

DR 74-2 Possible Amendment to  
County Zoning Resolution RE: Out-  
door storage in "LC" Districts

ACTION

DATE

COMMITTEE \_\_\_\_\_

M.A.P.C. \_\_\_\_\_ approved \_\_\_\_\_ 2-14-74

~~B.C.C.~~ B. CO. C. Cyford 2-27-74

R E S O L U T I O N

A RESOLUTION CHANGING THE SEDGWICK COUNTY ZONING RESOLUTION ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS AND EFFECTIVE AFTER MARCH 3, 1958, WITH AMENDMENTS TO FEBRUARY 19, 1974, FOR THE UNINCORPORATED TERRITORY LYING WITHIN THREE MILES OF THE CITY OF WICHITA, THE CITY OF HAYSVILLE, THE CITY OF DERBY, THE CITY OF MULVANE, THE CITY OF VALLEY CENTER, THE CITY OF GODDARD, AND THAT PORTION OF THE AREA WITHIN THREE MILES OF THE CITY OF CHENEY AS ESTABLISHED BY THE BOARD OF COUNTY COMMISSIONERS ON OCTOBER 3, 1973, ALL IN SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED IN SECTION 14.C. THEREOF.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS:

SECTION I. That upon the recommendation of the Metropolitan Area Planning Commission on February 14, 1974, after notice and public hearing as provided by law under authority granted by Section 14.C. of the Sedgwick County Zoning Resolution, as adopted March 3, 1958, the following Section of the Sedgwick County Zoning Resolution is hereby amended as follows:

Section 7 shall be amended as follows:

5

Uses listed in the "LC" District shall be permitted, provided that:

- a) There shall be no manufacture, compounding, processing or treatment of products other than that which is clearly incidental and essential to a retail store or business and where all such products are customarily sold at retail on the premises, and
- b) Such uses, operations or products are not objectionable due to odor, dust, smoke, noise, vibration or other similar causes.
- c) All articles for sale, rent, display, storage, or hire must be kept within an enclosed building, except as permitted in A.54a.

END

Add to the list of permitted uses after 54. the following:

6

54a. Storage of merchandise available for retail sales may be outside of an enclosed building, subject to the following conditions:

- (1) The area used for storage shall be enclosed by a fence or wall not less than six feet in height nor less than the height of the merchandise.
- (2) Such fence or wall shall be of material capable of providing screening to hide the storage from view. One opening, not exceeding ten feet in width, may be left open during business hours. When the material of the enclosure is not of the same general material as the main building, landscaping as approved by the Zoning Administrator and the Planning Director shall be provided and maintained outside the enclosure. For outside

storage areas within a development of six or more acres, the fence or wall screening provisions may be modified provided that: (1) a design plan is submitted to the Zoning Administrator and Planning Director for review and recommendation; (2) Such plan shall provide an acceptable environment for the surrounding area, based on the physical characteristics of the property, distances from adjacent properties and public streets, and the type of merchandise to be displayed or stored; and (3) such plan shall be approved by the Zoning Administrator and the Planning Director with the right to appeal to the Board of County Commissioners within 45 days.

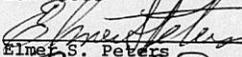
- (3) The enclosure around the storage area shall be attached to the main building and the area within such enclosure shall not exceed 10% of the floor area occupied by the main use within the building. Such enclosure shall comply with the same setback as is required for the main building.
- (4) The area within the enclosure shall be calculated as floor area in determining the number of required off-street parking spaces.
- (5) The provisions of this section shall not be deemed to prevent the display of merchandise required in the servicing of vehicles when located on service islands at filling stations, nor shall it supercede any of the conditions required by the Governing Body under the provisions for Conditional uses.

END

SECTION II. This Resolution shall take effect and be in force from and after its adoption and publication in the official County paper.

PASSED AND ADOPTED this 27th day of February, 1974.

  
Tom Scott, Chairman

  
Elmer S. Peters, Commissioner

  
Earl E. Rush, Commissioner

ATTEST:

  
Marie Warden, County Clerk

(SEAL)

March 12, 1974

Jack Turner, County Counselor

Jack H. Galbraith, Chief Planner

DR 74-1 - and DR 74-2

In answer to your letter concerning the above-captioned cases, please find enclosed memos sent to members of the Wichita-Sedgwick County Metropolitan Area Planning Commission and the Board of County Commissioners. Your attention is called to the first paragraph of each memo whereby the staff was instructed by the Planning Commission to advertise these two amendments to the Sedgwick County Zoning Resolution for public hearing. This was the result of the City Zoning Ordinance being amended to provide these uses in zoning districts where not previously permitted, subject to certain conditions.

