

M.A.P.C.

--- *Appendix* --- 6-26-75

~~BBB~~/B. CO. C. *Appendix* --- 2-16-75

DR 75-19 - Amendments to County
Zoning Resolution Re: Minimum
Lot Area Requirements.

ACTION

DATE

COMMITTEE _____

M.A.P.C. Approved 6-26-75

~~B.C.C.~~/B. CO. C. Approved 7-16-75

DR 75-19 - Amendments to County
Zoning Resolution Re: Minimum
Lot Area Requirements.

7-21-75.

R E S O L U T I O N

A RESOLUTION AMENDING THE ZONING RESOLUTION OF SEDGWICK COUNTY, KANSAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS AND EFFECTIVE AFTER MARCH 3, 1958, WITH AMENDMENTS TO APRIL 2, 1975, 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, BY: BY AMENDING SECTIONS 4, 5, 6, 7 AND 8 OF THE SEDGWICK COUNTY, KANSAS ZONING RESOLUTION: ALL IN ACCORDANCE WITH 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 June 26, 1975, 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 sections of the Sedgwick County Zoning Resolution are hereby amended to read as follows:

Section 4-(A) (2) of the "R-1" Suburban Residential District shall be amended to read as follows:

2. One-family dwellings.

Section 4-(D) (1) of the "R-1" Suburban Residential District shall be amended to read as follows:

1. Lot Area: The minimum lot width shall be one hundred (100) feet. The minimum area shall be twenty thousand (20,000) square feet for a one-family dwelling if the property is served by a public water supply and a minimum of forty thousand (40,000) square feet if the property includes a private domestic water supply source. For all uses other than one-family dwellings, the lot area shall be determined by the Wichita-Sedgwick County Department of Community Health as may be required for the installation of individual sewage disposal systems.

Where a lot has less width or less area than required in this subsection, and was recorded under one ownership or was recorded in a subdivision at the time of the adoption of this resolution, such lot may be occupied by a one-family dwelling.

Section 5-(A) (10) of the "AA" One-family Dwelling District shall be amended by adding the following:

- J. Two family dwellings provided that the lot area shall not be less than 10,000 square feet and off-street parking requirements shall not be less than two spaces per dwelling unit, of which one space for each dwelling unit may be located in front yard setback.

Section 5-(D) (1) of the "AA" One Family Dwelling District shall be amended to read as follows:

1. Lot Area: For a one-family dwelling, the lot shall have a minimum lot width of 60 feet at the front building setback line; a minimum width of 40 feet at the front lot line; and a minimum area of sixty-five hundred (6,500) square feet. Provided, that where a lot has less area than required in this subsection, and was recorded in a subdivision at the time of the adoption of this resolution, such lot may be occupied by any use permitted in this section.

Section 6-(D) (1) of the "BB" Office District shall be amended to read as follows:

1. Lot Area: The minimum lot width shall be 100 feet; minimum lot area shall be 20,000 square feet. Larger areas may be required as determined by the Wichita-Sedgwick County Department of Community Health for the installation of individual sewage disposal systems. The maximum building coverage of land area shall not exceed one-fourth (1/4) of the total land area.

Section 7-(A) (1) of the "LC" Light Commercial District shall be amended to read as follows:

1. Any use permitted in the "AA" One-Family Dwelling District. This shall be deemed to include all conditional uses with the exception of multiple-family dwellings which shall be permitted only as a conditional use in this district.

Section 7-(A) of the "LC" Light Commercial District shall be amended by deleting item number 42 from the list of permitted uses.

Section 7-(D) (1) of the "LC" Light Commercial District shall be amended to read as follows:

1. Lot Area: For any property having available and utilizing a public water supply and a municipal or community sewage disposal system shall have a minimum lot width of 75 feet and a minimum lot area of 10,000 square feet.

For any property not having both of the above type of facilities, the lot area shall comply with the area requirements of the "R-1" Suburban Residential District as set forth in Section 4-D-1.

Section 8-(C) (1) of the "C" General Commercial District shall be amended to read as follows:

1. Lot Area: For any property having available and utilizing a public water supply and a municipal or community sewage disposal system shall have a minimum lot width of 100 feet and a minimum lot area of 20,000 square feet.

For any property not having both of the above type of facilities, the lot area shall comply with the area requirements of the "R-1" Suburban Residential District as set forth in Section 4-D-1.

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

1975. PASSED AND ADOPTED this 16th day of July.



Earl E. Rush
Earl E. Rush, Chairman

Tom Scott
Tom Scott, Commissioner

John Hale
John Hale, Commissioner

ATTEST:

George Pierce
George Pierce, County Clerk

(SEAL)

Approved as to form by

Jack Turner
Jack Turner, County Counselor

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

July 8, 1975

TO Board of County Commissioners
FROM Robert A. Lakin, Director of Planning

SUBJECT DR 75-19 - Amendment to County Zoning Resolution Re: Minimum Lot Area Requirements

Attached hereto is a resolution amending the Sedgwick County Zoning Resolution that was advertised and considered by the Wichita-Sedgwick County Metropolitan Area Planning Commission at a public hearing on Thursday, June 26, 1975. I have also attached a delineated copy of the amendments showing the deletions and additions to the zoning resolution.

SUMMARY

The attached resolution revises the Sedgwick County Zoning Resolution by revising the minimum lot area requirements to conform to the recently adopted sanitation code. The sanitation code sets forth the minimum land area necessary for the installation of a private water supply and sewage disposal system. When such are available, and utilized, the requirements are then reduced to an area deemed appropriate for the use or zoning district.

The lot area for a single-family dwelling in the "R-1" Suburban Residential District would be 40,000 square feet, however, if the property is served by a public water supply, the requirement is reduced to 20,000 square feet.

