Requirements
- 22-102 Interpretation of the Chart
- 22-103 Mixed Uses of One Building
- 22-104 Design Standards

22-101 Requirements: Except as otherwise provided in these Regulations, when any building or structure is hereafter erected or structurally altered to the extent of increasing the floor area by fifty (50) percent or more, or any building is hereafter converted for the uses listed in Column 1 of the chart below, when such buildings contain the floor areas specified in Column 2, accessory off-street loading spaces shall be provided as required in Column 3, or as required in subsequent sections of this Article.

Column 1 Use or Use Category	Column 2 Floor Area as Defined in Article 1 in Square Feet	Column 3 Loading Spaces Required
Retail store, department store, restaurant, wholesale house, warehouse, repair, general service, manufacturing or industrial establishment	2,000 - 10,000 10,000 - 20,000 20,000 - 40,000 40,000 - 60,000 Each 50,000 over 60,000	One Two Three Four One Additional
Apartment building, motel offices or office building, hospital or similar institution, places of public assembly	5,000 - 10,000 10,000 - 100,000 100,000 - 200,000 Each 100,000 over 200,000	One Two Three One Additional
Funeral home or mortuary	2,500 - 4,000 4,000 - 6,000 Each 10,000 over 6,000	One Two One Additional

22-102 Interpretation of the Chart:

- (1) The loading space requirements apply to all Districts except Planned Districts, where special requirements may be imposed.
- (2) The loading requirements in this Article do not limit special requirements which may be imposed in connection with Conditional Uses, Article 26.

22-103 Mixed Uses of one Building:

- (1) Where a building is used for more than one use or for different uses and where the floor area used for each use for which loading space is required is below the minimum for required loading spaces, but the aggregate floor area used is greater than such minimum, then off-street loading space shall be provided as if the entire building were used for that use in the building for which the most spaces are required.

22-104 Design Standards:

- (1) Loading spaces shall have minimum dimensions of twelve (12) feet by thirty-five (35) feet and vertical clearance of at least fourteen (14) feet.
- (2) Loading spaces for a funeral home or mortuary may be reduced in size to ten (10) by twenty-five (25) feet and vertical clearance reduced to eight (8) feet.

ARTICLE 23

DISTRICT SIGN REGULATIONS

Sections:

- 23-101 Scope, Objectives
- 23-102 Definitions
- 23-103 Procedural Requirements
- 23-104 General Sign Requirements
- 23-105 Design and Construction Standards
- 23-106 District Regulations
- 23-107 Nonconforming Signs

23-101 Scope, Objectives: The provisions of this Article shall govern the placement, use and structural quality of privately owned outdoor signs and other advertising and identification devices together with their appurtenant and auxiliary apparatus. After the effective date of this regulation, no sign shall be erected, enlarged, constructed, reconstructed or otherwise altered without first obtaining a separate sign permit. Such sign permit shall be legally issued only when in compliance with the regulations set forth within this Article and the requirements of the Uniform Building Code as adopted by the Governing Body.

The Sign Regulations are found to be necessary and proper to the following objectives:

- (1) To protect the general public from damage and injury which may be caused by the faulty and unregulated construction of signs.
- (2) To prevent the obstruction of traffic visibility and confusion with traffic control devices resulting from improperly placed and designed signs.
- (3) To insure the visual quality of signs and preserve and promote aesthetic character in Johnson County.

23-102 Definitions: For the purpose of this Article, certain terms, phrases and words used throughout this Article shall have the meaning assigned them in this section:

(1) General:

- (A) Facade: The entire exterior surface area of a particular side of a structure or establishment to be considered in the calculation of the maximum gross surface area of a wall, roof or projecting sign or signs.

- (B) Indirectly Illuminated Sign: Any sign which is partially or completely illuminated at any time by a light source separate from the sign housing which is so shielded as to not be visible at eye level.
- (C) Marquee: A permanent roofed structure attached to and supported by the building and projecting over public property.
- (D) Off-Premises: Signs not located at the site of that which is advertised or identified.
- (E) On-Premises: Signs located at the site of that which is advertised or identified.
- (F) Semi-Illuminated Sign: Any sign located on a building which building face is uniformly illuminated over its entire area, including the area of the sign, by use of electricity or other artificial light. Semi-illuminated signs shall be permitted in any location where illuminated signs are permitted.
- (G) Sign: Any advertising device or surface placed out-of-doors, on or off premises, or placed indoors, when in view of the general public, which conveys information or identification.
- (H) Sign Area: That area within a line including the outer extremities of all letters, figures, character and delineations or within a line including the outer extremities of the framework or background. The support for the sign background, whether it be columns, a pylon, or a building or part thereof, shall not be included in the sign area.
- (I) Sign Structure: An element or assemblage of elements which supports or is capable of supporting a sign. A sign structure may be free-standing, attached to a building, an integral part of the building, or combination thereof.
- (J) Structural Member: A component part of a structural system required to carry the primary supportive stresses of the building to the ground, as opposed to members carrying little or no supportive stress other than their own weight, and functioning as an in-fill or non-structural enclosure.

(K) Unified Shopping Center: A group of retail stores and service establishments designed to serve a community or neighborhood.

(2) Classification of Signs:

(A) Functional Types of Signs:

- (1) Advertising Sign: A sign which directs the attention of the public to a business, commodity, service or entertainment conducted, sold, or furnished at a location other than the premises on which the sign is located or to which it is affixed.
- (2) Bulletin Board Sign: A sign which indicates the name of an institution or organization on whose premises it is located and which contains the name(s) of persons connected with it, and announcements of persons, events or activities occurring at the institution. Such signs may also present a greeting or similar message.
- (3) Business Sign: A sign which directs attention to a business or profession conducted, or to a commodity service, or entertainment sold or furnished on the premises where such sign is located, or to which it is affixed.
- (4) Construction Sign: A temporary sign indicating the names of the architects, engineers, landscape architects and contractors involved in the design and construction of a structure or project erected only during the construction period and only on the premises on which the construction is taking place.
- (5) Identification Sign: A sign giving the name and address of a building, business, development or establishment.
- (6) Nameplate Sign: A sign giving the name and/or address of the owner or occupant of a building or premises on which it is located, and where applicable, a professional title.

(7) Real Estate Sign: A sign advertising the sale or lease of a lot or tract of land or any structures or portion thereof on which the sign is located.

(B) Structural Types of Signs:

(1) Awning Sign: Any sign affixed directly on, painted on or attached to an awning.

(2) Canopy Sign: Any sign affixed directly on, painted on or supported by a canopy.

(3) Ground Sign: Any sign supported by one or more uprights or braces placed upon or set into the ground independent of any building.

(4) Marquee Sign: Any sign mounted on, painted on or supported by a marquee.

(5) Projecting Sign: Any sign that is wholly or partially attached to and dependent upon a building for support and which projects more than one (1) foot beyond the face of said building.

(6) Roof Sign: A sign mounted and supported wholly upon or over the roof of any structure.

(7) Wall Sign: A sign attached to or painted on a wall in such a manner that the exposed face of the sign is in a plane approximately parallel to the plane of the wall.

23-103 Procedural Requirements:

(1) Permit Required: Except as provided in paragraph 5 of this section, it shall be unlawful for any person to erect, structurally alter, or relocate within Oxford Township any sign, as defined in these Regulations, without first obtaining a permit from the Zoning Administrator. In addition, all electrically illuminated signs shall be subject to the provisions of the National Electric Code as adopted by the Governing Body and subsequent permit requirements.

(2) Application for Permit: Application for permit shall be made in writing upon forms provided by the Zoning Administrator and shall contain, or have attached, the following information:

- (A) The name, address, and telephone number of the applicant.
 - (B) The location of the building, structure or lot where the sign is to be located.
 - (C) Position of the sign(s) in relation to nearby buildings and structures.
 - (D) Two sets of prints showing the plans and specifications of the proposed sign and sign structure along with the method of construction and attachment to the building or in the ground.
 - (E) The name of the person, firm, corporation or association erecting the sign.
 - (F) Written consent of the owner of the building, structure or land to which or on which the sign is to be erected.
 - (G) Additional information as the Zoning Administrator shall require to show full compliance with this and all other applicable laws and regulations of Johnson County.
- (3) Issuance of Permit: Upon the filing of an application for a sign permit, the Zoning Administrator or designate shall examine such plans and specifications, along with the premises upon which it is proposed to erect the sign and other pertinent data, to determine if the provisions of the Sign Regulations of Oxford Township are complied with. If all such requirements are met, the permit shall be issued. If the work authorized by such permit is not started within one hundred twenty (120) days from the date of its issuance, such permit shall become null and void.

The issuance of the Sign Permit as required by these Regulations shall not act in lieu of any other permits or fees required by the Uniform Building Code or any other rules or regulations applicable to such sign and its placement.

- (4) Permit Revocation: If the Zoning Administrator or designate shall find that any sign subject to the Sign Regulations is unsafe or insecure; is a menace to the public; has been constructed or erected or is being maintained in violation of the provisions of the Sign Regulations, written notice shall be given

to the person in possession and control of the premises on which the sign is located, specifying the problem. If such person fails to remove or alter the sign so as to comply with the provisions of the Sign Regulations within thirty (30) days of such notice, the Zoning Administrator may cause such sign to be removed or altered to comply with these regulations at the expense of the permittee or owner of the property on which the sign is located. If a sign is an immediate hazard, the Zoning Administrator may cause it to be removed immediately and without notice.

- (5) Exemptions From Permits: The following signs shall be exempt from paying fees and obtaining a permit; however such signs shall be subject to the Sign Regulations (This exemption shall not be construed as relieving the owner of the sign from the responsibility for its meeting the structural and maintenance requirements as specified in these requirements.):
- (A) Non-electrical real estate signs not exceeding eight (8) square feet in area, which advertise the sale, rental, or lease of the premises upon which said signs are located only.
 - (B) Non-electrical nameplates not exceeding two (2) square feet in area.
 - (C) Non-electrical construction signs denoting the architect, engineer or contractor when placed upon work under construction, and not exceeding thirty-two (32) square feet in area.
 - (D) Non-electrical memorial signs or tablets giving names of persons or buildings and date of erection when cut into any masonry surface or when constructed of non-combustible materials.
 - (E) Publicly owned street name signs; traffic control signs; legal notices; railroad crossing signs; danger, temporary warning and emergency signs.
 - (F) Such additional signs as "No Hunting", "No Fishing", "No Trespassing" and other like signs.
- (6) Exemptions From Fees: The following signs shall be exempt from paying fees; however, a permit shall be obtained and they shall be subject to the Sign Regulations. This exemption shall not be construed

as relieving the owner of the sign from the responsibility for its meeting the structural and maintenance requirements as specified in these Regulations:

- (A) Non-electrical bulletin boards not exceeding sixteen (16) square feet in area for public, educational, charitable, fraternal or religious institutions when such sign is located on the premises of such institution.
- (B) Non-electrical public service signs which give only directions "in and out" or signs which provide only information about directing people to ancillary facilities such as parking, entrance, etc.

23-104 General Sign Requirements:

- (1) Signs Not To Constitute Traffic Hazards: No sign shall be erected at the intersection of any street in such a manner as to obstruct free and clear vision, or at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device.
- (2) Reflector Lights: Lighting shall be permitted on signs; provided, however, the reflectors shall be provided with proper lenses, concentrating the illumination on the area of the sign so as to prevent glare upon the street or adjacent property.
- (3) Spotlights and Floodlights: It shall be unlawful for any person to have any sign which is wholly or partially illuminated by floodlights or spotlights that interfere with the vision of pedestrian or vehicular traffic.
- (4) Signs Not To Be Located Within Public Right-Of-Way: No sign shall be erected, constructed, or maintained within the right-of-way of any street, avenue, highway, alley, or upon public ground within the County.
- (5) Maintenance Required: Signs shall be maintained so as to be structurally sound and in a safe condition, and shall be kept in a state of undeteriorated appearance by means of painting, sealing or coating and repair or replacement of damaged parts, panels or lights.

23-105 Design and Construction Standards: The design and construction of signs and sign structures shall be subject to the standards of the Uniform Building Code as adopted by the Governing Body and on file with Johnson County Community Development. Additional design requirements for ground signs and projecting signs are as follows:

(1) Ground Signs:

- (A) Letters, etc. to be secured: All letters, figures, characters, or representations in cutout or irregular form maintained in conjunction with, attached to or superimposed upon any ground sign shall be safely and securely built or attached to the sign's structure.
- (B) Height limitation: The total height of any ground sign shall not exceed thirty-five (35) feet above the level of the street upon which the sign faces, or above the adjoining ground level, if such ground level is below the street level.
- (C) Premises to be kept free of weeds, etc.: The premises surrounding all ground signs shall be maintained by the owner thereof in a sanitary and uncluttered condition, free and clear of all noxious substance, rubbish, litter and weeds.