I believe the enclosures are self-explanatory, however, if you are desirous of additional information, please advise.

JHG:GLS:ber

Attachments

March 5, 1974

Jack Turner, County Counselor

Jack H. Galbraith, Chief Planner

DR 74-2 - Proposed Amendment - Sedgwick County Zoning  
Resolution re: Outdoor Storage in the "LC" District and  
DR 74-1 - Proposed Amendment - Sedgwick County Zoning  
Resolution re: Warehouses, Commercial and Residential  
Storage.

On February 27, 1974, the Board of County Commissioners  
considered and approved the above captioned cases.

Attached for your review and approval are copies of  
resolutions effectuating the changes in the County Zoning  
Resolution text.

Inasmuch as these resolutions are on forms that have been  
acceptable in the past, I am not aware of any problem. If  
we do not hear from you by March 13, 1974, we will assume  
that the resolutions are satisfactory and will proceed to  
have them published.

JHG:js

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

February 22, 1974

TO Board of County Commissioners

FROM Jack H. Galbraith, Chief Planner *JHG*

SUBJECT DR 74-2 - Proposed amendment - Sedgwick County  
Zoning Resolution Re: Outdoor Storage in the  
"LC" District

Attached is a copy of a proposed amendment to the County Zoning Resolution, which, after notice and public hearing before the MAPC on February 14, 1974, was recommended for adoption.

At the present time, the "LC" Light Commercial district does not permit storage of any kind outside of an enclosed building. This proposed amendment to the County Zoning Resolution would permit outside storage in the "LC" district, but under the limitations set forth in the resolution. The conditions should provide adequate protection to adjacent properties and not be contrary to the intent and purpose of the "LC" district.

Consideration of this amendment to the County Zoning Resolution is scheduled for your regular meeting of February 27, 1974.

JHG:GLS:ber

Attachment

cc: Sharon Dearing  
Deputy County Clerk

POSSIBLE AMENDMENT TO THE ZONING RESOLUTION  
OF SEDGWICK COUNTY, KANSAS TO PERMIT OUTDOOR  
STORAGE OF MERCHANDISE IN THE "LC" LIGHT COM-  
MERCIAL DISTRICT.

SECTION 7. "LC" Light Commercial District of the Zoning  
Resolution of Sedgwick County, Kansas, shall be amended as follows:

Uses listed in the "LC" District shall be permitted, provided that:

- a) There shall be no manufacture, compounding  
processing or treatment of products other than  
that which is clearly incidental and essential  
to a retail store or business and where all  
such products are customarily sold at retail on  
the premises, and
- b) Such uses, operations or products are not  
objectionable due to odor, dust, smoke, noise,  
vibration or other similar causes.
- c) All articles for sale, rent, display, storage,  
or hire must be kept within an enclosed building,  
except as permitted in A.54a.

Add to the list of permitted uses the following:

54a. Storage of merchandise available for retail sales  
may be outside of an enclosed building, subject to  
the following conditions:

- (1) The area used for storage shall be enclosed  
by a fence or wall not less than six feet in  
height nor less than the height of the mer-  
chandise.
- (2) Such fence or wall shall be of material capable  
of providing screening to hide the storage from  
view. One opening, not exceeding ten feet in  
width, may be left open during business hours.  
When the material of the enclosure is not of the  
same general material as the main building, land-  
scaping as approved by the Zoning Administrator  
and the Planning Director shall be provided and  
maintained outside the enclosure. For outside

storage areas within a development of six or more acres, the fence or wall screening provisions may be modified provided that: (1) a design plan is submitted to the Zoning Administrator and Planning Director for review and recommendation; (2) such plan shall provide an acceptable environment for the surrounding area, based on the physical characteristics of the property, distances from adjacent properties and public streets, and the type of merchandise to be displayed or stored; and (3) such plan shall be approved by the Zoning Administrator and the Planning Director with the right to appeal to the Board of County Commissioners within 45 days.