In the "AA" Single-family dwelling district, where it is required to be served by a public water supply and community type sewerage system, the lot area has been reduced from 7,500 to 6,500 square feet for a single-family dwelling. Two-family dwellings would require a 10,000 square foot lot area. This is consistent with the reduction of land usage for urban development.

In the "BB" Office District, the minimum lot area has been raised from 15,000 to 20,000 square feet, and larger areas would be required if an individual sewage disposal system is used.

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July 8, 1975

Lot area requirements in the "LC" Light Commercial District would be 10,000 square feet. In the "GC" General Commercial District (also includes the "LI" Light Industrial and "HI" Heavy Industrial by reference), the minimum lot area would be 20,000 square feet. Whenever such areas are not served by public water and sewerage disposal facilities, the lot area requirements would then be determined by the Department of Community Health, based on the area necessary for the installation of private water and sewerage facilities. This would be the minimum required in the "R-1" District.

RECOMMENDATION

It is recommended by the Wichita-Sedgwick County Metropolitan Area Planning Commission that this resolution be adopted.



Robert A. Lakin
Director of Planning

RAL:GEL:ber

Attachment

cc: Jack Turner, County Counselor
Grover McLure, Sedgwick County Director of Public Works
James Aiken, Director of Environmental Health
Syd Werbin, Sedgwick County Zoning Administrator

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

June 19, 1975

TO Wichita-Sedgwick County Metropolitan
Area Planning Commission

FROM Glen E. Lytle, Special Assistant for Zoning

SUBJECT DR 75-19 - Amendment to County Zoning Resolu-
tion Re: Minimum lot area requirements

Attached hereto is a delineated copy of suggested amendments to the Sedgwick County Zoning Resolution that have been advertised for public hearing at your meeting of June 26, 1975.

BACKGROUND

A Sanitation Code was adopted by the Board of County Commissioners and became effective on June 1, 1975. The adoption of this code makes it necessary to amend the Sedgwick County Zoning Resolution to conform to the same requirements.

SUMMARY

The sanitation code relates primarily to properties not served by municipal type water and sewerage facilities. It requires that a property having a private domestic water supply have a minimum lot area of 40,000 square feet. For a property being served by a public water system, the lot area shall be 20,000 square feet. Since many areas in the County have been platted or subdivided into lots or tracts smaller than required by existing regulations, a grandfather clause remains in the Zoning Resolution which will permit the development of such parcels of land.

High density residential is not compatible with the use of private water supplies or private sewage disposal systems. In order to regulate this type of development in areas not served by public facilities, three amendments are included as follows:

- (1) Delete two-family dwellings from the "R-1" District;
- (2) Provide for the development of two-family dwellings in the "AA" district as a conditional use; and
- (3) delete multiple family dwellings as an outright permitted use in the "LC" district, and permit them only as a conditional use.

There is a trend in urban development to reduce the amount of land for single-family residences. We have therefore recommended a reduction in the lot size requirements in the "AA" single-family dwelling district from 7,500 to 6,500 square feet, which is the

Page 2 - Metropolitan Area Planning Commission
June 19, 1975

lot area requirement for the "R-4" district in the proposed new zoning ordinance for Wichita. As a conditional use in the "AA" district, two-family dwellings would require 10,000 square feet as is now the policy for such development within the City of Wichita.

As you will note, reference is made in the recommended changes to development occurring in the commercial and industrial districts not having and utilizing a public water supply and sewage disposal system. When this occurs, the lot area must comply with the area requirements of the "R-1" district. This is necessitated by the fact that numerous areas of commercial and industrial zoned land are not located where they can be served by public water or sewer facilities. In these cases, the lot area should be of sufficient size to accommodate a well, when necessary, and also adequate area for a sewage disposal system not covered by parking and other covered areas, in compliance with the requirements of the sanitation code.

RECOMMENDATION

Make whatever changes the MAPC deems in the public interest, and forward to the Board of County Commissioners with a recommendation for adoption.


Glen E. Lytle
Special Assistant for Zoning

GEL:ber

Attachment

cc: Jack Turner, Sedgwick County Counselor
James Aiken, Director of Environmental Health
X Grover McLure, Sedgwick County Director of Public Works
Syd Werbin, County Zoning Administrator

WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
COMMISSION

262-0611 — AREA CODE 316
CITY BUILDING ANNEX
104 S. MAIN ST.
WICHITA, KANSAS 67202

May 27, 1975

To: All Parties Interested in Subdivision Regulations

Subject: Amendments to the Subdivision Regulations

Recently the Subdivision Regulations of the Metropolitan Area Planning Commission were reviewed and amended. Since the time of that review a new County Sanitation Code has been adopted and the National Flood Insurance Program has been initiated within the County. The adoption of the Sanitation Code and the initiation of the Flood Insurance Program has made it necessary to amend the text of the Subdivision Regulations to conform to the requirements of the new code and program. Attached are two proposed amendments which have been prepared by the Planning Department staff for your information and review.

The Subdivision Committee of the Metropolitan Area Planning Commission will consider these amendments on June 19, 1975 and the Planning Commission will consider them on June 26, 1975. All comments and questions concerning the same should be directed to Curtis Newby of our staff.

Sincerely,

Robert A. Lakin
Secretary

RAL:rme
Attachment

DR-75-16 - Amendment to Subdivision
Regulations Re: Floodproofing
Improvements (National Flood Insurance
Program requirements)

Recommended addition of a new Section 8-103L as follows on
page 48 of the adopted Subdivision Regulations:

- (L) Improvements Subject to Flooding. It is required that in those areas subject to flooding including but not limited to areas identified by the Federal Flood Insurance Administrator as having special flood hazards, new or replacement water supply and/or sanitary sewer systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters. It is also required that on site waste disposal systems shall be located so as to avoid their impairment or contamination during flooding.