(2) Projecting Signs:

- (A) Removable parts to be secured: Any removable parts of a projecting sign such as a cover of a service opening shall be securely fastened by safety chains or hinges.
- (B) Height limitations: The top line of the projecting sign shall not be higher than the roof or parapet line of the building to which attached, except that when the roof line is less than fifteen (15) feet in height, the sign may extend three (3) feet above. However, under no circumstances shall the top line of a projecting sign be permitted at a height of more than fifty (50) feet above ground level.
- (C) Location: The bottom line of every projecting sign shall be placed at least fourteen (14) feet above any walkway over which it is erected. The minimum distance between projecting signs on any one business location shall be fifty (50) feet.

23-106 District Regulations:

(1) Agricultural and Residential Districts: The following types of signs along with applicable size, height, and setback requirements in classes of districts zoned "A", "RR", "R-1A", "R-2", "R-3" and "R-4" are permitted.

(A) Nameplate Sign:

- (1) Structural types permitted: wall or ground sign.
- (2) Number of signs permitted: one (1) per dwelling unit.
- (3) Maximum sign area: two (2) square feet.
- (4) Maximum height: wall sign - eight (8) feet above ground floor elevation. ground sign - six (6) feet above ground level.
- (5) Required setback: ground sign - no closer than ten (10) feet to the front property line.

(B) Identification Sign (indicating a permitted home occupation):

- (1) Structural type permitted: wall sign.
- (2) Number of signs permitted: one (1) per dwelling unit.
- (3) Maximum sign area: four (4) square feet.
- (4) Maximum height: eight (8) feet above ground floor elevation.

(C) Identification Sign (indicating multiple-family structure(s) in an "R-3" or "R-4" District):

- (1) Structural type permitted: wall or ground sign.
- (2) Number of signs permitted: one (1) for a multiple-family structure or adjacent structures under one ownership.
- (3) Maximum sign area: twenty (20) square feet.

- (4) Maximum height: wall sign - ten (10) feet above ground floor elevation for a single story structure and sixteen (16) feet above ground floor elevation for a two (2) or three (3) story structure. ground sign - six (6) feet above ground level.
 - (5) Required setback: ground sign - no closer to the front property line than one-half (1/2) the required front yard setback.
- (D) Bulletin Board Sign (restricted to public, educational, charitable, fraternal or religious institutions):
- (1) Structural types permitted: wall or ground sign.
 - (2) Number of signs permitted: one (1) per premises.
 - (3) Maximum sign area: thirty-two (32) square feet.
 - (4) Maximum height: wall sign - eight (8) feet above the ground floor elevation. ground sign - six (6) feet above ground level.
 - (5) Required setback: ground sign - no closer to the front property line than one-half (1/2) the required front yard setback.
- (E) Real Estate Sign (indicating the sale of an individual lot and/or structure):
- (1) Structural types permitted: wall or ground sign.
 - (2) Number of signs permitted: one (1) per lot.
 - (3) Maximum sign area: six (6) square feet.
 - (4) Maximum height: wall sign - eight (8) feet above ground floor elevation. ground sign - four (4) feet above ground level.
 - (5) Required setback: ground sign - no closer than ten (10) feet to the front property line.

(F) Real Estate Sign (signs announcing the sale of lots and/or houses in a subdivision to be removed within ninety (90) days after all of the lots or structures in the subdivision have been sold):

- (1) Structural type permitted: ground sign.
- (2) Number of signs permitted: two (2) per subdivision.
- (3) Maximum sign area: thirty-two (32) square feet.
- (4) Maximum height: eight (8) feet above ground level.
- (5) Required setback: no sign shall extend beyond the property line.

(G) Construction Sign:

- (1) Structural types permitted: ground sign.
- (2) Number of signs permitted: two (2) per lot.
- (3) Maximum sign area: thirty-two (32) square feet.
- (4) Maximum height: eight (8) feet above ground level.
- (5) Required setback: no closer to the front property line than one-half (1/2) the required front yard setback.

(2) Commercial District: The following types of signs along with applicable size, height and setback requirements in classes of districts zoned "CP-0", "CP-1", "CP-2", and "CP-3" are permitted:

(A) Functional Types Permitted:

- (1) Nameplate sign.
- (2) Identification sign.
- (3) Bulletin board sign.
- (4) Real estate sign.

- (5) Construction sign.
- (6) Business sign.
- (B) Structural Types Permitted:
 - (1) Awning, canopy and marquee signs.
 - (2) Ground sign.
 - (3) Roof sign.
 - (4) Projecting sign.
 - (5) Wall sign.
- (C) Number of Signs Permitted: Two (2) signs per business establishment shall be permitted up to fifty (50) feet of building frontage. Buildings larger than fifty (50) feet shall be allowed one (1) additional sign. Only one (1) projecting sign and one (1) ground sign shall be permitted on the premises and only two (2) wall signs shall be permitted on each facade which faces or fronts onto a public right-of-way.
- (D) Maximum Sign Area:
 - (1) The sign area of each wall, roof or projecting sign or signs shall not exceed ten (10) percent of the total surface area of the facade upon which it is placed or two hundred (200) square feet, whichever is less.
 - (2) The sign area of each ground sign shall not exceed one hundred (100) square feet.
 - (3) The total combined sign area of all signs per establishment shall not exceed two hundred fifty (250) square feet.
- (E) Required Setback: No ground sign shall extend beyond the property line of the lot on which the sign is located.

(F) Illumination: Illuminated signs shall be permitted; however, no revolving beacons, flashing or blinking lights, signs or devices shall be permitted nor shall they be permitted if located within a building and are readily visible from outside the building.

(G) Unified Shopping Center: Signs located in a unified shopping center in single ownership or control shall be permitted as follows:

(1) One (1) identification sign displaying only the name of the shopping center and names of the stores, businesses or services located in the development. The sign may be a ground sign or wall sign and shall not exceed two hundred (200) square feet in area. The top edge of a ground sign shall not exceed thirty-five (35) feet in height.

(2) A maximum of two (2) wall signs, only one (1) on a facade, shall be allowed for individual businesses located within the shopping center not to exceed ten (10) percent of the total surface area of the facade upon which is is placed.

(3) Industrial District: The following types of signs with applicable size, height and setback requirements in classes of districts zoned "IP-1", "IP-2", and "IP-3" are permitted:

(A) Functional Types Permitted:

(1) Nameplate sign.

(2) Identification sign.

(3) Bulletin Board sign.

(4) Real estate sign.

(5) Construction sign.

(6) Business sign.

(7) Advertising sign (subject to the requirements of Section 23-106(4)).

(B) Structural Types Permitted:

- (1) Awning, canopy and marquee signs.
- (2) Ground signs.
- (3) Roof sign.
- (4) Projecting sign.
- (5) Wall sign.

(C) Number of Signs Permitted: Two (2) signs per business establishment shall be permitted up to fifty (50) feet of building frontage. Buildings larger than fifty (50) feet shall be allowed one (1) additional sign. Only one (1) projecting sign and one (1) ground sign shall be permitted on the premises and only two (2) wall signs shall be permitted on each facade which faces or fronts onto a public right-of-way.

(D) Maximum Sign Area:

- (1) The sign area of each wall, roof or projecting sign or signs shall not exceed ten (10) percent of the total surface area of the facade upon which it is placed or two hundred (200) square feet, whichever is less.
- (2) The sign area of each ground sign shall not exceed one hundred (100) square feet.
- (3) The total combined sign area of all signs per establishment shall not exceed two hundred fifty (250) square feet.

(E) Required Setback: No ground sign shall extend beyond the property line of the lot on which the sign is located.

(F) Illumination: Illuminated signs shall be permitted, however, no revolving beacons, flashing or blinking lights, signs or devices shall be permitted nor shall they be permitted if located within a building and are readily visible from outside the building.

(4) Advertising Signs (Off-Premise Outdoor): Off-premise outdoor advertising signs shall be permitted in the "CP-3", "IP-1", "IP-2" and "IP-3" Districts.

(A) Location:

(1) Outdoor advertising signs shall not be located within three hundred (300) feet of an "RR", "R-1A", "R-1B", "R-2", "R-3" or "R-4" District or any structure occupied as a residential, institutional or other non-commercial or non-industrial use.

(2) Outdoor advertising signs shall not be located within thirty-five (35) feet of any state or federal highway to be measured from the edge of the right-of-way.

(3) Outdoor advertising signs shall not be attached to the roof or wall or any building.

(B) Maximum Height: The top edge of any one outdoor advertising sign shall not exceed fifty (50) feet above ground level.

(C) Maximum Sign Area:

(1) The maximum sign area of any outdoor advertising sign shall not exceed a total of seven hundred fifty (750) square feet.

(2) The maximum height or vertical dimension shall not exceed fifteen (15) feet. The maximum width or horizontal dimension of any one (1) sign shall not exceed fifty (50) feet.

(3) For purposes of this provision, each face of outdoor advertising signs, whether back-to-back, V-shaped signs or "tri-vision" shall be considered a separate sign.

(D) Lighting: Outdoor advertising signs may be indirectly illuminated, however shall not cast glare upon any adjacent highway so as to pose a hazard to vehicular traffic.

(E) Minimum Spacing Requirements:

(1) No outdoor advertising sign or structure hereafter erected, shall be less than one thousand (1000) feet from any other existing outdoor advertising sign structure on the same side of the street. Such minimum spacing distance shall be measured along the center line of the frontage street, trafficway or interstate highway from a point opposite any edge of an outdoor advertising sign structure and perpendicular to the center line of each street, traffic way or interstate highway. Double-faced outdoor advertising sign structures having back-to-back sign surfaces and V-shaped outdoor advertising sign structures are not prohibited by this spacing requirement.

(2) No new outdoor advertising signs or sign structures shall hereafter be erected having more than one viewable sign face directed toward the same lane of traffic; however this restriction shall not be deemed to apply to tri-vision signs.

(F) Off-premise, outdoor advertising signs may also be allowed in any other zoning district after obtaining a Conditional Use Permit as specified in Article 26 of these Regulations.

23-107 Nonconforming Signs: Every sign in existence at the time these Sign Regulations become effective may continue in existence subject to the following:

(1) It shall not be altered structurally or moved unless it is made to comply with the provisions of these Regulations. However, the changing of the movable parts of an existing sign that is designed for such changes, or the repainting or reposting of display matter shall not be deemed a structural alteration.

- (2) The lawful use of a sign existing on the effective date of these Regulations, although such sign does not conform to the provisions hereof, may continue; but if such nonconforming use is discontinued for a period of six (6) months any future use of such sign shall be in conformity with the provisions of these Regulations.
- (3) No sign which has been damaged by fire, wind, explosion, or other act of God to the extent that fifty (50) percent or more of the sign is destroyed, shall be restored except in conformity with these Regulations. Any sign which has been damaged to an extent less than fifty (50) percent, may be restored to its condition which existed as a nonconforming use prior to its damage.

ARTICLE 24

DISTRICT HEIGHT, AREA, AND BULK REGULATIONS

DISTRICT	MAXIMUM HEIGHT OF BUILDING		MINIMUM YARD REQUIREMENTS IN FEET			MINIMUM LOT DIMENSIONS IN FEET			MINIMUM LOT AREA PER DWELLING TYPE IN SQUARE FEET			DENSITY
	Feet	Stories	Front Yard	Side Yard	Back Yard	Width	Depth	Length	One Unit	Two Units	For Each Add'l Unit Over Two	Dwelling Units Per Acre
A Agricultural	---	---	50 (H)	25	25	300	300	---	435,600 (10 acres)	---	---	---
RR Rural Residential	35	2½	50 (H)	25	25	100	150	---	43,560 (1 acre)	---	---	---
R-1A Single-Family Residential	35	2½	35 (H)*	25	20	75	100	---	20,000	---	---	2.18
R-1B Single-Family Residential	35	2½	35 (H)*	25	20	75	100	---	10,000	---	---	4.36
R-2 Two-Family Residential	35	2½	35 (H)	10	20	75	100	---	10,000	10,000	---	8.72
R-3 Townhouses	45	3	35 (H)	20	20	75	100	---	---	10,000	4,000	9.61
R-4 Apartments	45	3	35 (H)	20	20	75	100	---	---	10,000	3,000	12.19
MHP Mobile Home Park	20	1	20 (F)	5 (G)	10 (G)**	55	---	90	4,500	5,000	---	8.72
MHS Mobile Home Subdivision	20	1	30 (H)	15	20	45	---	85	7,500	---	---	5.81
CPO Planned Commercial Offices	30	2	35 (H)	15	20	---	---	---	---	---	---	---
CP-1 Planned Neighborhood Business	30	2	35 (H)	10 (A) (C)	10 (B) (C)	---	---	---	---	---	---	---
CP-2 Planned General Business	30	2	50 (H)	15 (A) (D)	15 (B) (D)	---	---	---	---	---	---	---
CP-3 Planned Commercial	30	2	50 (H)	15 (A) (D)	15 (B) (D)	---	---	---	---	---	---	---
IP-1 Planned Light Industrial	30	2	50 (H)	15 (D) (E)	25 (D)	---	---	---	---	---	---	---
IP-2 Planned Industrial	50	4	50 (H)	15 (D) (E)	25 (D)	---	---	---	---	---	---	---
IP-3 Planned Heavy Industrial	50	4	50 (H)	15 (D) (E)	25 (D)	---	---	---	---	---	---	---

* Minimum of 10 feet on one side
 ** Double Wide

- (A) When the side of a lot adjoins a "RR", "R1-A", "R1-B", "R-2", or "R-3" District, the side yard regulations of the District which it adjoins shall apply.
- (B) When the rear of a lot adjoins an "A", "RR", "R-1A", "R1-B", "R-2", or "R-3" District, the rear yard regulations of the District which it adjoins shall apply.
- (C) When adjoining a street or road right-of-way line, thirty-five (35) feet shall be required.
- (D) When adjoining a street or road right-of-way line, fifty (50) feet shall be required.
- (E) When the side of a lot is adjacent to a residential district boundary or an existing residence, a side yard setback of twenty-five (25) feet shall be required.
- (F) Ten (10) feet if on-street parking is provided on the same side of the street.
- (G) A minimum of thirty (30) feet is required between mobile homes and other buildings and structures on adjoining lots, however this may be reduced to twenty-five (25) feet between mobile homes placed end-to-end.
- (H) The front yard requirement shall be measured from the front lot line if the lot abuts a public street, or from the right-of-way line if the lot abuts a private street.