- (3) The enclosure around the storage area shall be attached to the main building and the area within such enclosure shall not exceed 10% of the floor area occupied by the main use within the building. Such enclosure shall comply with the same setback as is required for the main building.
- (4) The area within the enclosure shall be calculated as floor area in determining the number of required off-street parking spaces.
- (5) The provisions of this section shall not be deemed to prevent the display of merchandise required in the servicing of vehicles when located on service islands at filling stations, nor shall it supercede any of the conditions required by the Governing Body under the provisions for Conditional uses.

February 15, 1974

Mr. Max Christman  
County Zoning Office  
1015 Stillwell  
Wichita, Kansas 67213

Re: DR 74-1 - Amendment to  
County Zoning Resolution  
Re: Residential and Commer-  
cial Storage Warehouses

✓ DR 74-2 - Amendment to  
County Zoning Resolution  
Re: Outdoor storage in  
"LC" Districts

Dear Mr. Christman:

At the regular meeting of the Metropolitan Area Planning Commission on February 14, 1974, the above-captioned amendments to the County Zoning Resolutions were considered. The action of the Commission was to recommend that these amendments be approved.

We are forwarding the resolutions on to the Board of County Commission for their consideration at the regular meeting on February 27, 1974, the meeting to start at 9:00 a.m. in Room 320 Sedgwick County Courthouse.

If you have any questions, please call.

Sincerely,

Jack H. Galbraith  
Chief Planner

JHG:ber

February 6, 1974

Wichita-Sedgwick County Metropolitan  
Area Planning Commission

Robert A. Lakin, Director of Planning

DR 74-2 - Proposed amendment - Sedgwick County  
Zoning Resolution Re: Outdoor Storage in the  
"LC" District

The attached is a proposed amendment to the Sedgwick County Zoning Resolution that has been advertised for public hearing before the Planning Commission on Thursday, February 14, 1974. This amendment was prepared at your request of January 10, 1974, after your discussion of a similar amendment to the City zoning ordinance.

At the present time, the "LC" Light Commercial district does not permit storage of any kind outside of an enclosed building. This proposed amendment to the County zoning resolution would permit outside storage in the "LC" district, but under the limitations set forth in the resolution. The conditions should provide adequate protection to adjacent properties and not be contrary to the intent and purpose of the "LC" district.

RAL:GEL:ber

Attachment

cc: Max Christman  
County Zoning Office

WICHITA-SEDGWICK COUNTY

DATE

**METROPOLITAN AREA PLANNING DEPARTMENT**

February 6, 1974

TO Wichita-Sedgwick County Metropolitan  
Area Planning Commission

FROM Robert A. Lakin, Director of Planning *RL*

SUBJECT DR 74-2 - Proposed amendment - Sedgwick County  
Zoning Resolution Re: Outdoor Storage in the  
"LC" District

The attached is a proposed amendment to the Sedgwick County Zoning Resolution that has been advertised for public hearing before the Planning Commission on Thursday, February 14, 1974. This amendment was prepared at your request of January 10, 1974, after your discussion of a similar amendment to the City zoning ordinance.

At the present time, the "LC" Light Commercial district does not permit storage of any kind outside of an enclosed building. This proposed amendment to the County zoning resolution would permit outside storage in the "LC" district, but under the limitations set forth in the resolution. The conditions should provide adequate protection to adjacent properties and not be contrary to the intent and purpose of the "LC" district.

RAL:GEL:ber

Attachment

cc: Max Christman  
County Zoning Office

(Published in The Wichita Beacon on January 25, 1974.)

OFFICIAL NOTICE

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

NOTICE IS HEREBY GIVEN that on February 14, 1974, the Wichita-Sedgwick County Metropolitan Area Planning Commission, in Room 401 City Building Annex, 104 South Main, Wichita, Kansas, at 1:30 p.m., will consider the following changes to the Zoning Resolution of Sedgwick County, Kansas:

That Section 7 ("LC" Light Commercial District) be amended to permit a limited amount of storage outside of an enclosed building, provided that such storage is screened from continuous view to protect adjacent properties and that the area used for such storage will not violate the setback requirements of the zoning district.

Copies of the proposed amendment are available upon request from the Wichita-Sedgwick County Metropolitan Area Planning Department.