DR-75-17 - Amendment to Subdivision
Regulations Re: Area Requirements
for Septic tank-Tile Field Systems
(County Health Code requirements)

Recommended amendment to Section 8-103(C)(4)(a) and (b) on
page 46 of the adopted Subdivision Regulations.

- a) There is at least ~~25,000~~ 40,000 square feet of lot area per dwelling unit if the property is served by a private domestic water supply source, or at least 20,000 square feet per dwelling unit if the property is served by a public water supply, or such other area as may be required by zoning regulation, and;
- b) There is a percolation test made for each lot or such number of lots as may be specified by the Wichita-Sedgwick County Department of Community Health. The lots shall be satisfactory if there is a percolation rate of 90 60 minutes or less (with the percolation test being accomplished by the subdivider under the supervision of and the percolation rate determination being made by the Wichita-Sedgwick County Department of Community Health). Soils information available at the Office of the Sedgwick County Soil Conservation District, shall be consulted where conditions indicate that more detailed soils information is needed, and;

WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

262-0611 — AREA CODE 316
CITY BUILDING ANNEX
104 S. MAIN ST.
WICHITA, KANSAS 67202

June 13, 1975

**To: All Parties Interested in Zoning Resolution
(Sedgwick County)**

**Subject: Amendments to Zoning Resolution
Re: DR-75-19 - Minimum Lot Area Requirements.**

The Board of County Commissioners recently adopted a County Sanitation Code that sets forth minimum lot area requirements for properties having a private water supply and an individual sewage disposal system. The adoption of the sanitation code has made it necessary to amend the text of the Sedgwick County Zoning Resolution to conform to the requirements of the Sanitation Code.

These amendments have been advertised to be heard by the Wichita-Sedgwick County Metropolitan Area Planning Commission at their meeting on June 26, 1975. This meeting will be held at 1:30 p.m. in the Planning Commission Room, 4th Floor, City Building Annex, 104 South Main. Any persons interested in said matter will be heard at this meeting.


Glen E. Lytle
Special Assistant for Zoning

GEL:rne

June 9, 1975

Possible Amendments to the
Sedgwick County Zoning Resolution Scheduled for
Public Hearing before the MAPC - Thursday, June 26, 1975

Recommended amendment to Section 4-(A) (2) of the "R-1" Suburban Residential District.

A. USES PERMITTED

2. One-family dwellings, ~~except as allowed in the area requirements.~~

Recommended amendment to Section 4-(D) (1) of the "R-1" Suburban Residential District.

D. AREA REQUIREMENTS:

1. Lot Area: The minimum lot width shall be one hundred (100) feet. The minimum area shall be ~~fifteen~~ twenty thousand ~~{15,000}~~ 20,000 square feet for a one-family dwelling if the property is served by a public water supply and a minimum of forty thousand (40,000) square feet if the property includes a private domestic water supply source. For all uses other than one-family dwellings, the lot area shall be ~~or thirty thousand {30,000}~~ square feet for a two-family dwelling,--larger areas,-- as determined by the Wichita-Sedgwick County Department of Public Community Health as may be required for the installation of individual sewage disposal systems.

~~Percolation tests, as needed, shall be made under the supervision of the Wichita-Sedgwick County Department of Public Health and shall be started within two (2) weeks after receipt of a written request; provided,-- the applicant is able to provide the necessary information and labor; provided further, that weather and soil conditions are conducive to percolation tests. --The percolation tests shall proceed on a continuous workday basis to a logical conclusion for each request. --If the Wichita-Sedgwick County Department of Public Health cannot supervise the percolation test under the conditions noted above, the applicant may have a qualified individual to conduct the tests according to specifications of the Wichita-Sedgwick County Department of Public Health, to which the results shall be submitted for area determination.~~

Where a lot has less width or less area than required in this subsection, and was recorded under one ownership or was recorded in a subdivision at the time of the adoption of this Resolution, such lot may be occupied by a one-family dwelling.

Recommended amendment to Section 5(A)(10) of the "AA" One-Family Dwelling District.

Add the following to the list of permitted conditional uses.

- J. Two-family dwellings provided that the lot area shall not be less than 10,000 square feet and off-street parking requirements shall not be less than two spaces per dwelling unit, of which one space for each dwelling unit may be located in the front yard setback.

Recommended amendment to Section 5(D)(1.) of the "AA" One-Family Dwelling District.

D. AREA REQUIREMENTS:

1. Lot Area: For a one-family dwelling, the lot shall have a minimum lot width of 60 feet at the front building setback line; a minimum width of 40 feet at the front lot line; and a minimum area of ~~seventy-five-hundred (7,500)~~ sixty-five hundred (6,500) square feet. Provided, that where a lot has less area than required in this subsection, and was recorded in a subdivision at the time of the adoption of this Resolution, such lot may be occupied by any use permitted in this section.

Recommended amendment to Section 6(D)(1.) of the "BB" Office District.

D. AREA REQUIREMENTS:

1. Lot Area: The minimum lot width shall be 100 feet; minimum lot area shall be ~~15,000~~ 20,000 square feet. Larger areas may be required as determined by the Wichita-Sedgwick County Department of ~~Public~~ Community Health for the installation of individual sewage disposal systems. The maximum building coverage of land area shall not exceed one-fourth (1/4) of the total land area.

Recommended amendment to Section 7(A) of the "LC" Light Commercial District.

A. USES PERMITTED.

amend paragraph 1. to read as follows:

1. Any use permitted in the "AA" One-Family Dwelling District. This shall be deemed to include all conditional uses with the exception of multiple-family dwellings which shall be permitted only as a conditional use in this district.

1. ~~Any uses permitted in "AA", including conditional uses.~~

Delete the following from the list of permitted uses.

