

ACTION

DATE

COMMITTEE

7/6/78

Approved

M.A.P.C.

8-2-78

Approved

B.C.C./B. CO. C.

closed

DR 78-21 - Possible Amendment to County Zoning Resolution, Re: Allow parking within the front yard setbacks in the "R", "R-1" and "AA" districts, and modify surfacing standards.

0-11-16

*Lytle
Edie
Riley*

LEGAL PUBLICATION

Published in the Wichita Beacon on August 10, 1978.

RESOLUTION

A RESOLUTION AMENDING THE ZONING RESOLUTION OF SEDGWICK COUNTY, KANSAS, ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS AND EFFECTIVE AFTER MARCH 3, 1978, WITH AMENDMENTS TO DECEMBER 28, 1977, 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, 1978, IN SEDGWICK COUNTY, KANSAS, BY AMENDING SECTION 11 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 1. That upon the recommendation of Planning Commission on July 6, 1978, 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, 1978, and subsequently amended, SECTION 11, "SUPPLEMENTAL REGULATIONS", Subsection B, "AUTOMOBILE PARKING AND LOADING"; Paragraphs 1 (Parking Spaces) and 3 (Improvements) shall be amended to read as follows:

1. Parking Spaces.
Off-street parking spaces as required in this section shall be provided for all new buildings and structures and for additions to existing buildings or structures. The word "addition" as used above shall include any alteration intended to enlarge or increase capacity by adding to or creating existing units, guest rooms, floor area, or seats. Required parking space shall not include existing parking space and such space shall be maintained and shall not be encroached upon so long as main building or structures remain, unless an equivalent number of such spaces are provided elsewhere in conformance with this Resolution. The parking spaces required for dwellings shall be located on the same site as the main building. The parking space required for other uses shall be located on the same site or within 60 feet of such use, the distance to be measured along lines of easement access. Parking spaces, when open, may be included as a part of the required open space for a side or rear yard. For the purpose of this section, parking shall be on any required front yard in the "R-1", "R-2", or "AA" Residential zoning districts, except for the following:

- a) Ingress and egress drives providing access to required off-street parking and loading spaces;
- b) Parking permitted as a Transitional Use, provided however, such parking area shall not occupy more than 50 percent of any required front yard setback;
- c) Parking on ingress and egress driveways for one and two family dwellings when the parking is additional accessory off-street parking;
- d) Additional accessory off-street parking for one and two family dwellings shall be permitted within the required front yard setback when the yard is adjacent to a street having on-street parking limitations, provided however, the total surface area within the required yard shall not exceed 750 square feet or 50 percent of the required yard, whichever is less;
- e) Additional accessory off-street parking for one family dwellings on a surf-sand area adjacent to an ingress driveway when there is not a side yard of at least twelve feet in width and unobstructed by buildings or mature landscaping which would prevent access to the side or rear yard. The surface area within the required yard shall not exceed 750 square feet or 50 percent of the required yard, whichever is less;
- f) Parking on an existing surfaced driveway when a portion of an existing single-family dwelling is converted to dwelling purposes by utilizing the required off-street parking space;
- g) One half of the required parking spaces for one and two family dwellings may be permitted within 50 percent of the required yards in residential subdivisions wherein street widths have been determined to be reduced and roadways within are 40 feet or less, with a direct stipulation that additional off-street parking be provided;
- h) Common off-street parking areas for townhouses and patio homes when subdivision regulations require additional off-street parking spaces due to permitted reduced street and roadway widths.

3. Improvements

a) Every parcel of land hereafter used as a public parking area, or loading space shall be improved to the following minimum standard:

- (1) Parking areas, and driveways for one, two, three or four-family dwellings shall be surfaced with an all weather surface consisting of concrete, asphaltic concrete, asphalt, brick, gravel not less than 1 1/2 inch in diameter, or other comparable material treated to prevent dust. Any material used for surfacing that is not monolithic must be appropriately contained by curbs or concrete, brick, metal, wood or similar material. (Exception: Surfacing improvements may be of the same material as the public streets, provided however, when public streets are improved, the parking areas and driveways shall be improved within 90 days as herein before required.)
- (2) All off-street parking lots and loading areas and all driveways on private property providing ingress, except as provided in (1) above, shall be surfaced with concrete, asphaltic concrete, asphalt or other comparable surfacing, and shall be maintained in good condition and free of all weeds, dust, trash and other debris.
- b) Where any parking area or loading spaces as required in "L-1", "C-1", "E-1" or "M-1" districts or for automobile or trailer sales areas, adjacent lots in "R-1", "R-2", "AA" or "BB" districts such lot shall be protected the full length of the parking area or loading spaces (but not closer than 15 feet to any street lot line), by a permanent screen of solid wall, compact evergreen screen, or uniformly painted board fence, or woven wire fence, having a height of not less than 4 feet nor more than 6 feet, such parking area or loading space.
- c) Any lights used to illuminate such areas shall be so arranged as to reflect the light away from adjoining premises in an "R-1", "R-2", "AA" or "BB" district.

SECTION 11. This resolution shall take effect and be enforced from and after its adoption and publication in the official County paper. PASSED AND ADOPTED this 2nd day of August, 1978.

EVERETT PATRICK, CHAIRMAN
JOHN HALE, COMMISSIONER
TOM SCOTT, COMMISSIONER

ATTEST:
Dorothy K. White, County Clerk, by Judy Smith,
Deputy County Clerk.

(SEAL)
APPROVED AS TO FORM BY:
James W. Patterson, Assistant for Theodore H. Hill, County Counselor.

R# 125-1978

(None given) Published in the Wichita Beacon on Aug 10, 1978.

RESOLUTION

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 DECEMBER 28, 1977, 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 AMENDING SECTION 11 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 1. That upon the recommendation of the Wichita-Sedgwick County Metropolitan Area Planning Commission on July 6, 1978, 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, and subsequently amended, SECTION 11 - "SUPPLEMENTAL REGULATIONS", Subsection B. - "AUTOMOBILE PARKING AND LOADING", Paragraphs 1 (Parking Spaces.) and 3 (Improvements) shall be amended to read as follows:

"1. Parking spaces.

Off-street parking spaces as required in this section shall be provided for all new buildings and structures and for additions to existing buildings or structures. The word "addition" as used above shall include any alteration intended to enlarge or increase capacity by adding or creating dwelling units, guest rooms, floor area, or seats. Required parking space shall not include existing parking space and such space shall be maintained and shall not be encroached upon so long as main building or structures remain, unless an equivalent number of such spaces are provided elsewhere in conformance with this Resolution. The parking spaces required for dwellings shall be located on the same site as the main building. The parking space required for other uses shall be located on the same site or within 660 feet of such use, the distance to be measured along lines of public access. Parking spaces, when open, may be included as a part of the required open space for a side or rear yard.

For the purpose of this section, parking shall be on surfaced areas and shall not occupy any part of any required front yard in the "R", "R-1" or "AA" Residential zoning districts, except for the following:

- a) Ingress and egress drives providing access to required off-street parking and loading spaces;
- b) Parking permitted as a Transitional Use, provided however, such parking area shall not occupy more than 50 percent of any required front yard setback;

- c) Parking on ingress and egress driveways for one and two family dwellings when the parking is additional accessory off-street parking;
- d) Additional accessory off-street parking for one and two family dwellings shall be permitted within the required front yard setback when the yard is adjacent to a street having on-street parking limitations, provided however, the total surfaced area within the required yard shall not exceed 750 square feet or 50 percent of the required yard, whichever is less.
- e) Additional accessory off-street parking for one family dwellings on a surfaced area adjacent to an ingress driveway when there is not a side yard of at least twelve feet in width and unobstructed by buildings or mature landscaping which would prevent access to the side or rear yard. The surfaced area within the required yard shall not exceed 750 square feet or 50 percent of the required yard, whichever is less;
- f) Parking on an existing surfaced driveway when a portion of an existing single-family dwelling is converted to dwelling purposes by utilizing the required off-street parking space.
- g) One half of the required parking spaces for one and two family dwellings may be permitted within 50 percent of the required yards in residential subdivisions wherein street widths have been permitted to be reduced and roadway widths are 29 feet or less, with a direct stipulation that additional off-street parking be provided.
- h) Common off-street parking areas for townhouses and patio homes when subdivision regulations require additional off-street parking spaces due to permitted reduced street and roadway widths."