ARTICLE 25

SUPPLEMENTARY HEIGHT, AREA, AND BULK REGULATIONS

Sections:

- 25-101 Application
- 25-102 Modification of Height Regulations
- 25-103 Modification of Area Regulations

25-101 Application: The regulations set forth in this Article qualify or supplement the district regulations appearing elsewhere in these Regulations.

25-102 Modification of Height Regulations:

- (1) The height regulations as prescribed in these Regulations shall not apply to:

- Belfries
- Chimneys
- Church spires
- Conveyors
- Cooling towers
- Elevator penthouses
- Fire towers
- Flag poles
- Grain elevators
- Monuments
- Ornamental towers and spires
- Smoke stacks
- Stage towers or scenery lofts
- Tanks
- Water towers

- (2) Public or semi-public service buildings, hospitals, institutions, or schools, when permitted in a district, may be erected to a height not exceeding seventy-five (75) feet, when the required side and rear yards are each increased by at least one (1) foot for each one (1) foot of additional building height above the height regulations for the district in which the building is located.

25-103 Modification of Area Regulations:

- (1) Yards, generally:

- (A) Whenever a lot abuts upon a public alley, one-half (1/2) of the alley width may be considered as a portion of the required yard.

- (B) Every part of a required yard shall be open to the sky, except as authorized by this Article. Ordinary projections of sills, belt courses, air conditioning units, chimneys, cornices, and ornamental features may project to a distance not to exceed twenty-four (24) inches into a required yard setback.
 - (C) In the event that a lot is to be occupied by a group of two (2) or more related buildings to be used for residential, school, institutional, hotel, or motel purposes, there may be more than one (1) main building on the lot where such buildings are arranged around a court having a direct street access; provided, however:
 - (1) that said court, between buildings that are parallel or within forty-five (45) degrees of being parallel, shall have a minimum width of thirty (30) feet for one (1) story buildings, forty (40) feet for two (2) story buildings and fifty (50) feet for three (3) story buildings, and, in no case may such buildings be closer to each other than fifteen (15) feet;
 - (2) where a court having direct street access is more than fifty (50) percent surrounded by a building, the minimum width of the court shall be at least thirty (30) feet for one (1) story buildings, forty (40) feet for two (2) story buildings, and fifty (50) feet for three (3) story buildings.
 - (D) Where a lot is used for a commercial or industrial purpose, more than one (1) main building may be located on the lot, but only when such buildings conform to all open space requirements around the lot for the district in which the lot is located.
- (2) Accessory Buildings and Structures:
- (A) Except as herein provided, no accessory building shall project into a required yard setback along any street.
 - (B) Filling station pumps and pump island may occupy the required yards; provided, however, that they are not less than fifteen (15) feet from the property line.

- (C) An ornamental fence or wall not more than three (3) feet in height may project into or enclose any required front or side yard to a depth from the street line equal to the required depth of the front yard. Ornamental fences or walls may project into or enclose other required yards, provided such fences and walls do not exceed a height of seven (7) feet. This restriction shall not apply to the "A" Agricultural or "RR" Rural Residential Districts.
 - (D) Accessory, open and uncovered swimming pools and permanent barbecue grills may occupy a required rear yard, provided they are not located closer than five (5) feet to the rear lot line nor closer than three (3) feet to a side lot line.
 - (E) Accessory storm caves which are not a part of the main building may occupy a required rear yard, provided they are not located closer than five (5) feet to the rear lot line nor closer than three (3) feet to a side lot line.
 - (F) Accessory buildings which are not a part of the main building, although connected by an open breezeway, may be constructed in a rear yard, provided such accessory building does not occupy more than thirty (30) percent of the area of the required rear yard and provided it is not located closer than ten (10) feet to the rear lot line or side lot line.
- (3) Front Yards:
- (A) When an official line has been established for the future widening or opening of a street or major thoroughfare upon which a lot abuts, then the depth of a front or side yard shall be measured from such official line to the nearest line of the building.
 - (B) On double frontage lots, the required front yard shall be provided on each street.
 - (C) Where a lot is located at the intersection of two (2) or more streets, there shall be a minimum front yard of fifteen (15) feet on the side street, provided, however, that the buildable width of a lot of record at the time of passage of these Regulations shall not be reduced to less than forty (40) feet.

- (D) Open, unenclosed porches, platforms, or paved terraces, not covered by a roof or canopy and which extend or project into the front and side yard shall not extend or project into the required front yard more than ten (10) feet or into the required side yard more than six (6) feet.
- (E) Where twenty-five (25) percent or more of the street frontage within four hundred (400) feet of the property in question is improved with buildings that have a front yard (with a variation of six (6) feet or less) that is greater or less than the required front yard in the district, no building shall project beyond the average front yard so established; provided, however, that a depth of front yard of more than fifty (50) percent in excess of the depth of the required front yard in the district in which the lot is located, shall not be required. Where forty (40) percent or more of the street frontage is improved with buildings that have no front yard, no front yard shall be required for the remainder of the street frontage.

(4) Side Yards:

- (A) For the purpose of the side yard regulations, a two (2) family dwelling or a multiple dwelling shall be considered as one (1) building occupying one (1) lot.
- (B) The minimum depth of side yards for schools, libraries, churches, community houses, and other public and semi-public buildings in residential districts shall be twenty-five (25) feet, except where a side yard is adjacent to a business or industrial district, in which case, the depth of the yard shall be as required in Article 24 for the district in which the building is located.

(5) Rear Yards:

- (A) Open or lattice-enclosed fire escapes, outside stairways and balconies opening upon fire towers, and the ordinary projections of chimneys and flues may project into the required rear yard for a distance of not more than five (5) feet, but only where the same are so placed as not to obstruct light and ventilation.

(6) Corner Visibility:

- (A) No sign, fence, wall, hedge, planting, or other obstruction to vision, extending to a height in excess of three (3) feet above the established street grade, shall be erected, planted, or maintained within the area of a corner lot that is included between the lines of the intersecting streets and a straight line connecting them at points twenty (20) feet distant from the intersection of the lot lines.

ARTICLE 26

SUPPLEMENTARY USE REGULATIONS

CONDITIONAL USES ACCESSORY USES

Sections:

- 26-101 Application of Conditional Uses
- 26-102 Qualification of Existing Special Use Permits
- 26-103 Additions and Changes to Conditional Uses
- 26-104 Conditional Uses Enumerated
- 26-105 Continuance of a Conditional Use
- 26-106 Accessory Uses
- 26-107 Eligibility for Accessory Use
- 26-108 Accessory Uses Allowed
- 26-109 Speciality Accessory Uses
- 26-110 Accessory Building or Structure Use

26-101 Application of Conditional Uses: Recognizing that certain uses may be desirable when located in the community, but that these uses may be incompatible with other uses permitted in a district, certain Conditional Uses listed herein, when found to be in the interest of the public health, safety, morals, and general welfare of the community, may be permitted, except as otherwise specified, in any district from which they are prohibited. Before the location or establishment thereof, or before any change or use of the premises existing at the time of the effective date of the Regulations or permitted as herein provided is made, preliminary plans in sufficient detail and a statement as to the proposed use of the buildings, structures, and premises shall be submitted to the Oxford Township Zoning Board. The Oxford Township Zoning Board shall hold a public hearing following the provisions outlined in Article 29 of these Regulations and shall review such plans and statements and shall, after a careful study of the effect that such buildings, structures, or uses will have upon the surrounding territory, submit a recommendation to the Governing Body.

Following receipt of the Zoning Board's report, the Governing Body may, within the specifications herein provided, permit such buildings, structures, or uses where requested, provided that the public health, safety, morals, and general welfare will not be adversely affected, that ample off-street parking facilities will be provided, and that necessary safeguards will be provided for the protection of surrounding property, persons, and neighborhood values. In this regard the Governing Body may impose reasonable conditions on the approval of a Conditional Use.

26-102 Qualfication of Existing Special Use Permits: Existing Special Use Permits approved prior to the adoption of these Regulations shall be addressed and considered as follows:

- (1) Special Use Permits issued with a specified time limit shall be honored as if granted under these Regulations and shall continue in effect until the expiration as specified within said Special Use Permit.
- (2) Special Use Permits granted without a specified time limit will be honored for a period of two (2) years from the effective date of these Regulations, as if granted under these Regulations. At the end of said two (2) years, they will be considered a Nonconforming Use and shall be subject to Article 27.

26-103 Additions and Changes to Conditional Uses: All requests for additions and structural alterations to Conditional Uses previously approved by the Governing Body shall be considered in the same procedure as outlined in Section 26-101 herein.

26-104 Conditional Uses Enumerated: The following Conditional Uses may be approved by the Governing Body as provided in this Article:

- (1) Public or private airports and/or landing fields.
- (2) Athletic fields and baseball fields.
- (3) Cemeteries.
- (4) Contractors' shop and/or yard, including construction equipment and/or materials storage areas.
- (5) Drive-in Theatres.
- (6) Exposition centers and/or buildings.
- (7) Fairgrounds.
- (8) Fire stations.
- (9) Greenhouses, nurseries and/or hydroponic farms, operated as a retail business.
- (10) Group boarding homes for minors and/or group homes for adults, provided:

- (A) The applicant shall submit, as a part of the application, the plans for the proposed facility; giving the type of services to be rendered, the number of persons to be placed in the facility, the number of staff to be employed and other information that will help in determining the extent of services to be provided.
- (B) A letter from the Johnson County Health Department Director shall be submitted by the applicant, giving the current status of the applicant's license to operate the proposed facility and listing all requirements yet to be met in order for the proposed facility to be granted authorization to begin its operation.
- (C) The following requirements shall be provided and sufficient information provided to assure their being met:
 - (1) Off-street parking at a rate of one (1) space per employee plus two (2) additional spaces for guests.
 - (2) Adequate potable water supply sufficient for both domestic and fire protection service.
 - (3) Adequate police protection and patrol.
- (11) The keeping of horses, ponies, livestock and/or poultry on less than two (2) acres.
- (12) Kennels, either boarding or breeding.
- (13) Commercially operated recreational or sports-related activity or facility, whether operated by a public or private entity, unless otherwise allowed by these regulations. This shall include, but not be limited to, such things as: recreational lakes, camps, golf courses, golf driving ranges, miniature golf courses, swimming pools, tennis courts and raquetball courts.
- (14) Quarrying, mining or removal of sand, gravel or stone and the processing of the same, including asphalt and concrete plants, provided:
 - (A) All quarries and mining operations and asphalt and concrete plants shall be screened by a method approved by the Governing Body when the same are visible from any public road.

- (B) The applicant shall provide an approvable method for dust abatement on all unpaved interior roads.
- (C) Where applicable, a maintenance agreement between the applicant and the County shall be required to maintain the roads that provide the ingress/egress to the operation.
- (D) A plan for reclamation of the site shall be prepared and submitted as a part of the application. The plan shall indicate a timetable for the reclamation to the proposed use of the site and a general plan of the proposed use. The reclamation plan submitted shall be binding only to the extent that said plan shows that intent of the applicant for reclamation. The actual reclamation plan may be amended at such time that the applicant is ready to begin such reclamation; however the amended plan must be approved by the Governing Body before reclamation work may begin. Said approval shall require a public hearing under the same procedures as the original Conditional Use Permit.
- (E) All area quarried or mined shall not endanger the lateral support of abutting or adjoining properties. A minimum setback of one hundred (100) horizontal feet from any road right-of-way and thirty (30) horizontal feet from all other property lines, measured on the surface, must be maintained free of any quarrying or mining activity, either surface or subsurface.
- (F) No building, equipment, quarry products or other materials shall be erected or stored within one hundred (100) feet of any property or right-of-way line.
- (G) The applicant's operation shall be inspected by the Governing Body, or their designate, on or before July 1st of every third (3rd) year following the approval of the Conditional Use Permit for compliance with the above listed requirements and if found to be in violation shall have the permit removed if the non-compliance is not corrected within sixty (60) days of written notice from the Governing Body, or its designate, itemizing the violations and corrective measures necessary for compliance.