~~42--Multiple-family-dwelling-units.~~

Recommended amendment to Section 7(D)(1.) of the "LC" Light Commercial District.

D. AREA REQUIREMENTS:

1. Lot Area: For any property having available and utilizing a public water supply and a municipal or community sewage disposal system shall have a minimum lot width of 75 feet and a minimum lot area of 10,000 square feet.

For any property not having both of the above type of facilities, the lot area shall comply with the area requirements of the "R-1" Suburban Residential District as set forth in Section 4-D-1.

1. ~~Lot Area:--Buildings used exclusively for one or two family dwelling purposes or in conjunction with commercial uses, shall comply with the area requirements of the "R-1" District.--Buildings used exclusively for more than two family dwelling purposes, or in conjunction with commercial uses shall comply with the area requirements of two family dwellings in the "R-1" District, plus an additional 5,000 square feet of lot area for each dwelling unit over two.--Larger areas as determined by the Wichita Sedgwick County Department of Public Health, may be required for the installation of individual sewage disposal systems.~~

~~Buildings-used-for-any-purposes-permissible in this classification, except as noted above shall have a lot area of sufficient size to accommodate the building itself, the required yard areas, and any applicable requirements of the Wichita-Sedgwick County Department of Public Health.~~

Recommended amendment to Section 8(C)(1.) of the "C" General Commercial District.

C. AREA REQUIREMENTS:

1. Lot Area: For any property having available and utilizing a public water supply and a municipal or community sewage disposal system shall have a minimum lot width of 100 feet and a minimum lot area of 20,000 square feet.

For any property not having both of the above type of facilities, the lot area shall comply with the area requirements of the "R-1" Suburban Residential District as set forth in Section 4-D-1.

~~i. Lot Area: Buildings used exclusively for one or two family dwelling purposes, or in conjunction with commercial uses, shall comply with the same requirements of the "R-1" District. Buildings used exclusively for more than two family dwelling purposes, or in conjunction with commercial uses, shall comply with the area requirements of the two family dwellings in the "R-1" District, plus an additional 5,000 square feet of lot area for each dwelling unit over two. Larger areas as determined by the Wichita-Sedgwick County Department of Public Health may be required for the installation of individual sewage disposal systems.~~

~~Buildings-used-for-any-purposes-permissible in this classification, except as noted above, shall have a lot area of sufficient size to accommodate the building itself, the required yard areas, and any applicable requirements of the Wichita-Sedgwick County Department of Public Health.~~

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

June 19, 1975

TO Wichita-Sedgwick County Metropolitan
Area Planning Commission

FROM Glen E. Lytle, Special Assistant for Zoning

SUBJECT DR 75-19 - Amendment to County Zoning Resolu-
tion Re: Minimum lot area requirements

Attached hereto is a delineated copy of suggested amendments to the Sedgwick County Zoning Resolution that have been advertised for public hearing at your meeting of June 26, 1975.

BACKGROUND

A Sanitation Code was adopted by the Board of County Commissioners and became effective on June 1, 1975. The adoption of this code makes it necessary to amend the Sedgwick County Zoning Resolution to conform to the same requirements.

SUMMARY

The sanitation code relates primarily to properties not served by municipal type water and sewerage facilities. It requires that a property having a private domestic water supply have a minimum lot area of 40,000 square feet. For a property being served by a public water system, the lot area shall be 20,000 square feet. Since many areas in the County have been platted or subdivided into lots or tracts smaller than required by existing regulations, a grandfather clause remains in the Zoning Resolution which will permit the development of such parcels of land.

High density residential is not compatible with the use of private water supplies or private sewage disposal systems. In order to regulate this type of development in areas not served by public facilities, three amendments are included as follows:

- (1) Delete two-family dwellings from the "R-1" District;
- (2) Provide for the development of two-family dwellings in the "AA" district as a conditional use; and
- (3) delete multiple family dwellings as an outright permitted use in the "LC" district, and permit them only as a conditional use.

There is a trend in urban development to reduce the amount of land for single-family residences. We have therefore recommended a reduction in the lot size requirements in the "AA" single-family dwelling district from 7,500 to 6,500 square feet, which is the

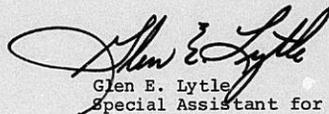
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June 19, 1975

lot area requirement for the "R-4" district in the proposed new zoning ordinance for Wichita. As a conditional use in the "AA" district, two-family dwellings would require 10,000 square feet as is now the policy for such development within the City of Wichita.

As you will note, reference is made in the recommended changes to development occurring in the commercial and industrial districts not having and utilizing a public water supply and sewage disposal system. When this occurs, the lot area must comply with the area requirements of the "R-1" district. This is necessitated by the fact that numerous areas of commercial and industrial zoned land are not located where they can be served by public water or sewer facilities. In these cases, the lot area should be of sufficient size to accommodate a well, when necessary, and also adequate area for a sewage disposal system not covered by parking and other covered areas, in compliance with the requirements of the sanitation code.

RECOMMENDATION

Make whatever changes the MAPC deems in the public interest, and forward to the Board of County Commissioners with a recommendation for adoption.