"3. Improvements.

- a) Every parcel of land hereafter used as a public parking area, or loading space shall be improved to the following minimum standard:
 - (1) Parking areas and driveways for one, two, three or four-family dwellings shall be surfaced with an all weather surface consisting of concrete, asphaltic concrete, asphalt, brick, gravel not less than 1/2 inch in diameter, or other comparable material treated to prevent dust. Any material used for surfacing that is not monolithic must be appropriately contained by curbs or concrete, brick, metal, wood or similar material. (Exception: Surfacing

improvements may be of the same material as the public streets, provided however, when public streets are improved, the parking areas and driveways shall be improved within 90 days as herein before required.

- (2) All off-street parking lots and loading areas and all driveways on private property providing ingress, except as provided in (1) above, shall be surfaced with concrete, asphaltic concrete, asphalt or other comparable surfacing, and shall be maintained in good condition and free of all weeds, dust, trash and other debris.
- b) Where any parking area or loading spaces as required in "LC", "C", "E", or "F" Districts or for automobile or trailer sales areas, adjoins lots in "R", "R-1", "AA" or "BB" Districts such lot shall be protected the full length of the parking area or loading spaces (but not closer than 15 feet to any street lot line), by a permanent screen of solid wall, compact evergreen screen, or uniformly painted board fence, or woven wire fence, having a height of not less than 4 feet nor more than 6 feet, erected and maintained by the owner or user of such parking area or loading space.
- c) Any lights used to illuminate such areas shall be so arranged as to reflect the light away from adjoining premises in an "R", "R-1", "AA" or "B" district."

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

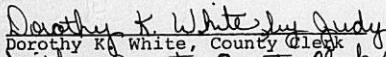
PASSED AND ADOPTED this 2nd day of August 1978.


EVERETT PATRICK, CHAIRMAN

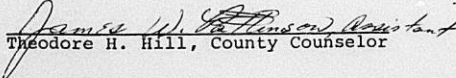

JOHN HALE, COMMISSIONER


TOM SCOTT, COMMISSIONER

ATTEST:


Dorothy K. White, County Clerk
Smith, Deputy County Clerk
(SEAL)

APPROVED AS TO FORM BY:


Theodore H. Hill, County Counselor

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

July 20, 1978

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

SUBJECT DR-78-21-Amendment to County Zoning Resolution--
Re: Allowance of limited parking within the frontyard setbacks in the "R," "R-1," and "AA" districts and modify the surfacing standards.

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 hearing on Thursday, July 6, 1978. Also attached is a delineated copy of the proposed amendment.

SUMMARY

A recent amendment to the Subdivision regulations allowing street widths to be reduced with a stipulation that additional off-street parking be provided for each dwelling unit, is not provided for by the existing zoning resolution. In review of the off-street parking section, we also find the language is prohibitive of any parking in the frontyards of residential districts, except for one-half of the frontyard in a transitional use. This is when an off-street parking lot for a commercial or industrial use is provided in the residential district on a property adjacent to, and within 200 feet of the use. Off-street parking is also prohibited in the frontyard setback of the "BB" Office District in the existing zoning resolution.

The attached amendment will allow the surfacing and parking within the frontyard setbacks in the "R," "R-1," and "AA" districts provided the surfacing and parking is limited to the following:

1. Ingress and egress drives.
2. Parking as a transitional use; provided that it shall not occupy more than 50 percent of the frontyard.
3. Additional accessory off-street parking on driveways.
4. Additional accessory off-street parking for one and two-family dwellings; provided the surfaced areas shall be limited to 750 square feet or 50 percent of the frontyard, whichever is less; when the property is located adjacent to a street having on-street parking limitations.
5. Additional off-street parking on a surfaced area adjacent to a driveway when access to a side, or rear yard is prohibited.