- (H) A copy of the annual survey of mining operations, as required to be filed by State law with the State, shall also be filed with the Governing Body. Said annual survey applies only to underground mining activities, not to open pit quarries.
- (15) Radio or television broadcasting towers and/or stations, microwave transmitting and/or receiving towers and/or stations or any structure fifty (50) feet or more in height, whether publicly or privately owned; provided:
 - (A) The location of every tower must be such that it is at least an equal distance from all property lines as it is in height. A plot plan shall be submitted with the application.
- (16) Riding academies, stables and/or show arenas.
- (17) Salvage yards.
- (18) Sanitary landfills, hazardous waste disposal facilities, construction or demolition fills or other areas not otherwise prohibited by law.
- (19) Preschools, nurseries, day-care centers or day-care homes, unless otherwise allowed by these Regulations, provided:
 - (A) The applicant shall submit the plans for the proposed facility, giving the type of services to be rendered, the maximum number of children allowed at the facility, the number of staff to be employed, the hours of operation and any other information that will help in determining the extent of services to be provided.
 - (B) A letter from the Johnson County Health Department Director shall be submitted by the applicant, giving the current status of the applicant's license to operate the proposed facility and listing all requirements yet to be met in order for the proposed facility to be granted authorization to begin its operations.
 - (C) The following requirements shall be provided and sufficient information provided to assure their being met:
 - (1) Off-street parking at a rate of one (1) space per employee plus two (2) additional spaces for guests.

- (2) Adequate potable water supply sufficient for both domestic and fire protection service.

 - (D) A site plan shall be submitted showing the lot, location of all buildings, location of play-ground facilities, location of all off-street parking, location of all utility lines serving the facility, location of septic system if necessary, and any other information that may be relevant.
- (20) Single mobile home unit on an individual lot used for residential purposes under instances of extreme hardship or necessity as determined by the Governing Body, provided:
- (A) The applicant shall clearly state the hardship or reason of necessity for requesting the Conditional Use.
 - (B) Such Conditional Use shall be permitted only within the "Agricultural" and "Rural Residential" zoning districts.
 - (C) Such Conditional Use shall be permitted for a period of three (3) years and may be renewed for successive three (3) year periods; provided, however, that at such time as the hardship or reason of necessity shall cease to exist, the Conditional Use shall become null and void.
 - (D) Such mobile home unit shall be maintained in a safe and sanitary condition and shall comply with the "Mobile Home Set-Up Procedures and Standards" as on file with Johnson County Community Development.
 - (E) All mobile homes proposed to be placed in Oxford Township shall either:
 - (1) have been manufactured after September 1, 1973 and the owner must show verification of such to the Zoning Administrator to assure said Administrator of compliance with K.S.A. 75-1214, as amended; or,
 - (2) comply with all building codes and ancillary codes adopted and in effect in unincorporated Johnson County.

- (21) Water treatment facilities, water towers or storage facilities, electric utility substations or any other like facility; but not sewage treatment facilities.
- (22) Stockyards or feedlots which are operated commercially (as defined within these Regulations).
- (23) Trailer park, permanent or temporary, provided:
 - (A) That number and location of access drives shall be controlled for traffic safety and protection of surrounding properties, that no trailer space should be designed for direct access to a street outside the boundaries of the trailer park and that the interior access drives shall be at least twenty (20) feet in width.
 - (B) The minimum area for a trailer site for parking one (1) trailer shall be one thousand four hundred (1,400) square feet, with minimum dimensions, thirty-five (35) by forty (40) feet, with corners of each site visibly marked by a permanent marker.
 - (C) In addition to the requirement of (B) above, the trailer park shall contain at least two (2) acres for community facilities, including play space, utility rooms, parking, and access roads.
 - (D) The trailer park shall be surrounded by an open space fifty (50) feet wide along the street frontage with an arterial highway or section line road and twenty-five (25) feet wide along all other lot lines or street frontage.
 - (E) No trailer shall be parked closer than twenty-five (25) feet to any part of any other trailer or service building and no part of a trailer shall extend closer than five (5) feet to the boundaries of the individual trailer site.
 - (F) Off-street parking spaces for automobiles shall be provided in the ratio of one (1) space per trailer in locations convenient to individual trailers of groups of trailers.
 - (G) In a residential district, accessory signs, in addition to internal directional signs, shall be limited to one (1) flat or detached sign, with sign area limited to twenty-five (25) square feet. Said sign may be illuminated.

(H) Proper provision shall be made for public water supply, sanitary sewers, fire protection, refuse collection, laundry, toilet and bathing facilities. All shall be indicated on a site plan of the proposed trailer park and shall be installed and/or constructed in accordance with all other state and/or local laws and regulations.

(I) The proposed trailer park shall comply with all provisions of this and other state and/or local laws and regulations.

(24) Zoos, commercial aquariums, aviaries or the raising or keeping of exotic birds or animals not commonly known as domesticated birds or animals.

26-105 Continuance of a Conditional Use: A Conditional Use Permit shall be allowed to continue, unless specified otherwise as a condition of its authorization, as long as all conditions placed on it are met; however, if that particular use ceases to exist for a period of six (6) months, it will forfeit its Conditional Use Permit and will not be allowed to exist again unless a new application is made, a public hearing held and a new Conditional Use Permit approved.

26-106 Accessory Uses: Buildings and structures may be erected and land may be used for purposes which are clearly incidental to, and customarily and commonly associated with the main permitted use of the premises. Such accessory buildings and uses shall be so constructed, maintained and conducted as to not produce noise, vibration, concussion, dust, dirt, fly ash, odor, noxious gases, heat or glare which is injurious, damaging, unhealthful or disturbing to adjacent property or the users thereof and shall be on the premises of the main use.

26-107 Eligibility for Accessory Use: The determination of the eligibility of a proposed use shall be made by the Zoning Administrator.

26-108 Accessory Uses Allowed: Accessory uses shall be allowed; provided, said accessory uses shall be limited to those specified herein for the various zoning classifications:

(1) In District "A" Agricultural, only the following accessory uses are allowed:

(A) Open or enclosed storage of farm materials, products or equipment.

- (B) Farm buildings, including barns, stables, sheds, toolrooms, shops, bins, tanks and silos.
- (C) Fuel storage, tanks and dispensing equipment for fuels used solely for a farming operation. No retail sales of such fuels shall be allowed as an accessory use.
- (D) Wholesale or retail sales of agricultural products grown or raised on the premises.
- (E) Accessory buildings and uses commonly associated with residential activity, including, but not limited to, the following:

- Private garages
- Servants quarters
- Guest houses
- Swimming pools
- Home barbecue grills
- Small storage sheds
- Accessory off-street parking and loading spaces

No accessory building or use shall occupy a required front yard or shall be placed closer than ten (10) feet to a side or rear lot line.

- (F) A hobby activity may be operated as an accessory use by the occupant of the premises purely for personal enjoyment, amusement or recreation.

- (2) In District "RR" Rural Residential only, the following accessory uses are allowed:

- (A) Accessory buildings and uses commonly associated with residential activity, including, but not limited to, the following:

- Private garages
- Servants quarters
- Guest houses
- Swimming pools
- Home barbecue grills
- Small storage sheds
- Accessory off-street parking and loading spaces

No accessory building or use shall occupy a required front yard or shall be placed closer than ten (10) feet to a side or rear lot line.

- (B) Certain types of farm-type buildings used for storage and/or shelter for allowed uses, provided said buildings shall not be considered as agricultural buildings.
 - (C) A hobby activity may be operated as an accessory use by the occupant of the premises purely for personal enjoyment, amusement or recreation.
- (3) In Districts "R-1A" Single-Family Residential, "R-1B" Single-Family Residential, "R-2" Two-Family Residential, and "MHS" Mobile Home Subdivision, only the following accessory uses are allowed:

- (A) Accessory buildings and uses commonly associated with residential activity, including, but not limited to, the following:

- Private garages
- Servants quarters
- Guest houses
- Swimming pools
- Home barbecue grills
- Small storage shed
- Accessory off-street parking
and loading spaces

No accessory building or use shall occupy a required front yard or shall be placed closer than ten (10) feet to a side or rear lot line.

- (B) A hobby activity may be operated as an accessory use by the occupant of the premises purely for personal enjoyment, amusement or recreation.
- (4) In Districts "R-3" Townhouse, "R-4" Apartment and "MHP" Mobile Home Park, only the following accessory uses are allowed:

- (A) Accessory buildings and uses commonly associated with allowed residential activity, including, but not limited to, the following:

- Private garages
- Carports
- Swimming pools
- Home barbecue grills
- Small storage sheds
- Accessory off-street parking
and loading spaces

No accessory building or use shall occupy a required front yard or shall be placed closer than ten (10) feet to a side or rear lot line.

- (B) A hobby activity may be operated as an accessory use by the occupant of the premises purely for personal enjoyment, amusement or recreation.
- (5) In Districts "CP-0" Planned Commercial Office and "CP-1" Planned Neighborhood Business, only the following accessory uses are allowed:
- (A) Parking areas, loading areas, and/or private garages for motor vehicles.
 - (B) Signs as permitted by these Regulations.
 - (C) Low-level exterior lighting.
 - (D) Radio, television and/or microwave antenna or towers, provided such shall not exceed fifty (50) feet in height.
 - (E) Flagpoles, cooling towers and other similar uses.
- (6) In Districts "CP-2" Planned General Business and "CP-3" Planned Commercial, only the following accessory uses are allowed:
- (A) Parking areas, loading areas, and/or private garages for motor vehicles.
 - (B) Signs as permitted by these Regulations.
 - (C) Exterior lighting, including floodlighting.
 - (D) Radio, television, and/or microwave antenna or towers, provided such shall not exceed fifty (50) feet in height.
 - (E) Flagpoles, cooling towers and other similar uses.
 - (F) Washing and other passenger car cleaning shall be permitted as an accessory use in service stations, provided such washing and cleaning shall not utilize more than two (2) car stalls or more than thirty (30) percent of the floor area in any one (1) station, shall be a part of the main building, and shall not be open for

use during hours when the service station is closed. Such washing and cleaning operation shall utilize the same entrance drives as the service station and may use coin-operated or attendant-operated equipment, but not continuous line or conveyor type washing equipment.

(G) Material storage yards, in connection with retail sales of products sold on the premises, where storage is incidental to the approved occupancy of a store, provided all products and materials used or stored are in a completely enclosed building, or enclosed by a masonry wall, fence, or hedge, no less than six (6) feet in height. Storage of all materials, and equipment shall not exceed the height of the wall. Storage of motor vehicles used in connection with the permitted trade or business is permitted within the walls, but not including storage of heavy equipment such as road-building or excavating equipment.

(7) In Districts "IP-1" Planned Light Industrial, "IP-2" Planned Industrial and "IP-3" Planned Heavy Industrial, only the following accessory uses are allowed:

- (A) Parking areas, loading areas and/or private garages for motor vehicles.
- (B) Signs as permitted by these Regulations.
- (C) Exterior lighting, including floodlighting.
- (D) Security and screen fencing.
- (E) Radio, television and/or microwave antenna or towers, provided such shall not exceed fifty (50) feet in height.
- (F) Gate houses.
- (G) Employee recreation facilities.

26-109 Speciality Accessory Uses: The following uses, activities, or items shall be the accessory uses or restrictions allowable:

- (1) Hotels, motels, motor hotels: The following are accessory uses within a hotel, motel, motor hotel:

Restaurant
Banquet rooms
Liquor counters
Notion counters
Magazine counters
Vending machines
Beauty and barber shops
Flower and gift shops

Provided all are within the main building and designed to serve primarily the occupants and patrons of the hotel, motel or motor hotel.

- (2) Hospitals: The following are accessory uses within a hospital:

Residential quarters for staff and employees
Nursing or convalescent quarters
Storage and utility buildings
Food service and vending machines
Laundry
Other similar services for hospital personnel, visitors and patients.

- (3) Recreational vehicles and trailers:

- (A) Recreation vehicles may be parked in a campground or trailer park. No such recreational vehicle shall be used for a permanent or semipermanent residential purpose. Nothing in this Article shall prohibit the use of tents, pickup campers, and other such equipment from also utilizing an approved campground or trailer park. Recreational vehicles may be also be stored, on the basis of one (1) per family, in private garages, or in the side or rear yards of private homes, but not on the street side of a corner lot; provided no such vehicle shall be used for residential purposes.
- (B) Standing or parked, advertising trailers are prohibited.
- (C) Hauling trailers may be stored or rented in a "CP-3" District. Hauling trailers, customarily towed behind passenger cars, and not exceeding eight (8) feet of box length, may also be kept or stored, on the basis of one (1) per family, in private garages or in the side or rear yard of private homes, but not on the street side of a corner lot. This provision shall not apply in the "A" Agricultural District.

- (D) In all residential districts, no equipment, material or vehicles, other than passenger cars, pickups and campers, shall be stored for more than 24 hours in any 30-day period.
- (E) In all districts allowing residences, babysitting services may be offered, provided the individual(s) have registered with the Johnson County Health Department as a babysitter and comply with all State and/or local requirements governing babysitting.

26-110 Accessory Building or Structure Use: Except in "A" Agricultural and "RR" Rural Residential Districts, no accessory building or structure shall be constructed upon a lot until the construction of a main building or structure has been actually commenced. No accessory building or structure shall be used unless the main building or structure on the lot is also being used.