Glen E. Lytle
Special Assistant for Zoning

GEL:ber

Attachment

cc: Jack Turner, Sedgwick County Counselor
James Aiken, Director of Environmental Health
Grover McLure, Sedgwick County Director of Public Works
Syd Werbin, County Zoning Administrator

R E S O L U T I O N

A RESOLUTION AMENDING THE ZONING RESOLUTION OF SEDGWICK COUNTY, KANSAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS AND EFFECTIVE AFTER MARCH 3, 1958, WITH AMENDMENTS TO APRIL 2, 1975, 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, BY: BY AMENDING SECTIONS 4, 5, 6, 7 AND 8 OF THE SEDGWICK COUNTY, KANSAS ZONING RESOLUTION: ALL IN ACCORDANCE WITH 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 June 26, 1975, 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 sections of the Sedgwick County Zoning Resolution are hereby amended to read as follows:

Section 4-(A)(2) of the "R-1" Suburban Residential District shall be amended to read as follows:

2. One-family dwellings.

Section 4-(D)(1) of the "R-1" Suburban Residential District shall be amended to read as follows:

1. Lot Area: The minimum lot width shall be one hundred (100) feet. The minimum area shall be twenty thousand (20,000) square feet for a one-family dwelling if the property is served by a public water supply and a minimum of forty thousand (40,000) square feet if the property includes a private domestic water supply source. For all uses other than one-family dwellings, the lot area shall be determined by the Wichita-Sedgwick County Department of Community Health as may be required for the installation of individual sewage disposal systems.

Where a lot has less width or less area than required in this subsection, and was recorded under one ownership or was recorded in a subdivision at the time of the adoption of this resolution, such lot may be occupied by a one-family dwelling.

Section 5-(A)(10) of the "AA" One-family Dwelling District shall be amended by adding the following:

- J. Two family dwellings provided that the lot area shall not be less than 10,000 square feet and off-street parking requirements shall not be less than two spaces per dwelling unit, of which one space for each dwelling unit may be located in front yard setback.

Section 5-(D)(1) of the "AA" One Family Dwelling District shall be amended to read as follows:

1. Lot Area: For a one-family dwelling, the lot shall have a minimum lot width of 60 feet at the front building setback line; a minimum width of 40 feet at the front lot line; and a minimum area of sixty-five hundred (6,500) square feet. Provided, that where a lot has less area than required in this subsection, and was recorded in a subdivision at the time of the adoption of this resolution, such lot may be occupied by any use permitted in this section.

Section 6-(D)(1) of the "BB" Office District shall be amended to read as follows:

1. Lot Area: The minimum lot width shall be 100 feet; minimum lot area shall be 20,000 square feet. Larger areas may be required as determined by the Wichita-Sedgwick County Department of Community Health for the installation of individual sewage disposal systems. The maximum building coverage of land area shall not exceed one-fourth (1/4) of the total land area.

Section 7-(A)(1) of the "LC" Light Commercial District shall be amended to read as follows:

1. Any use permitted in the "AA" One-Family Dwelling District. This shall be deemed to include all conditional uses with the exception of multiple-family dwellings which shall be permitted only as a conditional use in this district.

Section 7-(A) of the "LC" Light Commercial District shall be amended by deleting item number 42 from the list of permitted uses.

Section 7-(D)(1) of the "LC" Light Commercial District shall be amended to read as follows:

1. Lot Area: For any property having available and utilizing a public water supply and a municipal or community sewage disposal system shall have a minimum lot width of 75 feet and a minimum lot area of 10,000 square feet.

For any property not having both of the above type of facilities, the lot area shall comply with the area requirements of the "R-1" Suburban Residential District as set forth in Section 4-D-1.

Section 8-(C)(1) of the "C" General Commercial District shall be amended to read as follows:

1. Lot Area: For any property having available and utilizing a public water supply and a municipal or community sewage disposal system shall have a minimum lot width of 100 feet and a minimum lot area of 20,000 square feet.

For any property not having both of the above type of facilities, the lot area shall comply with the area requirements of the "R-1" Suburban Residential District as set forth in Section 4-D-1.

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

PASSED AND ADOPTED this _____ day of _____, 1975.

Earl E. Rush, Chairman

Tom Scott, Commissioner

John Hale, Commissioner

ATTEST:

George Pierce, County Clerk

(SEAL)

Approved as to form by

Jack Turner, County Counselor

July 8, 1975

Board of County Commissioners

Robert A. Lakin, Director of Planning

DR 75-19 - Amendment to County Zoning Resolution
Re: Minimum Lot Area Requirements

Attached hereto is a resolution amending the Sedgwick County Zoning Resolution that was advertised and considered by the Wichita-Sedgwick County Metropolitan Area Planning Commission at a public hearing on Thursday, June 26, 1975. I have also attached a delineated copy of the amendments showing the deletions and additions to the zoning resolution.

SUMMARY

The attached resolution revises the Sedgwick County Zoning Resolution by revising the minimum lot area requirements to conform to the recently adopted sanitation code. The sanitation code sets forth the minimum land area necessary for the installation of a private water supply and sewage disposal system. When such are available, and utilized, the requirements are then reduced to an area deemed appropriate for the use or zoning district.

The lot area for a single-family dwelling in the "R-1" Suburban Residential District would be 40,000 square feet, however, if the property is served by a public water supply, the requirement is reduced to 20,000 square feet.

In the "AA" Single-family dwelling district, where it is required to be served by a public water supply and community type sewerage system, the lot area has been reduced from 7,500 to 6,500 square feet for a single-family dwelling. Two-family dwellings would require a 10,000 square foot lot area. This is consistent with the reduction of land usage for urban development.

In the "BB" Office District, the minimum lot area has been raised from 15,000 to 20,000 square feet, and larger areas would be required if an individual sewage disposal system is used.

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July 8, 1975

Lot area requirements in the "IC" Light Commercial District would be 10,000 square feet. In the "C" General Commercial District (also includes the "E" Light Industrial and "F" Heavy Industrial by reference), the minimum lot area would be 20,000 square feet. Whenever such areas are not served by public water and sewerage disposal facilities, the lot area requirements would then be determined by the Department of Community Health, based on the area necessary for the installation of private water and sewage facilities. This would be the minimum required in the "R-1" District.