Board of County Commissioners
July 20, 1978
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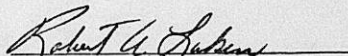
6. Allows parking on an existing driveway when the required off-street parking space is converted to dwelling purposes.
7. When the subdivision regulations permits an area to be platted with street widths of 29-feet or less, and requires that additional off-street parking be provided; then one-half of the required off-street parking may be located within the frontyard setback.
8. Common parking areas for townhouses and patio homes may be located within the frontyard setback.

This amendment will also allow the surfacing and utilization for off-street parking all of the front yard setback in the "BB" office district.

The surfacing of parking areas for one, two, three and four-family dwellings has been changed, and will allow the surfacing to be the same as the public roadway that may not be all weather surfacing.

RECOMMENDATION

It was recommended by the Wichita-Sedgwick County Metropolitan Area Planning Commission by a 9-0 vote that this resolution be adopted.


Robert A. Lakin
Director of Planning

RAL:GL:ch
Attachment

cc Ted Hill, County Counselor
Grover McLure, Sedgwick County Director of Public Works
Syd Werbin, Director of Bldg, Plng & Zoning
Wichita Area Builders Association
Wichita Board of Realtors

() Published in the Wichita Beacon on _____.

RESOLUTION

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 DECEMBER 28, 1977, 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 AMENDING SECTION 11 OF THE SEDGWICK COUNTY, KANSAS ZONING RESOLUTION; ALL IN ACCORDANCE WITH THE AUTHORITY GRANTED IN SECTION 14.C THEREOF.

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- b) Parking permitted as a Transitional Use, provided however, such parking area shall not occupy more than 50 percent of any required front yard setback;

- c) Parking on ingress and egress driveways for one and two family dwellings when the parking is additional accessory off-street parking;
- d) Additional accessory off-street parking for one and two family dwellings shall be permitted within the required front yard setback when the yard is adjacent to a street having on-street parking limitations, provided however, the total surfaced area within the required yard shall not exceed 750 square feet or 50 percent of the required yard, whichever is less.
- e) Additional accessory off-street parking for one family dwellings on a surfaced area adjacent to an ingress driveway when there is not a side yard of at least twelve feet in width and unobstructed by buildings or mature landscaping which would prevent access to the side or rear yard. The surfaced area within the required yard shall not exceed 750 square feet or 50 percent of the required yard, whichever is less;
- f) Parking on an existing surfaced driveway when a portion of an existing single-family dwelling is converted to dwelling purposes by utilizing the required off-street parking space.
- g) One half of the required parking spaces for one and two family dwellings may be permitted within 50 percent of the required yards in residential subdivisions wherein street widths have been permitted to be reduced and roadway widths are 29 feet or less, with a direct stipulation that additional off-street parking be provided.
- h) Common off-street parking areas for townhouses and patio homes when subdivision regulations require additional off-street parking spaces due to permitted reduced street and roadway widths."

"3. Improvements.

- a) Every parcel of land hereafter used as a public parking area, or loading space shall be improved to the following minimum standard:
 - (1) Parking areas and driveways for one, two, three or four-family dwellings shall be surfaced with an all weather surface consisting of concrete, asphaltic concrete, asphalt, brick, gravel not less than 1/2 inch in diameter, or other comparable material treated to prevent dust. Any material used for surfacing that is not monolithic must be appropriately contained by curbs or concrete, brick, metal, wood or similar material. (Exception: Surfacing

improvements may be of the same material as the public streets, provided however, when public streets are improved, the parking areas and driveways shall be improved within 90 days as herein before required.

- (2) All off-street parking lots and loading areas and all driveways on private property providing ingress, except as provided in (1) above, shall be surfaced with concrete, asphaltic concrete, asphalt or other comparable surfacing, and shall be maintained in good condition and free of all weeds, dust, trash and other debris.
- b) Where any parking area or loading spaces as required in "LC", "C", "E", or "F" Districts or for automobile or trailer sales areas, adjoins lots in "R", "R-1", "AA" or "BB" Districts such lot shall be protected the full length of the parking area or loading spaces (but not closer than 15 feet to any street lot line), by a permanent screen of solid wall, compact evergreen screen, or uniformly painted board fence, or woven wire fence, having a height of not less than 4 feet nor more than 6 feet, erected and maintained by the owner or user of such parking area or loading space.
- c) Any lights used to illuminate such areas shall be so arranged as to reflect the light away from adjoining premises in an "R", "R-1", "AA" or "B" district."