In all Districts, no cellar or basement shall be used as a dwelling prior to substantial completion of the dwelling of which it is a part.

ARTICLE 27

NONCONFORMING USES

Sections:

- 27-101 Nonconforming Lots of Record
- 27-102 Nonconforming Use of Land
- 27-103 Nonconforming Use of Structures
- 27-104 Discontinuance of Nonconforming Uses
- 27-105 Destruction of a Nonconforming Use
- 27-106 Intermittent Use
- 27-107 Existence of a Nonconforming Use
- 27-108 Nonconforming Uses Not Validated

27-101 Nonconforming Lots of Record:

(1) In Residential Districts:

(A) In any residential district, notwithstanding the regulations imposed by any other provision, a single-family detached dwelling which complies with the restrictions in Section 27-101(B), below, may be erected on a lot that is not less than twenty-five (25) feet in width and that consists entirely of a tract of land that:

- (1) has less than the prescribed minimum lot area, width or depth, or all three, and
- (2) is shown by a recorded plat or deed to have been owned separately and individually from adjoining tracts of land at a time when the creation of a lot of such size and width at such location would not have been prohibited by any zoning regulations, and
- (3) has remained in separate and individual ownership from adjoining tracts of land continuously during the entire time that the creation of such lot has been prohibited by the applicable zoning regulation or regulations.

(B) Construction permitted by Section 27-101 (A), above, shall comply with all of the regulations (except lot area, width and depth) applicable to single-family dwellings in the zoning district in which the lot in question is located; provided however, that the following side yard requirements shall apply in place of the side yard requirements otherwise applicable:

- 27-103 Nonconforming Use of Structures: Except as otherwise provided herein, the lawful use of a structure existing at the effective date of these Regulations may be continued although such use does not conform to the provisions hereof. Whenever a nonconforming use has been changed to a conforming use, such use shall not thereafter be changed to a nonconforming use. The nonconforming use of a structure may be hereafter extended throughout those parts of a structure which were lawfully and manifestly arranged or designed for such use at the time of the enactment of these Regulations.
- 27-104 Discontinuance of Nonconforming Uses: No land or structure or portion thereof used in whole or in part for a nonconforming use which remains idle or unused for a continuous period of six (6) months, whether or not the equipment or fixtures are removed, shall again be used except in conformity with the Regulations of the district in which such land or structure is located.
- 27-105 Destruction of a Nonconforming Use: No structure which has been damaged by any cause whatsoever to the extent of more than fifty (50) percent of the fair market value of the structure, immediately prior to damage, shall be restored except in conformity with the provisions of these Regulations and all rights as a nonconforming use are terminated. If a structure is damaged by less than fifty (50) percent of the fair market value, it may be repaired or reconstructed and used as before the time of damage, provided that such repairs or reconstruction be substantially completed within twelve (12) months of the date of such damage.
- 27-106 Intermittent Use: The casual, intermittent, temporary or illegal use of land or structures shall not be sufficient to establish the existence of a nonconforming use. The existence of a nonconforming use on the part of a lot or tract shall not be construed to establish a nonconforming use on the entire lot or tract.
- 27-107 Existence of a Nonconforming Use: Whether a nonconforming use exists shall be a question of fact and shall be decided by the Zoning Administrator.
- 27-108 Nonconforming Uses Not Validated: A nonconforming use in violation of a provision of the regulations which these Regulations amend or repeal shall not be validated by the adoption of these Regulations.

- (1) The dwelling shall be placed on the lot so as to provide a yard on each side of the dwelling.
- (2) The sum of the widths of the two (2) side yards on each lot shall be not less than the smaller of:
 - (a) twenty-five (25) percent of the width of the lot, or
 - (b) the minimum total for both side yards prescribed by the bulk regulations for said zoning district.
 - (c) no side yard shall be less than ten (10) percent of the width of the lot, and in no case less than three (3) feet.

(2) In District Other Than Residential Districts:

- (A) In any district other than a residential district, notwithstanding the regulations imposed by any other provision of these Regulations, a building designed for any permitted use may be erected on a lot of the type described in Section 27-101 (A), previously cited.
- (B) Construction permitted by Section 27-101 (A), previously cited, shall comply with all the regulations (except lot area, width and depth) applicable in the zoning district in which the lot in question is located.

27-102 Nonconforming Use of Land: Where open land is being used as a nonconforming use, at the time of enactment of these Regulations, and such use is the principal use and not accessory to the main use conducted in a structure, such use may be continued provided that; however, such nonconforming use shall not be extended or enlarged, either on the same or adjoining property. The protection afforded to nonconforming use of land by this section applies only to such land held under ownership or lease agreement for said activity on or before the effective date of these regulations but shall not apply to new lands purchased or leased after said date. In addition, said protection shall not apply to any activities not legal under the terms of the regulations which these regulations replace.

ARTICLE 29

AMENDMENTS

Sections:

- 29-101 Who May Petition or Apply
- 29-102 Procedures for Consideration of Request for Amendments, Revisions or Changes
- 29-103 Posting of Sign
- 29-104 Traffic Studies
- 29-105 Limitations or Reapplication for Amendments

29-101 Who May Petition or Apply: Applications for amendments, revision or changes in the Zoning District Boundary Map or Zoning Regulations in effect for Oxford Township may be made by any person who owns the land sought to be rezoned or his agent, as defined by these Regulations. If such application is made by the owner's agent, said agent shall enter upon the application the name and current mailing address of the owner.

Recommendations for amendments, revisions or changes to the Zoning Regulations or the Zoning District Boundary Map may also be made by the Oxford Township Zoning Board upon its own motion, for final determination by the Governing Body; likewise the Governing Body may amend the Zoning Regulations or the Zoning District Boundary Map upon its own motion, provided, however, such proposed amendments shall first be submitted to the Oxford Township Zoning Board for recommendation and report.

29-102 Procedures for Consideration of Request for Amendments, Revisions or Changes: All applications or requests for amendments, revisions or changes to the Zoning Regulations or Zoning District Boundary Map shall be made to the Zoning Administrator on such forms as provided and acceptable to the Zoning Administrator. Immediately upon receipt of an application for rezoning or a conditional use by the owner or his agent of a particular tract of land and the payment of the appropriate fee, the Zoning Administrator shall note thereon the date of filing and make a permanent record thereof. All such applications shall be set down for hearing not later than sixty (60) days after receipt of a completed application. Notice of such hearing shall be published not less than three (3) weeks prior to the date of said hearing in a newspaper of general circulation in Oxford Township and a hearing granted to any person at the time and place specified in such notice. In addition to such publication notice, notice of such proposed change shall be mailed to all the owners of lands located within one thousand (1,000) feet

ARTICLE 28

ADMINISTRATION

Sections:

28-101 Enforcement

28-101 Enforcement: It shall be the duty of the Zoning Administrator to enforce the provisions of these Regulations and to refuse to issue any permit for any building, or for the use of any premises which would violate any of the provisions of these Regulations. In case any building is erected, constructed, reconstructed, altered, repaired or converted or any building or land is used in violation of these Regulations, the Zoning Administrator is authorized and directed to institute appropriate action to put an end to such violation.

of the area proposed to be altered, at least ten (10) days prior to the hearing, thus providing an opportunity to all interested parties to be heard. Such notice shall be given by certified mail, and shall be in the form of a letter explaining the proposed change. Such mailed notices shall be addressed to the owners of land mentioned above and not to occupants of such lands. The applicant shall provide a certified list of the owners of the said lands at the time of the filing of the application. The applicant shall furnish proof that he is the owner, the owner's agent, or has an option to buy the land described in the application.

In the case of an application to amend, revise or change the Zoning Regulations, whether by an individual, the Oxford Township Zoning Board or the Governing Body, all the above stated requirements shall be followed except:

- (1) No fee shall be required if the request is from the Township Zoning Board or the Governing Body.
- (2) Notice of the public hearing shall not be required to be mailed to all affected persons; therefore, a certified list of the owners of land shall not be required.

For action on zoning amendments, a quorum of the Township Zoning Board is more than one-half of all the members. A vote either for or against an amendment by a majority of all the Township Zoning Board members present constitutes a recommendation of the Township Zoning Board; whereas a vote either for or against an amendment by less than a majority of all the Township Zoning Board members present constitutes a "failure to recommend". When the Township Zoning Board submits a recommendation of approval or disapproval of such amendment, the Governing Body may either adopt such recommendation by resolution or take no further action thereon, as appropriate. In the event the Township Zoning Board submits a "failure to recommend" to the Governing Body, the Governing body may take such action as it deems appropriate. Upon receipt of a recommendation of the Township Zoning Board which the Governing body disapproves, the Governing Body shall return such recommendation to the Township Zoning Board with a statement specifying the basis for disapproval. The Township Zoning Board, after reconsidering the same, may resubmit its original recommendations giving the reasons therefor or submit new and amended recommendations. Upon receipt of such recommendations, the Governing Body may adopt or may revise or amend and adopt such recommendations by resolution, or it need take no further action thereon. If the Township Zoning Board fails to deliver its recommendations to the Governing

Body within ten (10) days after receipt of the Governing Body's statement specifying disapproval, the Governing Body shall consider such course of inaction on the part of the Township Zoning Board as a resubmission of the original recommendations and proceed accordingly. The Township Zoning Board shall submit its original recommendation, in whatever form, no later than three (3) months after the first public hearing.

If the zoning amendment shall affect the boundaries of any zone or district, the resolution of the Governing Body shall define the change or the boundary as amended, shall order the official map to be changed to reflect such amendment and shall reincorporate such map as amended.

Regardless of whether or not the Township Zoning Board approves or disapproves a proposed zoning amendment or "fails to recommend," if a protest against such amendment be presented, duly signed and acknowledged by the owners of twenty percent (20%) or more of any frontage proposed to be altered, or by the owners of twenty percent (20%) of the frontage immediately in the rear thereof, or by twenty percent (20%) of the owners directly opposite the frontage proposed to be altered, such amendment shall not be passed except by unanimous vote of the Governing Body.

29-103 Posting of Sign: Each applicant for a rezoning and each applicant for a conditional use permit shall, within forty-eight (48) hours of filing such application, place a sign upon the lot, tract or parcel of land for which the application was filed. Said sign shall be furnished by the Zoning Administrator to the applicant and the applicant shall firmly affix and attach the sign to a wood or metal backing or frame and place the sign as hereinafter set forth.

Said sign shall read as follows:

REZONING PENDING

Application Number

From _____ To _____

PUBLIC HEARING AT _____ (location) BEFORE

OXFORD TOWNSHIP ZONING BOARD

ON

_____ (date) at _____ (time)

BOARD OF COUNTY COMMISSIONERS, JOHNSON COUNTY, KS.

NOTE: Unauthorized Removal, Defacing, or Destruction of this Sign Punishable upon Conviction by Fine not exceeding \$100.00 and/or not more than thirty (30) days imprisonment.

Said sign shall be maintained and kept in place by the applicant until final disposition of such application, or until withdrawal of the application. The sign shall be removed by the applicant after final action of the application. The bottom of said sign shall be a minimum of two (2) feet above the ground line. Said sign shall be placed within five (5) feet of the street right-of-way line, in a position on such lot, tract or parcel of land as to have no visual obstructions thereto and to be readily seen by passersby. If the lot, tract or parcel of land has more than one (1) street abutting thereto, signs shall be placed facing both streets. Failure to comply with this requirement shall not deprive the Oxford Township Zoning Board of its jurisdiction or affect any decision, but may be due cause for the Oxford Township Zoning Board to refuse to hear the application or to adjourn the hearing or to require further notice. Any such hearing may, for good cause at the request of the applicant, or in the discretion of the Oxford Township Zoning Board be continued.

29-104 Traffic Studies: In the case of an application for rezoning of land for use which may, in the opinion of the Governing Body, substantially change traffic patterns, or create traffic congestion, said Body may, by motion require that the applicant procure the services of a competent professional traffic engineer for the purpose

of preparing a traffic study. Such traffic study shall show that the traffic generated by the proposed development will be handled on the site in an orderly and efficient manner, that vehicular ingress and egress from the site onto public streets will function in an orderly and efficient manner and that no undue burden will be placed upon the existing public streets system.

29-105 Limitations on Reapplication for Amendments: Whenever an application requesting an amendment, supplement, change or rezoning has been denied by the Governing Body, such application or one substantially similar, shall not be reconsidered sooner than one (1) year after the previous denial.

ARTICLE 30

INTERPRETATION, CONFLICT, REMEDIES AND PENALTIES

Sections:

- 30-101 Interpretation and Conflict
- 30-102 Remedies Available
- 30-103 Penalty

30-101 Interpretation and Conflict: In interpreting and applying the provisions of these Regulations, they shall be held to be the minimum requirements for the promotion of the public safety, health, convenience, comfort, prosperity, or general welfare. It is not intended by these Regulations to interfere with, or abrogate or annul any easements, covenants, or other agreement between parties; provided, however, that where these Regulations impose a greater restriction upon the use of buildings or premises or upon height of buildings, or requires larger open spaces than are imposed or required by other rules, regulations, or by easements, covenants, or agreements, the provision of these Regulations shall govern. If, because of error or omission in the Zoning District Map, any property, in the classification of such property, shall be classified "A" Agricultural District, until changed by amendment.