RECOMMENDATION

It is recommended by the Wichita-Sedgwick County Metropolitan Area Planning Commission that this resolution be adopted.

Robert A. Lakin
Director of Planning

RAL:GEL:ber

Attachment

cc: Jack Turner, County Counselor
Grover McLure, Sedgwick County Director of Public Works
James Aiken, Director of Environmental Health
Syd Werbin, Sedgwick County Zoning Administrator

June 19, 1975

Wichita-Sedgwick County Metropolitan
Area Planning Commission

Glen E. Lytle, Special Assistant for Zoning

DR 75-19 - Amendment to County Zoning Resolution
Re: Minimum lot area requirements

Attached hereto is a delineated copy of suggested amendments to the Sedgwick County Zoning Resolution that have been advertised for public hearing at your meeting of June 26, 1975.

BACKGROUND

A Sanitation Code was adopted by the Board of County Commissioners and became effective on June 1, 1975. The adoption of this code makes it necessary to amend the Sedgwick County Zoning Resolution to conform to the same requirements.

SUMMARY

The sanitation code relates primarily to properties not served by municipal type water and sewerage facilities. It requires that a property having a private domestic water supply have a minimum lot area of 40,000 square feet. For a property being served by a public water system, the lot area shall be 20,000 square feet. Since many areas in the County have been platted or subdivided into lots or tracts smaller than required by existing regulations, a grandfather clause remains in the Zoning Resolution which will permit the development of such parcels of land.

High density residential is not compatible with the use of private water supplies or private sewage disposal systems. In order to regulate this type of development in areas not served by public facilities, three amendments are included as follows:

- (1) Delete two-family dwellings from the "R-1" District;
- (2) Provide for the development of two-family dwellings in the "AA" district as a conditional use; and
- (3) delete multiple family dwellings as an outright permitted use in the "LC" district, and permit them only as a conditional use.

There is a trend in urban development to reduce the amount of land for single-family residences. We have therefore recommended a reduction in the lot size requirements in the "AA" single-family dwelling district from 7,500 to 6,500 square feet, which is the

Page 2 - Metropolitan Area Planning Commission
June 19, 1975

lot area requirement for the "R-4" district in the proposed new zoning ordinance for Wichita. As a conditional use in the "AA" district, two-family dwellings would require 10,000 square feet as is now the policy for such development within the City of Wichita.

As you will note, reference is made in the recommended changes to development occurring in the commercial and industrial districts not having and utilizing a public water supply and sewage disposal system. When this occurs, the lot area must comply with the area requirements of the "R-1" district. This is necessitated by the fact that numerous areas of commercial and industrial zoned land are not located where they can be served by public water or sewer facilities. In these cases, the lot area should be of sufficient size to accommodate a well, when necessary, and also adequate area for a sewage disposal system not covered by parking and other covered areas, in compliance with the requirements of the sanitation code.

RECOMMENDATION

Make whatever changes the MAPC deems in the public interest, and forward to the Board of County Commissioners with a recommendation for adoption.

Glen E. Lytle
Special Assistant for Zoning

GEL:ber

Attachment

cc: Jack Turner, Sedgwick County Counselor
James Aiken, Director of Environmental Health
Grover McLure, Sedgwick County Director of Public Works
Syd Wexbin, County Zoning Administrator

WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

262-0611 — AREA CODE 316
CITY BUILDING ANNEX
104 S. MAIN ST.
WICHITA, KANSAS 67202

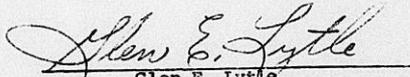
June 13, 1975

To: All Parties Interested in Zoning Resolution
(Sedgwick County)

Subject: Amendments to Zoning Resolution
Re: DR-75-19 - Minimum Lot Area Requirements.

The Board of County Commissioners recently adopted a County Sanitation Code that sets forth minimum lot area requirements for properties having a private water supply and an individual sewage disposal system. The adoption of the sanitation code has made it necessary to amend the text of the Sedgwick County Zoning Resolution to conform to the requirements of the Sanitation Code.

These amendments have been advertised to be heard by the Wichita-Sedgwick County Metropolitan Area Planning Commission at their meeting on June 26, 1975. This meeting will be held at 1:30 p.m. in the Planning Commission Room, 4th Floor, City Building Annex, 104 South Main. Any persons interested in said matter will be heard at this meeting.


Glen E. Lytle
Special Assistant for Zoning

GEL:rme

(Published in The Wichita Beacon on June 9, 1975)

OFFICIAL NOTICE

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

NOTICE IS HEREBY GIVEN that on June 26, 1975, 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 Sections 4, 5, 6, 7 and 8 ("R-1" Suburban Residential, "AA" One family, "BB" Office, "LC" Light Commercial and the "C" General Commercial Districts) be amended to establish minimum lot areas in conformance with the recently adopted County Sanitation Code.

That Section 4 ("R-1" Suburban Residential District) be amended to limit the residential uses permitted in the district to one-family dwellings.

That Section 5 ("AA" One Family Dwelling District) be amended to permit two-family dwellings as a conditional use.

That Section 7 ("LC" Light Commercial District) be amended to permit multiple family dwellings only as a conditional use.

Copies of the proposed amendment are available upon request from the Wichita-Sedgwick County Metropolitan Area Planning Department, 104 South Main, Wichita, Kansas.

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 6th day of June, 1975.