The proposed amendment will there be discussed and considered by the said Wichita-Sedgwick County Metropolitan Area Planning Commission and all persons interested in said matter will be heard at this time concerning their views and wishes, and any protest against any of the provisions of the proposed changes to the Sedgwick County Zoning Resolution will be considered by the Commission as by law provided.

WITNESS my hand and seal this 22nd day of January, 1974.

(SEAL)

Robert A. Lakin, Secretary  
Wichita-Sedgwick County Metro-  
politan Area Planning Commission

POSSIBLE AMENDMENT TO THE ZONING RESOLUTION  
OF SEDGWICK COUNTY, KANSAS TO PERMIT OUTDOOR  
STORAGE OF MERCHANDISE IN THE "LC" LIGHT COM-  
MERCIAL DISTRICT.

SECTION 7. "LC" Light Commercial District of the Zoning  
Resolution of Sedgwick County, Kansas, shall be amended as follows:

Uses listed in the "LC" District shall be permitted, provided that:

- a) There shall be no manufacture, compounding  
processing or treatment of products other than  
that which is clearly incidental and essential  
to a retail store or business and where all  
such products are customarily sold at retail on  
the premises, and
- b) Such uses, operations or products are not  
objectionable due to odor, dust, smoke, noise,  
vibration or other similar causes.
- c) All articles for sale, rent, display, storage,  
or hire must be kept within an enclosed building,  
except as permitted in A.54a.

Add to the list of permitted uses the following:

- 54a. Storage of merchandise available for retail sales  
may be outside of an enclosed building, subject to  
the following conditions:
  - (1) The area used for storage shall be enclosed  
by a fence or wall not less than six feet in  
height nor less than the height of the mer-  
chandise.
  - (2) Such fence or wall shall be of material capable  
of providing screening to hide the storage from  
view. One opening, not exceeding ten feet in  
width, may be left open during business hours.  
When the material of the enclosure is not of the  
same general material as the main building, land-  
scaping as approved by the Zoning Administrator  
and the Planning Director shall be provided and  
maintained outside the enclosure. For outside

storage areas within a development of six or more acres, the fence or wall screening provisions may be modified provided that: (1) a design plan is submitted to the Zoning Administrator and Planning Director for review and recommendation; (2) such plan shall provide an acceptable environment for the surrounding area, based on the physical characteristics of the property, distances from adjacent properties and public streets, and the type of merchandise to be displayed or stored; and (3) such plan shall be approved by the Zoning Administrator and the Planning Director with the right to appeal to the Board of County Commissioners within 45 days.

- (3) The enclosure around the storage area shall be attached to the main building and the area within such enclosure shall not exceed 10% of the floor area occupied by the main use within the building. Such enclosure shall comply with the same setback as is required for the main building.
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- (5) The provisions of this section shall not be deemed to prevent the display of merchandise required in the servicing of vehicles when located on service islands at filling stations, nor shall it supercede any of the conditions required by the Governing Body under the provisions for Conditional uses.

(Published in The Wichita Beacon on January 25, 1974.)

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That Section 7 ("LC" Light Commercial District) be amended to permit a limited amount of storage outside of an enclosed building, provided that such storage is screened from continuous view to protect adjacent properties and that the area used for such storage will not violate the setback requirements of the zoning district.

Copies of the proposed amendment are available upon request from the Wichita-Sedgwick County Metropolitan Area Planning Department.

The proposed amendment will there be discussed and considered by the said Wichita-Sedgwick County Metropolitan Area Planning Commission and all persons interested in said matter will be heard at this time concerning their views and wishes, and any protest against any of the provisions of the proposed changes to the Sedgwick County Zoning Resolution will be considered by the Commission as by law provided.

WITNESS my hand and seal this 22nd day of January, 1974.

(SEAL)

Robert A. Lakin, Secretary  
Wichita-Sedgwick County Metro-  
politan Area Planning Commission

POSSIBLE AMENDMENT TO THE ZONING RESOLUTION  
OF SEDGWICK COUNTY, KANSAS TO PERMIT OUTDOOR  
STORAGE OF MERCHANDISE IN THE "LC" LIGHT COM-  
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of providing screening to hide the storage from  
view. One opening, not exceeding ten feet in  
width, may be left open during business hours.  
When the material of the enclosure is not of the  
same general material as the main building, land-  
scaping as approved by the Zoning Administrator  
and the Planning Director shall be provided and  
maintained outside the enclosure. For outside

storage areas within a development of six or more acres, the fence or wall screening provisions may be modified provided that: (1) a design plan is submitted to the Zoning Administrator and Planning Director for review and recommendation; (2) such plan shall provide an acceptable environment for the surrounding area, based on the physical characteristics of the property, distances from adjacent properties and public streets, and the type of merchandise to be displayed or stored; and (3) such plan shall be approved by the Zoning Administrator and the Planning Director with the right to appeal to the Board of County Commissioners within 45 days.