30-102 Remedies Available: In case any building or structure is or is proposed to be erected, constructed, altered, converted, or maintained, or any building, structure, or land is or is proposed to be used in violation of these Regulations, the Zoning Administrator, County Counselor, other appropriate authority of Johnson County may, in addition to other remedies, institute injunction, mandamus, or other appropriate action or proceeding to prevent such lawful erection, construction, reconstruction, alteration, conversion, maintenance, or use, or to correct or abate such violation, or to prevent the occupancy of said building, structure or land.

30-103 Penalty: Any person or corporation who shall violate any of the provisions of these Regulations or fail to comply herewith, or with any of the requirements thereof; or who shall build or alter any building in violation of any detailed statement or plan submitted and approved hereunder shall be guilty of a misdemeanor and shall be liable to a fine of not more than two hundred dollars (\$200.00) and each day such violation shall be permitted to exist shall constitute a separate offense. The owner of any building or premises or part thereof, where anything in violation of these Regulations shall be

placed, or shall exist, and any architect, builder, contractor, agent, person, or corporation employed in connection therewith, and who have assisted in the commission of any such violation shall be guilty of a separate offense and upon conviction thereof, shall be fined as hereinbefore provided.

ARTICLE 31

MISCELLANEOUS

Sections:

- 31-101 Validity
- 31-102 Accrued Rights and Liabilities Saved
- 31-103 Severability
- 31-104 General Penalties
- 31-105 Effective Date
- 31-106 Repealing Clause

31-101 Validity: If any section, paragraph, subdivision, clause, phrase, or provision of these Regulations shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of these Regulations as a whole or any part of provision thereof, other than the part so decided to be invalid or unconstitutional. All regulations or parts of regulations in conflict herewith are hereby repealed.

31-102 Accrued Rights and Liabilities Saved: The repeal of regulations provided in Section 31-106 herein, shall not affect any rights accrued, fines, penalties, forfeitures, or liabilities incurred thereunder, or actions involving any of the provisions of said regulations or parts thereof. Said regulations below repealed are hereby continued in force and effect, after the passage, approval, and publication of these regulations for the purpose of such rights, fines, penalties, forfeitures, liabilities and actions therefore.

31-103 Severability: Each article, section, and subdivision or a section of these Regulations are hereby declared to be independent of every other article, section, or subdivision or a section, so far as inducement for the passage of these Regulations is concerned.

31-104 General Penalties: Any person, firm, association or corporation, who shall violate any of the provisions of these Regulations, not herein otherwise specifically provided for, shall, upon conviction, be deemed guilty of a misdemeanor, and shall be subject to a fine not to exceed two hundred dollars (\$200.00) and each day such violation is permitted to exist shall constitute a separate offense.

31-105 Effective Date: These Regulations, being designated as the "Zoning Regulations of Oxford Township, Johnson County, Kansas", shall be in full force and effect from and after its passage and publication in accordance with K.S.A. 12-3301 through 12-3305.

31-106 Repealing Clause: This resolution repeals the existing Zoning Regulations of Oxford Township, Johnson County, Kansas in its entirety.

ARTICLE 32

GENERAL PROVISIONS

Sections:

- 32-101 Title and Scope
- 31-102 Purpose
- 32-103 Applicability
- 32-104 Exemptions
- 32-105 Definitions

32-101 Title and Scope: These Regulations, entitled the Oxford Township Subdivision Regulations, prescribe minimum design requirements and approval procedures for the development of new subdivisions and resubdivisions of land in Oxford Township.

32-102 Purpose: The division and improvement of land for urban development has a significant and lasting impact upon the physical environment of Oxford Township and places increasing demands upon public facilities and services. The creation of new streets, lots and utility systems requires significant capital investments and failure to adequately size and construct sewers and streets insure available water supplies, manage stormwater runoff and erosion, and plan for public services may result in physical and environmental problems which are difficult and costly to resolve.

These Regulations set forth uniform rules and procedures for the division and improvement of real property to assure that new subdivisions are properly planned and integrated with existing streets, utilities and other public facilities systems; to prevent potential environmental hazards; and to coordinate the use of private and public resources to achieve planned and orderly land development through the proper location and design of streets, building lines, open spaces, and utilities and the standards by which streets, utilities and other physical improvements shall be erected, constructed or installed.

32-103 Applicability: These Regulations shall apply to any person desiring to do any of the following:

- (1) Subdivide or further subdivide any lot or tract of land into two (2) or more parts.
- (2) Resubdivide any lot or tract of land that has previously been subdivided into two (2) or more parts.

- (3) Establish any street, alley, sidewalk, park or other property intended for public use or for the use of prospective or existing owners of lots or tracts of land fronting on or adjacent to such property.

The owner(s) of any land located within Oxford Township subdividing said land in a manner previously cited shall cause to be prepared a subdivision plat in accordance with the provisions of these Regulations. No building permit will hereafter be issued by the Johnson County Community Development Building Code Division for construction on any land that has not been subdivided in compliance with these Regulations and all other applicable state laws and Johnson County regulations in effect at the time of the subdivision of said land.

32-104 Exemptions: These Regulations shall not apply in the following instances or transactions:

- (1) Any lot or tract of land located within the area governed by these Regulations that has been legally subdivided or platted prior to the effective date of these Regulations.
- (2) The division or further division of land into tracts of ten (10) acres or more when subdivided only for agricultural use and does not involve or result in the creation of new streets, easements of access or other dedication.
- (3) A transaction between owners of adjoining tracts of land or lots which involves only a change in the boundary between the land owned by such persons provided no additional lots are created and such tracts of land or lots comply with the design requirements for lots in Section 35-104 of these Regulations and applicable provisions of the Oxford Township Zoning Regulations.
- (4) The use of land for right-of-way by railroad or public utilities subject to local, state, or federal regulations provided no new street is involved.
- (5) The division of a tract of land or lot in the unincorporated area which creates no more than one (1) additional tract or lot subject to the provisions for tract or lot splits described in Article 34 of these Regulations and provided such division does not involve the creation of any new streets or easements of access and such newly created tracts or lots comply with the design requirements for lots in Section 35-104 of these Regulations and applicable provisions of the Johnson County Zoning Regulations.

Any further division of the lot or tract of land shall be platted in compliance with the requirements of these Regulations.

32-105 Definitions: For the purpose of these Regulations, certain terms, words, and phrases are hereby defined and shall have the meaning assigned to them in this Section when used or referred to throughout these Regulations.

- (1) ACCESS: The right to cross between public and private property allowing pedestrians and vehicles to enter and leave property.
- (2) ALLEY: A dedicated public right-of-way, other than a street, which provides only a secondary means of access to abutting property, the right-of-way which is twenty (20) feet or less in width.
- (3) AGRICULTURAL USE: The use of a tract of land for the raising of crops; animal husbandry; dairying; pasturage; general farming; truck farming; cultivation of field crops; orchards; groves; raising fish, birds or poultry; and accessory uses, necessary for the carrying out of farming operations, including structures for storage, processing and sale of products raised on the premises. Agricultural uses shall not include the following:
 - (A) The operation or maintenance of greenhouses, nurseries or hydroponic farms operated at retail.
 - (B) Wholesale or retail sales as an accessory use unless the same are permitted by these Regulations.
 - (C) The operation or maintenance of a commercial stockyard or feedlot.
- (4) ARTERIAL STREET: See Major Street.
- (5) BLOCK: A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroads, right-of-ways, shoreline of waterways, or boundary lines of municipalities.
- (6) BOND: Any form of security including a cash deposit, surety bond, collateral, property or instrument of credit in an amount and form satisfactory to Johnson County. All bonds shall be approved by Johnson County whenever a bond is required by these Subdivision Regulations.

- (7) COLLECTOR ROAD: A road intended to move traffic from local roads to secondary arterials. A collector road serves a neighborhood or large subdivision and should be designed so that no residential properties may face onto it.
- (8) CORNER LOT: A lot situated at the intersection of two (2) streets, the interior angle of such intersection not exceeding one hundred thirty-five (135) degrees.
- (9) COUNTY: Johnson County, Kansas.
- (10) COUNTY COUNSELOR: The County Counselor, or such licensed attorney designated by the County Counselor or the Governing Body to furnish legal assistance for the administration of these Regulations.
- (11) COUNTY ENGINEER: The County Engineer or such licensed professional engineer designated by the County Engineer or the Governing Body to provide engineering assistance in administering these and other regulations governing areas of the normal responsibilities assigned to the County Engineer.
- (12) COUNTY HEALTH OFFICER: The Director of the County Health Department or such person designated to administer the health regulations of the County.
- (13) CUL-DE-SAC: A local street with only one (1) outlet and having a circular turnaround for the safe and convenient reversal of traffic movement.
- (14) DEAD END STREET: A street having only one (1) outlet.
- (15) DEVELOPER: The owner, or any other person, firm or corporation authorized by the owner, undertaking proceedings under the provisions of these Regulations for the purpose of subdividing land.
- (16) DOUBLE FRONTAGE: A lot having a frontage on two (2) nonintersecting streets, as distinguished from a corner lot.
- (17) EASEMENT: Authorization by a property owner for the use by another, for a specified purpose, of any designated part of his property.
- (18) FINAL PLAT: The map or plan or record of a subdivision and any accompanying materials, as described in the Subdivision Regulations.

(19) FRONTAGE:

(A) Street Frontage: All of the property on one side of a street between two (2) intersecting streets (crossing or terminating), measured along the line of the street, or if the street is dead-ended, then all of the property abutting on one side between an intersecting street and the dead-end of the street.

(B) Lot Frontage: The distance for which the front boundary line of the lot and the right-of-way are coincident.

(20) FRONTAGE ROAD: A Public or private marginal access roadway generally paralleling and contiguous to a street or highway providing access to abutting properties and which is designed to promote safety by eliminating unlimited ingress and egress to such street or highway by providing points of access at generally uniformly spaced intervals.

(21) GOVERNING BODY: Johnson County, Kansas Board of County Commissioners.

(22) GRADE: The slope of a road, street or other public way, specified in percent (%).

(23) IMPROVEMENTS: All facilities constructed or erected by the developer and/or County within a subdivision to permit and facilitate the use of lots or blocks for a principal residential, commercial, or industrial use.

(24) LOCAL ROAD: A road intended to provide access to other roads from individual properties.

(25) LOT: A portion of a subdivision or other parcel of land intended as a unit of ownership and occupied or intended to be occupied by one (1) main building and an accessory building or a complex of buildings, including the open spaces and parking required by these Regulations. A lot may be more than one (1) lot of record or may be a metes-and-bounds described tract having its principal frontage upon a street or officially approved place.

(26) MAJOR STREET: An arterial or thoroughfare which primarily serves as a transportation link for vehicular traffic.

- (27) MONUMENT: The device, usually a metallic bar or tube, used to mark and identify the corners in the boundaries of subdivisions or lots.
- (28) OWNER: Any person, group of persons, firm or firms, corporation or corporations, or any other legal entity having legal title to or sufficient proprietary interest in a tract of land.
- (29) PRELIMINARY PLAT: The preliminary drawing or drawings, described in these Regulations, indicating the proposed manner or layout of the subdivision.
- (30) OFFSET STREET: A continuous street whose centerline is not tangent through an intersection.
- (31) RESUBDIVISION: A change in a map of an approved or recorded subdivision plat if such change affects any street layout shown on such map, area reserved thereon for public use, or if it affects any map or plan legally recorded prior to the adoption of any regulations controlling subdivisions. Tract or lot splitting may be allowed as specified within these Regulations.
- (32) RIGHT-OF-WAY: A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main; or for another special use. The usage of the term "right-of-way" hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way, and not included within the dimensions of areas of such lots or parcels.
- (33) SETBACK: The distance between a building and the lot line nearest thereto.
- (34) SIDEWALK: A paved walkway located along the side of a street.
- (35) STREET: A right-of-way, other than an alley, dedicated to the public use, which provides principal access or adjacent properties.
- (36) SUBDIVISION: Any land, vacant or improved, which is divided or proposed to be divided into two (2) or more lots, parcels, sites, units, plots or interests for the purpose of offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms and conditions, including resubdivision. Subdivision includes the division or development of residential and nonresidential zoned

land, whether by deed, metes-and-bounds description, map, plat or other recorded instrument.

- (31) SUBDIVISION, NON-RESIDENTIAL: A subdivision whose intended use is other than residential, such as commercial or industrial. Such subdivision shall comply with the applicable provisions of these Regulations.
- (32) TRACT OR LOT SPLIT: The dividing or redividing of a lot or tract of land into not more than two (2) tracts or lots subject to the criteria within these Regulations.
- (33) WALKWAY: Any pathway, surfaced or otherwise, intended for pedestrian use only.
- (34) ZONING ADMINISTRATOR: The Johnson County Community Development Planner or designate, assigned the responsibility to administer and enforce the Zoning Regulations of Oxford Township.