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

(SEAL)

Two Amend, letter and advert. - copies mailed to:

Mr. Jack Turner,
Sedgwick County Counselor
320 Sedgwick County Courthouse
Wichita, Kansas 67203

Mr. Syd Werbin
Division of Building, Planning
and Related Inspection Serv.
1015 Stillwell
Wichita, Kansas 67213

Clyde Orth, Chairman
Andale City Planning Commission
P. O. Box 77
Andale, Kansas 67001

J. Wesley Melson, Chairman
Bentley Planning Commission
Post Office
Bentley, Kansas 67016

Jack Hutchinson, Chairman
Cheney Planning Commission
P. O. Box 220
Cheney, Kansas 67025

Gordon Mikesell, Chairman
Clearwater Planning Commission
Clearwater, Kansas 67026

Bob Maus, Chairman
Colwich Planning Commission
Colwich, Kansas 67030

Art Woodman, Chairman
Derby City Planning Commission
~~Century Plaza Building~~
Wichita, Kansas 67202

Joe Dooley, Chairman
Garden Plain Planning Commission
Garden Plain, Kansas 67050

Bill Stovall, Chairman
Goddard Planning Commission
1250 Reese Road
Goddard, Kansas 67052

Ronald Ford, Chairman
Haysville Planning Commission
416 Clinton
Haysville, Kansas 67060

Don Porter, Chairman
Mount Hope Planning Commission
Mount Hope, Kansas 67108

G. A. Wessels, Chairman
Mulvane Planning Commission
RFD #1
Mulvane, Kansas 67110

R. L. Wright, Chairman
Sedgwick Planning Commission
507 Madison
Sedgwick, Kansas 67135

Listin Onstatt
Valley Center Planning Commission
500 Colby
Valley Center, Kansas 67147

Timothy J. Hurley,
Executive Vice President
Wichita Assn. of Homebuilders
730 North Main
Wichita, Kansas 67203

Larry L. Henry
District Conservationist
Soil Conservation Service
4100 Maple
Wichita, Kansas 67213

J. Craig Mann, Chairman
Zoning-Subdivision Committee
Wichita Assoc. of Homebuilders
Design Concepts
151 North Broadway
Wichita, Kansas 67202

Baughman Company
330 Laura
Wichita, Kansas 67211

John Callahan
811 Union Center Building
Wichita, Kansas 67202

Campbell and Castle Engineers
P. O. Box 1835
Wichita, Kansas 67201

R. S. Delamater
Consulting Engineer
Century Plaza Building
Wichita, Kansas 67202

Don C. Moehring, Engineer
314 Brown Building
Wichita, Kansas 67202

Oblinger and Smith Corp.
625 First National Bank Building
Wichita, Kansas 67202

Professional Engineering Consultants
1440 East English
Wichita, Kansas 67214

Reiss and Goodness Engineers
2160 East Douglas
Wichita, Kansas 67214

Kenneth O. Taylor
1542 South St. Francis
Wichita, Kansas 67211

Wes Galyon
Wichita Board of Realtors
N. Broadway

WICHITA—SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

262-0611 — AREA CODE 316
CITY BUILDING ANNEX
104 S. MAIN ST.
WICHITA, KANSAS 67202

June 13, 1975

To: All Parties Interested in Zoning Resolution
(Sedgwick County)

Subject: Amendments to Zoning Resolution
Re: DR-75-19 - Minimum Lot Area Requirements.

The Board of County Commissioners recently adopted a County Sanitation Code that sets forth minimum lot area requirements for properties having a private water supply and an individual sewage disposal system. The adoption of the sanitation code has made it necessary to amend the text of the Sedgwick County Zoning Resolution to conform to the requirements of the Sanitation Code.

These amendments have been advertised to be heard by the Wichita-Sedgwick County Metropolitan Area Planning Commission at their meeting on June 26, 1975. This meeting will be held at 1:30 p.m. in the Planning Commission Room, 4th Floor, City Building Annex, 104 South Main. Any persons interested in said matter will be heard at this meeting.


Glen E. Lytle
Special Assistant for Zoning

GEL:rme

DRAFT

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Comments

Possible Amendments to the
Sedgwick County Zoning Resolution Scheduled for
Public Hearing before the MAPC - Thursday, June 26, 1975

Recommended amendment to Section 4-(A) (2) of the "R-1" Suburban Residential District.

A. USES PERMITTED

2. One-family dwellings, ~~except as allowed in the area requirements.~~

D. AREA REQUIREMENTS:

1. Lot Area: The minimum lot width shall be one hundred (100) feet. The minimum area shall be ~~fifteen~~ twenty thousand ~~{15,000}~~ 20,000 square feet for a one-family dwelling if the property is served by a public water supply and a minimum of forty thousand ~~(40,000)~~ square feet if the property includes a private domestic water supply source. For all uses other than one-family dwellings, the lot area shall be ~~or thirty thousand {30,000}~~ square feet for a two-family dwelling, -- larger areas, as determined by the Wichita-Sedgwick County Department of Public Community Health as may be required for the installation of individual sewage disposal systems.

~~Percolation tests, as needed, shall be made under the supervision of the Wichita-Sedgwick County Department of Public Health and shall be started within two {2} weeks after receipt of a written request, provided:--the applicant is able to provide the necessary information and labor, provided further, that weather and soil conditions are conducive to percolation tests.--The percolation tests shall proceed on a continuous workday basis to a logical conclusion for each request.--If the Wichita-Sedgwick County Department of Public Health cannot supervise the percolation test under the conditions noted above, the applicant may have a qualified individual to conduct the tests according to specifications of the Wichita-Sedgwick County Department of Public Health, to which the results shall be submitted for area determination.~~

Where a lot has less width or less area than required in this subsection, and was recorded under one ownership or was recorded in a subdivision at the time of the adoption of this Resolution, such lot may be occupied by a one-family dwelling.

Recommended amendment to Section 5(A)(10) of the "AA" One-Family Dwelling District.

Add the following to the list of permitted conditional uses.

- J. Two-family dwellings provided that the lot area shall not be less than 10,000 square feet and off-street parking requirements shall not be less than two spaces per dwelling unit, of which one space for each dwelling unit may be located in front yard setback.