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- (4) The area within the enclosure shall be calculated as floor area in determining the number of required off-street parking spaces.
- (5) The provisions of this section shall not be deemed to prevent the display of merchandise required in the servicing of vehicles when located on service islands at filling stations, nor shall it supercede any of the conditions required by the Governing Body under the provisions for Conditional uses.

February 5, 1974

Wichita Association of Homebuilders  
730 North Main  
Wichita, Kansas 67203

Re: DR 74-1 - Proposed amendment  
to County Zoning Resolution  
Re: Residential storage ware-  
house

DR 74-2 - Proposed amendment  
to County Zoning Resolution  
Re: Outdoor storage in "LC"

Gentlemen:

Attached hereto are copies of two proposed amendments to the Sedgwick County Zoning Resolution. These proposed amendments will be discussed at the regular Wichita-Sedgwick County Metropolitan Area Planning Commission meeting at 1:30 p.m. on Thursday, February 14, 1974. These meetings are held in Room 401 City Building Annex, 104 South Main, Wichita, Kansas.

As you will note, these amendments are comparable to recent amendments to the City of Wichita Zoning Ordinance. One amendment would permit a limited amount of outdoor storage within the "LC" Light Commercial zoning district, subject to screening conditions that would provide protection to adjacent properties. The other amendment will permit residential storage warehouses to be constructed in the "BB" Office district and the "LC" Light Commercial district as conditional uses subject to the conditions set forth in the proposed amendment. It will also permit warehouses of all types to be located in the "C" Commercial district.

If anyone in your organization wishes to comment on either of the proposed amendments, the MAPC would welcome same at the meeting. If they are unable to attend the meeting, written comments will be given to the MAPC.

Sincerely,

Glen E. Lytle  
Special Assistant for Zoning

GEL:ber  
Attachments

February 5, 1974

Wichita Board of Realtors  
230 South Market  
Wichita, Kansas 67202

Re: DR 74-1 - Proposed amendment  
to County Zoning Resolution  
Re: Residential storage ware-  
house

DR 74-2 - Proposed amendment  
to County Zoning Resolution  
Re: Outdoor storage in "LC"

Gentlemen:

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If anyone in your organization wishes to comment on either of the proposed amendments, the MAPC would welcome same at the meeting. If they are unable to attend the meeting, written comments will be given to the MAPC.

Sincerely,

Glen E. Lytle  
Special Assistant for Zoning

GEL:ber  
Attachments

(Published in The Wichita Beacon on January 25, 1974.)

OFFICIAL NOTICE

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

NOTICE IS HEREBY GIVEN that on February 14, 1974, the Wichita-Sedgwick County Metropolitan Area Planning Commission, in Room 401 City Building Annex, 104 South Main, Wichita, Kansas, at 1:30 p.m., will consider the following changes to the Zoning Resolution of Sedgwick County, Kansas:

That Section 7 ("LC" Light Commercial District) be amended to permit a limited amount of storage outside of an enclosed building, provided that such storage is screened from continuous view to protect adjacent properties and that the area used for such storage will not violate the setback requirements of the zoning district.

Copies of the proposed amendment are available upon request from the Wichita-Sedgwick County Metropolitan Area Planning Department.

The proposed amendment will there be discussed and considered by the said Wichita-Sedgwick County Metropolitan Area Planning Commission and all persons interested in said matter will be heard at this time concerning their views and wishes, and any protest against any of the provisions of the proposed changes to the Sedgwick County Zoning Resolution will be considered by the Commission as by law provided.

WITNESS my hand and seal this 22nd day of January, 1974.

(SEAL)

Robert A. Lakin, Secretary  
Wichita-Sedgwick County Metro-  
politan Area Planning Commission

(Published in The Wichita Beacon on January 25, 1974.)