ARTICLE 33

PROCEDURE FOR APPROVAL OF SUBDIVISIONS

Sections:

- 33-101 General Provisions
- 33-102 Pre-Platting Conference
- 33-103 Preliminary Plat
- 33-104 Final Plat

33-101 General Provisions: This Article establishes uniform procedures and platting requirements for subdivisions subject to these Regulations. No final plat shall be filed with the County Register of Deeds as required by law until it has been acted upon by the Oxford Township Zoning Board and approved by the Governing Body as required herein.

33-102 Pre-Platting Conference: Any person desiring to subdivide land into forty (40) or more lots shall hold a pre-platting conference with the Johnson County Community Development Planning Division staff as a first step to filing an application for a preliminary plat. Owners of proposed subdivisions of less than forty (40) lots are encouraged to hold a pre-platting conference; however, may proceed with filing a preliminary plat. Arrangements for this conference shall be made by contacting the Johnson County Community Development Planning Division.

The purpose of this pre-platting conference is to inform the Planning Division staff of possible future subdivisions so that the staff may determine and inform the applicant of the effect, feasibility and compatibility of the proposal in relation to Johnson County's utility and street system and County development policies and plans. The conference enables the Planning Division staff to inform owners and their agents of the general conformance or non-conformance of the subdivision proposal with these Subdivision Regulations, additional requirements for further processing of the plan, and to advise them of applicable zoning provisions or conflicts and special design considerations presented by particular environmental features on or affecting the site (i.e. flood plains, excessive slope areas, soil problems, high water tables, etc.)

The land owner or his representative may, if he deems desirable, prepare a schematic drawing of the proposed subdivision in order to receive any pre-plat comments of the Planning Division staff which may prove helpful in designing the preliminary plat. The sketch plan should convey the location of the proposed development; the

general layout of the proposed subdivision including the location and size of streets and the orientation, numbers and dimensions of the lots; plans for water supply and sewage disposal; and any particular design problems posed by the existing natural or man-made conditions and characteristics of the site which could benefit from an early discussion.

In addition to the Planning Division staff and representatives of the owners intending to subdivide land, principal participants involved in the pre-platting conference may include representatives of the Johnson County Unified Wastewater Districts, Johnson County Engineer's Office, and other persons and agencies as applicable. No verbal, written or schematically illustrated statements made during the course of the conference shall be held as legally binding since the Governing Body has final authority on all subdivision plats upon action from the Oxford Township Zoning Board.

33-103 Preliminary Plat:

- (1) Application: A subdivision application form shall be filed with the Zoning Administrator and shall be accompanied by fifteen (15) copies of the preliminary plat. The appropriate fee shall be paid upon filing the application.
- (2) Preliminary Plat Contents: The following information shall be shown on the preliminary plat or attached thereto:
 - (A) Items Pertaining to the Title:
 - (1) The name of the proposed subdivision.
 - (2) Location of the subdivision by reference to a section corner.
 - (3) The name(s) and address(es) of the owner(s)/developer and the licensed surveyor, architect, or engineer who prepared the plat.
 - (4) North arrow.
 - (5) Scale of drawings (The preliminary plat shall be drawn to a scale of not less than 1" = 200' however, with special conditions and prior approval, this scale may be exceeded.)
 - (6) The legal description of the entire dimension of the subdivision.

(B) Items Pertaining to the Subject Property (Existing):

- (1) All of the land to be platted as well as all platted or unplatted adjacent properties shall be shown. The boundary of the platted area should be accurately indicated by a heavy solid line.
- (2) Existing contours with the contour intervals not more than five feet. All elevations and contours shall be related to mean sea level.
- (3) The location, width and names of all existing platted or private streets or other public ways within or adjacent to the tract, together with easements, railroad and utility right-of-ways, parks and other significant features such as city boundary lines and monuments.
- (4) Environmental features including the location and direction of drainage channels and areas subject to flooding by the Intermediate Regional Flood (100-year).

(C) Items Pertaining to the Plat (Proposed):

- (1) Layout and names of streets with general dimensions and appropriate grades and their relationship to adjoining or projected streets or roadways.
- (2) Intended layout, numbers and dimensions of lots.
- (3) Parcels of land intended to be dedicated or reserved for parks, school, or other public use, or to be reserved for the use of property owners within the subdivision.
- (4) Location and type of utilities to be installed including the approximate location of extensions of any sanitary and/or storm sewers and water mains.
- (5) Utility and other easements indicating width and purpose.

- (6) A statement or other indications of phasing of the development and an appropriate timetable if applicable.
- (7) Vicinity sketch which indicates the relationship between the proposed subdivision and surrounding properties, streets and other features.

(D) Items to Accompany the Plat:

- (1) The names and addresses of all owners of property within one thousand (1,000) feet of the proposed platted area. The applicant may submit the same certified list of owners of property within one thousand (1,000) feet submitted for a rezoning application provided the application for preliminary plat is made within six (6) months of the approval of such rezoning.
- (3) Application Complete: Upon receipt of the preliminary plat and supportive data required in this Section, the Zoning Administrator shall certify the application as complete and affix the date of application acceptance on the plat. He shall then place the preliminary plat on the agenda for consideration at the next meeting of the Township Zoning board provided the application is certified no less than twenty (20) days before the next regular meeting.
- (4) General County Staff and Utility Review: The Zoning Administrator shall distribute copies of the preliminary plat to the appropriate Johnson County departments and agencies and affected utility companies for review and comment. All general staff and utility review comments shall be coordinated by the Zoning Administrator and shall be forwarded along with a report and recommendation to the Township Zoning Board.
- (5) Township Zoning Board Review and Actions: The Township Zoning Board shall conduct a public hearing on the preliminary plat of which notice shall be published in a paper of general circulation within the township where the subdivision is proposed to be located at least fifteen (15) days prior to the hearing date. After reviewing the preliminary plat based on the objectives and requirements of these Regulations, comments from concerned citizens, and

the report from the Zoning Administrator, the Township Zoning board shall take action on the acceptance, modifications, or rejection of the preliminary plat.

Approval of the preliminary plat by the Township Zoning Board shall permit the applicant to proceed with the filing of a Final Plat as described in Section 33-104.

The Zoning Administrator shall forward a statement of the action taken by the Township Zoning Board to the Governing Body.

The Governing body may, at its request, require that it must approve the preliminary plat before the applicant can submit a final plat.

- (6) Effect of Approved Preliminary Plat: Approval of the preliminary plat does not constitute final acceptance of the subdivision by Johnson County. It establishes the overall layout and design of the proposed subdivision and authorizes the applicant to prepare a final plat. Any deviation of the final plat from the intent of the approved preliminary plat as determined by the Township Zoning Board shall be disallowed and shall cause the re-initiation of the preliminary platting process.

The applicant shall file a final plat application along with the required documents described in Section 33-104 within one (1) year after approval of the preliminary plat by the Township Zoning Board. Upon failure to do so within the time specified, approval of the preliminary plat is null and void, unless an extension of time, limited to six (6) months, is applied for by the developer and granted by the Township Zoning Board. An extension shall be granted only once.

33-104 Final Plat:

- (1) Application: The final platting process is intended to provide a complete surveyed drawing of the subdivision for the propose of providing a legal record of lots, streets, areas for dedication and easements for future reference and transactions. The final plat submitted may be for all of the property approved in the preliminary plat or may be for only a portion or "phase" thereof.

The applicant shall file eight (8) copies of the final plat with the Zoning Administrator along with the additional information required herein.

the developer or the developer's sureties or from the certified check.

The developer's agreement for public improvements will set out the public improvements required and also set out or incorporate by appropriate references, the plans and specifications for said improvements. The developer's agreement and bond for required public improvements shall be reviewed and approved as to the form and content by the County Engineer and the County Counselor.

- (3) Application Complete: Upon receipt of the final plat, engineering drawings and certification documents required in this Section, the Zoning Administrator shall certify the final plat application as complete. He shall then place the final plat on the agenda for consideration at the next regular meeting of the Township Zoning Board which is held no less than ten (10) days after said application or no more than forty-five (45) days thereafter.
- (4) General County Staff and Utility Review: The Zoning Administrator shall transmit copies of the final plat, along with other documents submitted to the appropriate Johnson County departments and agencies and utility companies as the Administrator deems necessary for review and to assure compliance with the approved preliminary plat. The Zoning Administrator shall serve as final plat coordinator and all review comments shall be directed to such person.
- (5) Township Zoning Board Review and Action: The Township Zoning Board shall review the final plat for compliance with the approved preliminary plat and for completion of all final platting requirements. After consideration, the Township Zoning board shall either recommend to the Governing Body to approve or deny the final plat or table for additional information.

The Zoning Administrator shall forward a statement of the action taken by the Township Zoning Board together with the minutes and eight (8) copies of the final plat to the Governing Body.

- (6) Governing Body Review and Action: Upon recommendation from the Township Zoning Board, the Governing Body shall take action to approve or disapprove the final plat including the acceptance

(2) Final Plat Contents: The following information shall be shown on the final plat and attached thereto:

(A) Items to be Included on the Final Plat: These items are on file in the County Engineer's office and with Johnson County Community Development.

(B) Additional Items to Accompany the Final Plat:

(1) Two (2) copies of separate drawings showing a profile and cross section of all streets, alleys or public ways to be dedicated for public use. The profiles and cross sections shall be drawn to specifications as on file and acceptable to the County Engineer's office.

(2) A certificate which states that the person or persons whose names are signed to this document and/or appear on the final plat are the sole and lawful owners or agents of the property, that the plat is made with their desires, and that they dedicate the areas shown on the plat or as set forth in the document to the perpetual use by the public for the specific purpose stated herein. Ownership shall be verified by the County clerk.

(3) Certification by the County Clerk showing that all due or unpaid taxes have been paid in full.

(4) A copy of any restrictive covenants applicable to the subdivision.

(5) Three (3) copies of a properly executed written agreement by the developer to undertake and complete, to the satisfaction of the County, all public improvements required as a condition for approval of the plat. The agreement shall also set out the time limit for the completion of the specified work, the amount of surety bond or certified check to be posted as security for satisfactory completion of the work, and the right of the County, in the event the required work is not completed in a proper or timely manner, to perform or complete the work and recover the actual cost thereof from

of street and other public way dedications, service and utility easements, and land dedicated for other public use.

- (7) Recording of Final Plat: The final plat shall be filed with the Register of Deeds of Johnson County, Kansas after approval of the final plat by the Governing Body as required by State law.

ARTICLE 34

TRACT OR LOT SPLITS

Sections:

- 34-101 Objective
- 34-102 Authorization for Approval of Lot Splits
- 34-103 Application Procedure
- 34-104 Approval Guidelines
- 34-105 Savings Clause

34-101 Objective: The objective of this Article is to provide for the division of a tract of land or lot into not more than two (2) tracts or lots without having to comply with the platting requirements described in Article 33. Such tract or lot split shall be subject to the guidelines established in Section 34-104 and any further divisions of the tract or lot shall be platted in compliance with the requirements of Article 33.

34-102 Authorization for Approval of Lot Splits: The Zoning Administrator is hereby authorized to approve or disapprove lot splits in accordance with the provisions of this Section. Appeals from a decision made by the Zoning Administrator may be made by the applicant to the Governing Body for a final determination.

34-103 Application Procedure: The application shall be accompanied by the following information:

Three (3) copies of a drawing to scale of the lots involved showing the precise location of any structures thereon, and the location and dimensions of the split. A survey may be required as determined by the Zoning Administrator to indicate the exact location of the structures.

34-104 Approval Guidelines: No lot or tract split will be approved if one of the following applies:

- (1) A new street or alley is needed or proposed.
- (2) Such action will result in significant increases in service requirements, e.g., utilities, traffic control, streets, etc.; or will interfere with maintaining existing service levels, e.g., additional curb cuts, repaving, etc.
- (3) There is less street right-of-way than required by these Regulations unless such dedication can be made by separate instrument.

- (4) All easement requirements have not been satisfied.
- (5) Such split will result in a tract without direct access to and less than thirty-five (35) feet of frontage on a street.
- (6) A substandard sized lot or parcel will be created according to these Regulations or the Oxford Township Zoning Regulations.

The Zoning Administrator shall, in writing, either approve, with or without conditions, or disapprove the lot split within fifteen (15) days of application.

The Zoning Administrator may make such additional requirements as deemed necessary to carry out the intent and purpose of existing subdivision regulations. Requirements may include, but not be limited to, installation of public facilities or dedication of right-of-way and easements.

34-105 Savings Clause: Nothing in this Article shall be to be in conflict with K.S.A. 79-405 et. seq.

ARTICLE 35

SUBDIVISION DESIGN STANDARDS

Sections:

- 35-101 Applicability
- 35-102 Street Standards
- 35-103 Block Standards
- 35-104 Lots
- 35-105 Easements

35-101 Applicability: All subdivisions of land subject to these Regulations shall conform to the following minimum design standards. Such design criteria shall govern the approval of subdivision plats by the Township Zoning Board and the Governing Body.

All subdivisions shall be platted with due consideration toward sound traffic engineering principles, safe and accessible building sites, adequate methods of storm water drainage and provisions for a sanitary water supply and effective sewage disposal system. All subdivision plats shall be consistent with applicable Countywide development plans and policies and shall be coordinated with existing, planned or committed public improvements.