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

PASSED AND ADOPTED this _____ day of _____, 1978.

EVERETT PATRICK, CHAIRMAN

JOHN HALE, COMMISSIONER

TOM SCOTT, COMMISSIONER

ATTEST:

Dorothy K. White, County Clerk

(SEAL)

APPROVED AS TO FORM BY:

Theodore H. Hill, County Counselor

DR-78-21

June 20, 1978

Possible Amendments to the
Sedgwick County Zoning Resolution Scheduled for
Public Hearing before the MRC - Thursday, July 6, 1978

Recommended amendments to Section 11 of the Supplemental Regulations related to:

B. Automobile Parking and Loading

Amend Section 1 (Parking Spaces) of Section B to read as follows:

1. Parking spaces.

~~For the purpose of this section, required parking space shall not occupy any part of any required front yard in the "R", "R-1", "R-2", "R-3", "R-4", "R-5", "R-6", "R-7", "R-8", "R-9", "R-10", "R-11", "R-12", "R-13", "R-14", "R-15", "R-16", "R-17", "R-18", "R-19", "R-20", "R-21", "R-22", "R-23", "R-24", "R-25", "R-26", "R-27", "R-28", "R-29", "R-30", "R-31", "R-32", "R-33", "R-34", "R-35", "R-36", "R-37", "R-38", "R-39", "R-40", "R-41", "R-42", "R-43", "R-44", "R-45", "R-46", "R-47", "R-48", "R-49", "R-50", "R-51", "R-52", "R-53", "R-54", "R-55", "R-56", "R-57", "R-58", "R-59", "R-60", "R-61", "R-62", "R-63", "R-64", "R-65", "R-66", "R-67", "R-68", "R-69", "R-70", "R-71", "R-72", "R-73", "R-74", "R-75", "R-76", "R-77", "R-78", "R-79", "R-80", "R-81", "R-82", "R-83", "R-84", "R-85", "R-86", "R-87", "R-88", "R-89", "R-90", "R-91", "R-92", "R-93", "R-94", "R-95", "R-96", "R-97", "R-98", "R-99", "R-100", "R-101", "R-102", "R-103", "R-104", "R-105", "R-106", "R-107", "R-108", "R-109", 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"R-998", "R-999", "R-1000".~~

Off-street parking spaces as required in this section shall be provided for all new buildings and structures and for additions to existing buildings or structures. The word "addition" as used above shall include any alteration intended to enlarge or increase capacity by adding or creating dwelling units, guest rooms, floor area, or seats. Required parking space shall not include existing parking space and such space shall be maintained and shall not be encroached upon so long as main building or structures remain, unless an equivalent number of such spaces are provided elsewhere in conformance with this Resolution. The parking spaces required for dwellings shall be located on the same site as the main building. The parking space required for other uses shall be located on the same site or within 600 feet of such use, the distance to be measured along lines of public access. Parking spaces, when open, may be included as a part of the required open space for a side or rear yard.

For the purpose of this section, parking shall be on surfaced areas and shall not occupy any part of any required front yard in the "R", "R-1" or "R-2" residential zoning districts, except for the following:

- a) Ingress and egress drives providing access to required off-street parking and loading spaces;
- b) Parking permitted as a Transitional Use, provided however, such parking area shall not occupy more than 50 percent of any required front yard setback;
- c) Parking on ingress and egress driveways for one and two family dwellings when the parking is additional accessory off-street parking;
- d) Additional accessory off-street parking for one and two family dwellings shall be permitted within the required front yard setback when the yard is adjacent to a street having on-street parking limitations, provided however, the total surfaced area within the required yard shall not exceed 750 square feet or 50 percent of the required yard, whichever is less;
- e) Additional accessory off-street parking for one family dwellings on a surfaced area adjacent to an ingress driveway when there is not a side yard of at least twelve feet in width and unobstructed by buildings or nature landscaping which would prevent access to the side or rear yard. The surfaced area within the required yard shall not exceed 750 square feet or 50 percent of the required yard, whichever is less;
- f) Parking on an existing surfaced driveway when a portion of an existing single-family dwelling is converted to dwelling purposes by utilizing the required off-street parking space;
- g) One half of the required parking spaces for one and two family dwellings may be permitted within 50 percent of the required yards in residential subdivisions wherein street widths have been permitted within 50 percent of the required yards in residential subdivisions wherein street widths have been permitted to be reduced and roadway widths are 29 feet or less, with a direct stipulation that additional off-street parking be provided.