OFFICIAL NOTICE

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

NOTICE IS HEREBY GIVEN that on February 14, 1974, the Wichita-Sedgwick County Metropolitan Area Planning Commission, in Room 401 City Building Annex, 104 South Main, Wichita, Kansas, at 1:30 p.m., will consider the following changes to the Zoning Resolution of Sedgwick County, Kansas:

That Section 7 ("LC" Light Commercial District) be amended to permit a limited amount of storage outside of an enclosed building, provided that such storage is screened from continuous view to protect adjacent properties and that the area used for such storage will not violate the setback requirements of the zoning district.

Copies of the proposed amendment are available upon request from the Wichita-Sedgwick County Metropolitan Area Planning Department.

The proposed amendment will there be discussed and considered by the said Wichita-Sedgwick County Metropolitan Area Planning Commission and all persons interested in said matter will be heard at this time concerning their views and wishes, and any protest against any of the provisions of the proposed changes to the Sedgwick County Zoning Resolution will be considered by the Commission as by law provided.

WITNESS my hand and seal this 22nd day of January, 1974.

(SEAL)

Robert A. Lakin, Secretary  
Wichita-Sedgwick County Metro-  
politan Area Planning Commission

January 14, 1974

Glen Lytle, Special Assistant for Zoning

Jack H. Galbraith, Chief Planner

DR 74-1 - Amendment to County Zoning Resolution  
Re: Residential Storage Warehouses

DR 74-2 - Amendment to County Zoning Resolution  
Re: Outdoor storage in "LC" Districts

At the Planning Commission meeting on January 10, 1974, they instructed the staff to prepare two amendments to the County Zoning Resolution. One would amend the Conditional Use Section of the "BB" and "LC" Districts to permit the residential storage warehouses as conditional uses, subject to certain conditions. The other suggested amendment was to amend the "LC" District to permit the outdoor storage of merchandise similar to the one just approved for the City ordinance text. Rhonda has made up the attached two files. Please draft the proposed amendments and legal advertisements for my review.

If these can be prepared by January 23, 1974, we can advertise them for hearing before the Planning Commission on February 14, 1974.

JHG:ber

WICHITA-SEDGWICK COUNTY

RE. AGENDA ITEM NO. 50

DATE

**METROPOLITAN AREA PLANNING DEPARTMENT**

December 6, 1973

**TO** Wichita-Sedgwick County Metropolitan  
Area Planning Commission

**FROM** Robert A. Lakin, Secretary *RAL*

**SUBJECT** DR 73-24 - Possible zoning text amendment  
Re: Outside Storage in the "LC" District

Attached is a copy of a proposed amendment to the City of Wichita zoning ordinance that has been advertised to be considered by the Planning Commission on December 13, 1973. This proposed amendment has been prepared as requested by the Planning Commission at the meeting of November 8, 1973. This request was made to the staff after discussion of zoning change request Z-1480, which was for a spot of "C" Commercial zoning within the Marina Lakes CUP to permit outside storage adjacent to the Woolco Store located on the property.

BACKGROUND: The "LC" Light Commercial zoning district is the first district that permits any type of retail business, and until March of 1967 there was no outside display of any kind permitted. Due to the apparent need and request by several merchants, amendments were made to the zoning text in March, 1967, which changed the complete prohibition of outside display to permit "merchandise which is for sale within the building to be displayed in areas immediately adjacent to the building." This was amended into the ordinance to permit a small amount of display outside and adjacent to the building. This has to this date been interpreted by the Inspection Division to mean that a small amount of merchandise placed immediately adjacent to the front of the building, as an indication of what is for sale within, is permitted by the ordinance. Continual display and storage are not permitted uses. Promotional activities and outdoor sales are also permitted on a limited basis by Section 28.04.183.3, which was also an amendment to the ordinance in March, 1967.

Without restrictions to control display and storage of merchandise outside of an enclosed building, it would completely destroy the protection now provided to the adjacent properties by the "LC" district. The effect without constraints would be to make "LC" nearly equivalent to the "C" district.

PROPOSED ORDINANCE: The proposed amendment to the zoning text would permit a limited amount of outside storage in the "LC" Light Commercial zoning district subject to conditions that are intended to provide a reasonable amount of protection to the adjacent property owners.