35-102 Street Standards:

- (1) External Street Considerations: The arrangement, alignment, and width of streets in new subdivisions shall be properly integrated with the existing principal street system and where appropriate shall provide for the continuation of existing principal streets in adjoining subdivisions or their projection where adjoining property is not platted. In no case shall the width of streets in new subdivisions be less than the minimum street widths established in this Article.
- (2) Internal Street Layout: The location, arrangement, character and type of all streets shall be designed in their relations to topographical conditions, the extent and impact of storm water runoff, the safe and convenient circulation of traffic within the subdivision and the uses of the land to be served by such streets.

When possible, local streets shall be planned so as to discourage through traffic and to conveniently channel traffic onto collector and arterial streets.

- (3) Street Intersections: Street shall be designed to intersect as nearly as possible at right angles except where topography or other natural conditions justify a variation. However, in no instance shall two (2) streets intersect at an interior angle less than forty-five (45) degrees without written consent of the County Engineer.
- (4) Offset Streets: Offset streets whose centerlines are separated by less than one hundred twenty-five (125) feet shall be avoided except where topography or other conditions justify a variation.
- (5) Dead-End Streets and Cul-de-Sacs: Permanent dead-end streets shall be cul-de-sacs. A cul-de-sac shall be no longer than seven hundred (700) feet in length and shall have an adequate turnaround with a minimum sixty (60) foot radius right-of-way at the closed end. Temporary dead-end streets longer than one hundred (100) feet intended to be continued for access to adjoining property shall have a temporary turnaround area to provide service equal to the cul-de-sac requirement stated above.
- (6) Right-of-way and Street Widths: The widths for all road right-of-ways and roadways shall not be less than the minimum dimensions for each of the following classifications:

<u>Street Classification</u>	<u>Right-Of-Way Width</u>	<u>Street Width</u>
Local Road		
Ditch Section	60'	24'
Curb and Gutter	50'	24'
Collector Road		
Ditch Section	80'	36'
Curb and Gutter	80'	36'
Major Street	100'	48'

- (7) Road Grades: Minimum and maximum grades for roads shall conform to these standards established by and on file with the County Engineer.
- (8) Street Names: Streets which are substantially in alignment with existing streets shall, unless otherwise illogical or due to severe directional change, bear the names of the existing streets. The names of such new streets shall be approved by the County Engineer.

25-103 Block Standards:

- (1) Lengths: Blocks shall be delineated by intersecting streets at such intervals as to sufficiently provide for cross traffic and to furnish access to existing streets adjoining the new subdivision. In residential districts, no block shall be longer than one thousand three hundred twenty (1,320) feet between centerlines of streets, except variations may be allowed in instances where topography or other conditions prohibit compliance.
- (2) Design: The configuration of blocks shall be determined with regard given to:
 - (A) Zoning requirements as to lot sizes and dimensions.
 - (B) Provision of adequate building sites suitable to the particular needs of the type of use intended.
 - (C) Topography as it affects storm water drainage and erosion.
 - (D) Need for convenient circulation, access, safety and control of vehicular and pedestrian traffic.
- (3) Walkways: Pedestrian walkways may be required where deemed necessary to provide convenient access to schools, parks, playground or other public or private community facilities. Construction requirements for surfaced walkways are on file with the County Engineer.

35-104 Lots:

- (1) Frontage Requirements: Every lot shall have at least thirty-five (35) feet of frontage on a street.
- (2) Size: The size, width, depth, shape and orientation of lots and any minimum building setback lines shall be appropriate to provide safe and adequate building sites based upon the location of the subdivision and for the type of development and use intended.

As a minimum, lots shall have dimensions and sizes and provide for spaces requirements no less than as required by the Oxford Township Zoning Regulations.

- (3) Double Frontage: Double frontage lots shall be avoided for single-family and two-family residential dwellings except where the lots abut upon a limited access highway or arterial street or where the topography of the land prevents reasonable subdivision into additional lots. Double frontage lots shall not have vehicular access between such lots and an abutting limited access highway or arterial street.
- (4) Major Streets: When possible, lots intended for residential use facing on major streets shall be avoided. It is preferable that the sides or backs of such lots adjoin major streets with the vehicular egress from such lots being oriented to a minor street.
- (5) Corner Lots: Corner lots intended for residential use shall have additional width to allow appropriate building setback and orientation to both streets and to provide adequate corner visibility.

35-105 Easements:

- (1) Utility: Permanent easements shall be provided where necessary for the location and servicing of utility poles, wires, conduits, storm and sanitary sewers, water and gas mains and other public utilities. Utility easements located along rear or side lot lines shall measure at least fifteen (15) feet wide and shall be centered on such rear or side lot lines, provided, whenever utility easements are located around the perimeter of the area to be subdivided, they shall be contained wholly within such area. Utility easements located along front lot lines shall measure at least ten (10) feet wide.
- (2) Drainage: A drainage easement may be required for a proposed subdivision which is traversed by a watercourse, drainage way or drainage channel. Such easement shall conform substantially to the lines of such watercourse and shall be of such width as may be necessary to provide adequate storm water drainage and access for maintenance.

ARTICLE 36

REQUIREMENTS FOR IMPROVEMENTS

Sections:

- 36-101 Applicability
- 36-102 Required Improvements
- 36-103 Guarantee of Completion of Improvements

36-101 Applicability: Prior to and as a condition to approval of any final plat by the Governing Body, the developer shall agree to install or provide for certain improvements within the proposed subdivision. Such improvements installed by the developer shall comply with the standards and specifications of the County, utility company or public agency having jurisdiction and shall be subject to any applicable surety requirements to guarantee their proper installation.

36-102 Required Improvements: Every developer shall install, or through the appropriate public agencies and utility companies shall provide for the installation of, the following improvements in accordance with the conditions and specifications required herein:

- (1) Water Supply and Sewage Disposal: The type of water supply and sewage disposal utilized to serve the subdivision shall be subject to the requirements of the Johnson County Sanitary Code. The plans for water supply and disposal of sewage to serve the platted area shall give due consideration to the present and/or foreseeable needs of the subject property and adjoining properties intended to be developed as well as the overall effectiveness of the system based on the characteristics of the land and the nature of development. The developer shall have an approved Water Quality Management Plan as required by the Johnson County Sanitary Code.

In those instances where a public water supply is provided through a Rural Water District, such construction and installation of the system shall be in compliance with the applicable Rural Water District supplying the water.

The connection of the subdivision to the public sewage system shall be in accordance with the requirements of the Johnson County Unified Wastewater Districts. Additionally, the construction of all public water supply and sewer systems shall be subject to the regulations of the Kansas State Department of Health and Environment.

(2) Provision for Storm Drainage: The developer shall make adequate provision for the control and discharge of storm water from the platted area and in doing so shall give consideration to the alternatives and principles of storm water management. When necessary, the construction of storm sewers shall be properly integrated with any existing storm sewer system and shall provide for the anticipated extension of its use to serve additional areas. The storm drainage plan and subsequent installation of culverts, storm sewers, stabilization of ditches and other improvements shall comply to the minimum standards of the County and shall be approved by the County Engineer.

(3) Provisions for Streets: The developer shall provide for the improvement of all new streets within the platted area. Such street improvements should adequately reflect the classification of the particular street, its location and anticipated volume of traffic. All grades, drainage facilities and surfacing requirements shall be constructed according to the standards and specifications of the County of which construction standards are available in the office of the County Engineer.

All street plans and specifications shall be approved by and constructed under the supervision of the County Engineer. No street will be accepted by the County Engineer for maintenance until it meets County standards as determined by the County Engineer.

(4) Installation of Utility Lines & Appurtenances: The developer shall be responsible for making the necessary arrangements with the appropriate utility companies for the installation of utility lines and appurtenances. The installation of utility lines and appurtenances. The installation of such utilities shall be done in such a manner as to not interfere with other underground utilities and their installation shall be coordinated through the County Engineer. Underground utility lines which cross underneath the right-of-way shall be installed prior to the improvement of any such street in order to reduce the damage caused by street cuts.

Incidental appurtenances, such as transformer enclosures and meter cabinets shall be located so as not to be hazardous to the public and shall be in accordance with the standards and specifications of the County Engineer.

- (5) Installation of Monuments: The developer shall install monuments within the area to be subdivided. Such monuments shall be of the size and type and placed as required by the County Engineer.
- (6) Street Signs: Street signs shall be placed at those locations within the area to be subdivided as determined by the County Engineer. The county Engineer shall approve such street signs, the cost of which shall be incurred by the developer.
- (7) Exceptions: All improvement requirements as set out within this Article shall be provided for in all subdivisions with the following exception:
 - (A) Upon specific request from the developer and concurrence of the Governing Body, certain improvements may be waived. Such waiver may occur, but not be limited to, instances where the proposed subdivision is a re-subdivision and/or concerns an area presently having any or all required improvements as set out in Section 5-102 and where such improvements comply with the requirements of said section and are in acceptable condition as determined by the County Engineer.
 - (B) The Governing Body may make other reasonable requirements for dedications or installations of public improvements or facilities deemed necessary to meet the public needs caused by new subdivisions. Such additional requirements may include, but not be limited to, the provision of park or open space land as is warranted by the reasonably foreseeable population and use of an area as a result of the proposed subdivision.

36-103 Guarantee of Completion of Improvements: In the event those physical improvements required in this Article and intended to be dedicated to the County for ownership and maintenance have not been installed and accepted by the County prior to the approval of the final plat by the Governing Body the developer shall, before approval of the final plat, enter into an agreement with the County in which the developer agrees to install such required improvements.

As a guarantee for the completion of public improvements the developer shall provide surety in the form of a corporate surety bond, certified check or other form acceptable by the County Counselor to be filed with the County Clerk and in an amount not less than the County Engineer's certified estimate of the cost of constructing

or completing the improvements. The surety shall be retained by the County until the actual completion of such required improvements in an acceptable manner and within the time specified in the agreement between the developer and the County.

As a guarantee that all paving has been done in a satisfactory manner, the developer shall provide a maintenance bond to the County. Said bond shall be required for only the first year following acceptance of such improvements by the County Engineer. The amount of the bond shall be in an amount acceptable to the County Engineer and shall be in such form as acceptable by the County Counselor.

ARTICLE 37

ADMINISTRATION

Sections:

- 37-101 Rule Exceptions
- 37-102 Appeals
- 37-103 Penalty For Violations, Actions

37-101 Rule Exceptions: The standards and procedures required in these Regulations shall be interpreted and applied literally in the case of all subdivision plats submitted after the date of the adoption of these Regulations. In case, however, of hardship caused by size, location or configuration of land, topography or other factors which affect a specific tract or subdivision or portion thereof, the applicant may request a rule exception from one or more of the requirements contained herein. A rule exception may be requested, on forms provided, at the time of filing the preliminary or final plat. A rule exception must be approved by the Governing Body provided that, in its judgment, such action will not violate the public interest, unnecessarily burden the County or will annul the intent and purpose of these Regulations.

37-102 Appeals: Any decision of a Township Zoning board on matters contained herein may be appealed to the Governing Body and the Governing Body may reverse or affirm such decision.

37-103 Penalty For Violations, Actions: The violation of any provision of these Regulations shall be deemed to be a misdemeanor and any person, firm, association, partnership or corporation convicted thereof shall be punished by a fine not to exceed two hundred dollars (\$200.00) and that each day's violation shall constitute a separate offense. The Governing Body shall further have the authority to maintain suits or actions in any court of competent jurisdiction for the purpose of enforcing any provisions of these Regulations and to abate nuisances maintained in violation thereof; and in addition to other remedies, institute injunction, mandamus, or other appropriate action or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance, or use, or to correct or abate such violation, or to prevent the occupancy of the building, structure, or land.

ARTICLE 38

MISCELLANEOUS

Sections:

- 38-101 Validity
- 38-102 Accrued Rights and Liabilities Saved
- 38-103 Severability
- 38-104 Effective Date
- 38-105 Repealing Clause

38-101 Validity: If any section, paragraph, subdivision, clause, phrase, or provision of these Regulations shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of these Regulations as a whole or any part or provision thereof, other than the part so decided to be invalid or unconstitutional. All regulations or parts of regulations in conflict herewith are hereby repealed.

38-102 Accrued Rights and Liabilities Saved: The repeal of regulations provided in Section 38-105 herein, shall not affect any rights accrued, fines, penalties, forfeitures, or liabilities incurred thereunder, or actions involving any of the provisions of said regulations or parts thereof. Said regulations below repealed are hereby continued in force and effect, after the passage, approval, and publication of these Regulations for the purpose of such rights, fines, penalties, forfeitures, liabilities and actions therefore.

38-103 Severability: Each article, section, and subdivision or a section of these Regulations are hereby declared to be independent of every other article, section, or subdivision of a section, so far as inducement for the passage of these Regulations is concerned.

38-104 Effective Date: These Regulations, being designated as the "Subdivision Regulations of Oxford Township", shall be in full force and effect from and after its passage and publication in accordance with K.S.A. 12-3301 through 12-3305.

38-105 Repealing Clause: This resolution repeals all Subdivision Regulations of Oxford Township, Johnson County, Kansas in its entirety.