Recommended amendment to Section 5(D)(1.) of the "AA" One-Family Dwelling District.

D. AREA REQUIREMENTS:

1. Lot Area: For a one-family dwelling, the lot shall have a minimum lot width of 60 feet at the front building setback line; a minimum width of 40 feet at the front lot line; and a minimum area of ~~seventy-five-hundred-(7,500)~~ sixty-five hundred (6,500) square feet. Provided, that where a lot has less area than required in this subsection, and was recorded in a subdivision at the time of the adoption of this Resolution, such lot may be occupied by any use permitted in this section.

Recommended amendment to Section 6(D)(1.) of the "BB" Office District.

D. AREA REQUIREMENTS:

1. Lot Area: The minimum lot width shall be 100 feet; minimum lot area shall be ~~15,000~~ 20,000 square feet. Larger areas may be required as determined by the Wichita-Sedgwick County Department of Public Community Health for the installation of individual sewage disposal systems. The maximum building coverage of land area shall not exceed one-fourth (1/4) of the total land area.

Recommended amendment to Section 7(A) of the "LC" Light Commercial District.

A. USES PERMITTED.

amend paragraph 1. to read as follows:

1. Any use permitted in the "AA" One-Family Dwelling District. This shall be deemed to include all conditional uses with the exception of multiple-family dwellings which shall be permitted only as a conditional use in this district.
1. ~~Any uses permitted in "AA", including conditional uses.~~

Delete the following from the list of permitted uses.

~~42. Multiple-family dwelling units.~~

Recommended amendment to Section 7(D)(1.) of the "LC" Light Commercial District.

D. AREA REQUIREMENTS:

1. Lot Area: For any property having available, ^{public} public water supply and a municipal or community sewage disposal system shall have a minimum lot width of 75 feet and a minimum lot area of 10,000 square feet.

public

For any property not having both of the above type of facilities, the lot area shall comply with the area requirements of the "R-1" Suburban Residential District as set forth in Section 4-D-1.

1. ~~Lot Area:--Buildings used exclusively for one or two family dwelling purposes or in conjunction with commercial uses, shall comply with the area requirements of the "R-1" District. --Buildings used exclusively for more than two family dwelling purposes, or in conjunction with commercial uses shall comply with the area requirements of two family dwellings in the "R-1" District, plus an additional 5,000 square feet of lot area for each dwelling unit over two. --Larger areas as determined by the Wichita Sedgwick County Department of Public Health, may be required for the installation of individual sewage disposal systems.~~

~~Buildings used for any purposes permissible in this classification, except as noted above shall have a lot area of sufficient size to accommodate the building itself, the required yard areas, and any applicable requirements of the Wichita-Sedgwick County Department of Public Health.~~

Recommended amendment to Section 8(C)(1.) of the "C" General Commercial District.

C. AREA REQUIREMENTS:

1. Lot Area: For any property having available ^{and utilizing} public water supply and a municipal or community sewage disposal system shall have a minimum lot width of 100 feet and a minimum lot area of 20,000 square feet.

for any property not having both of the above type of facilities, the lot area shall comply with the area requirements of the "R-1" Suburban Residential District as set forth in Section 4-D-1.

~~1. Lot Area: Buildings used exclusively for one or two family dwelling purposes, or in conjunction with commercial uses, shall comply with the same requirements of the "R-1" District. Buildings used exclusively for more than two family dwelling purposes, or in conjunction with commercial uses, shall comply with the area requirements of the two family dwellings in the "R-1" District, plus an additional 5,000 square feet of lot area for each dwelling unit over two. Larger areas as determined by the Wichita-Sedgwick County Department of Public Health may be required for the installation of individual sewage disposal systems.~~

~~Buildings used for any purposes permissible in this classification, except as noted above, shall have a lot area of sufficient size to accommodate the building itself, the required yard areas, and any applicable requirements of the Wichita-Sedgwick County Department of Public Health.~~

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

May 19, 1975

TO Glen Lytle, Special Assistant for Zoning

FROM Jack H. Galbraith, Chief Planner

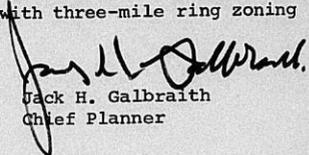
SUBJECT Amendment to County Zoning Regulations Re: Area of Requirements for Residential Uses

Bob Young and Curtis Newby are in the process of setting up two DR files for amending the subdivision regulations regarding flood insurance and area requirements for residential uses utilizing septic tanks. The new Sanitation Code of the County becomes effective June 1 and single family homes using septic tanks will have to have a minimum area of 40,000 square feet where the ordinance now requires 15,000 square feet.

I wish you would work with Bob Young on the third DR file which is for the purpose of amending the County Zoning Regulations to see that they conform with the new Sanitation Code. Particularly I see a necessity of amending Section 4 - "R-1" to require a minimum lot area of 40,000 square feet for one-family dwellings. An area that needs your attention is in that same section where duplexes are required to have 30,000 square feet and I suppose Aiken will want this area substantially increased. Another area that needs attention is Section 7 where multiple family dwellings are permitted in the light commercial district. The area requirements are 30,000 square feet for a two-family dwelling, however, 5,000 additional square feet is required for each dwelling unit over two. Check other sections of the text to see if there are other needed amendments. After you get a draft you may want to set a meeting with Aiken to see if he concurs in the area requirements for duplex and multiple family dwellings.

Please have these advertised for public hearing for the June 26 Planning Commission meeting. In addition to the normal notification list I would recommend that notices be sent to the Chairman and Secretary of member cities of MAPC with three-mile ring zoning outside their city limits.

JHG:js


Jack H. Galbraith
Chief Planner

cc: Bob Young, Principal Planner
Curtis Newby, Junior Planner