Page 2 - Metropolitan Area Planning Commission  
December 6, 1973

The screening provisions should provide the same affect as if the merchandise were stored within an enclosed building. The limitation of area within the enclosure to 10% of the floor area occupied by the main use within the building is necessary to prevent the establishment of major outdoor type retail businesses which would be in contravention of the intent of this zoning district.

The requirement to include the area within the enclosure in determining the required off-street parking spaces should be adequate to accommodate the customers generated by use of additional area.

The material used for screening provisions is intended to keep it in the same general character as the main building. Within a Community Unit Plan, which is required on all development of 6 acres or more in the "LC" District, possible deviation from the absolute screening requirements may be justified. In each instance, an evaluation of the storage area may be made, either with the original CUP, or at a later date as an administrative review and recommendation without need of a required advertised public hearing.

RECOMMENDATION

It is recommended that the proposed amendment be approved, subject to such changes as the Commission may desire to make.

RAL:GEL:ber

Attachment

( ) Published in The Daily Record on November 21, 1973

OFFICIAL NOTICE

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

NOTICE IS HEREBY GIVEN that on THURSDAY, DECEMBER 13, 1973, the WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION, in Room 401 City Building Annex, 104 South Main Street, Wichita, Kansas, at 1:30 p.m., will consider the following change to Title 28, the Code of the City of Wichita, Kansas:

That Section 28.04.090 "LC" Light Commercial District be amended to permit a limited amount of storage outside of an enclosed building, provided that such storage is screened from continuous view to protect adjacent properties and that the area used for such storage will not violate the setback requirement of the zoning district.

Copies of the proposed amendment are available upon request from the Wichita-Sedgwick County Metropolitan Area Planning Department.

The proposed amendment will there be discussed and considered by the said Wichita-Sedgwick County Metropolitan Area Planning Commission, and all persons interested in said matter will be heard at this time concerning their views and wishes, and any protest against any of the provisions of the proposed changes to the Zoning Ordinance will be considered by the Commission as by law provided.

WITNESS my hand and seal this 20th day of November, 1973.

Robert A. Lakin, Secretary  
Wichita-Sedgwick County Metro-  
politan Area Planning Commission

(SEAL)

POSSIBLE AMENDMENT TO THE ZONING ORDINANCE TO  
PERMIT OUTDOOR STORAGE OF MERCHANDISE IN THE  
"LC" LIGHT COMMERCIAL DISTRICT.

SECTION 28.04.090.1 of the Code of the City of Wichita,  
Kansas, shall be amended by adding the following to the list of  
permitted uses:

1.28 Storage of merchandise available for retail sales  
may be outside of an enclosed building subject to the following  
conditions:

- a. The area used for storage shall be enclosed by a  
fence or wall not less than six feet in height  
nor less than the height of the merchandise.
- b. Such fence or wall shall be of material capable of  
providing screening to hide the storage from view.  
One opening, not exceeding ten feet in width, may be left  
open during business hours. When the material of the  
enclosure is not of the same general material as the  
main building, landscaping as approved by the Super-  
intendent of Central Inspection, shall be provided and  
maintained outside the enclosure. For outside storage  
areas within a Community Unit Plan, the fence or wall  
screening provisions may be modified provided that:
  - (1) a design plan is submitted to the Planning Director  
for review and recommendation; (2) such plan shall provide  
an acceptable environment for the surrounding area, based  
on the physical characteristics of the property, dis-  
tances from adjacent properties and public streets, and  
the type of merchandise to be displayed or stored; and
  - (3) such plan shall be approved by the Board of City  
Commissioners.
- c. The enclosure around the storage area shall be attached  
to the main building and the area within such enclosure  
shall not exceed 10% of the floor area occupied by the  
main use within the building. Such enclosure shall  
comply with the same setback as is required for the main  
building.

*submitted by  
November*

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up ahead better.*

- d. The area within the enclosure shall be calculated as floor area in determining the number of required off-street parking spaces.
- e. The display of merchandise within the enclosure shall not be deemed to violate the provisions of 28.04.090.1.2 or 28.04.183-3 unless such display is intentionally placed to be continuously viewed from outside the enclosure contrary to the provisions of the ordinance.
- f. The provisions of this section shall not be deemed to prevent the display of merchandise required in the servicing of vehicles when located on service islands at filling stations, nor shall it supercede any of the conditions required by the Board of Zoning Appeals under other sections of the Code.