- h) Common off-street parking areas for townhouses and patio homes when subdivision regulations require additional off-street parking spaces due to permitted reduced street and roadway widths.

Amend Section 3 (Improvements) of Section B to read as follows:

3. Improvements.

- a) Every parcel of land hereafter used as a public parking area, or loading space shall be improved to the following minimum standard: Paved or otherwise surfaced with an all-weather surface treated to prevent dust.
- (1) Parking areas and driveways for one, two, three or four-family dwellings shall be surfaced with an all-weather surface consisting of concrete, asphaltic concrete, asphalt, brick, gravel not less than 1/2 inch in diameter, or other comparable material treated to prevent dust. Any material used for surfacing that is not monolithic must be appropriately contained by curbs or concrete, brick, metal, wood or similar material. (Exception: Surfacing improvements may be of the same material as the public streets, provided however, when public streets are improved, the parking areas and driveways shall be improved within 90 days as herein later required.
- (2) All off-street parking lots and loading areas and all driveways on private property providing ingress, except as provided in (1) above, shall be surfaced with concrete, asphaltic concrete, asphalt or other comparable surfacing, and shall be maintained in good condition and free of all weeds, dust, trash and other debris.
- b) Where any parking area or loading spaces as required in "LC", "C", "E", or "F" Districts or for automobiles or trailer sales areas, adjoins lots in "R", "R-1", "AA" or "BB" Districts such lot shall be protected the full length of the parking area or loading spaces (but not closer than 15 feet to any street lot line), by a permanent screen of solid wall, compact evergreen screen, or uniformly painted board fence, or

woven wire fence, having a height of not less than 4 feet nor more than 6 feet, erected and maintained by the owner or user of such parking area or loading space.

- c) Any lights used to illuminate such areas shall be so arranged as to reflect the light away from adjoining premises in an "R", "R-1", "AA" or "B" district.

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

July 20, 1978

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

SUBJECT DR-78-21-Amendment to County Zoning Resolution--
Re: Allowance of limited parking within the frontyard setbacks in the "R," "R-1," and "AA" districts and modify the surfacing standards.

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 hearing on Thursday, July 6, 1978. Also attached is a delineated copy of the proposed amendment.

SUMMARY

A recent amendment to the Subdivision regulations allowing street widths to be reduced with a stipulation that additional off-street parking be provided for each dwelling unit, is not provided for by the existing zoning resolution. In review of the off-street parking section, we also find the language is prohibitive of any parking in the frontyards of residential districts, except for one-half of the frontyard in a transitional use. This is when an off-street parking lot for a commercial or industrial use is provided in the residential district on a property adjacent to, and within 200 feet of the use. Off-street parking is also prohibited in the frontyard setback of the "BB" Office District in the existing zoning resolution.

The attached amendment will allow the surfacing and parking within the frontyard setbacks in the "R," "R-1," and "AA" districts provided the surfacing and parking is limited to the following:

1. Ingress and egress drives.
2. Parking as a transitional use; provided that it shall not occupy more than 50 percent of the frontyard.
3. Additional accessory off-street parking on driveways.
4. Additional accessory off-street parking for one and two-family dwellings; provided the surfaced areas shall be limited to 750 square feet or 50 percent of the frontyard, whichever is less; when the property is located adjacent to a street having on-street parking limitations.
5. Additional off-street parking on a surfaced area adjacent to a driveway when access to a side, or rear yard is prohibited.

Board of County Commissioners
July 20, 1978
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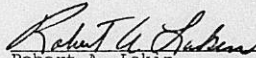
6. Allows parking on an existing driveway when the required off-street parking space is converted to dwelling purposes.
7. When the subdivision regulations permits an area to be platted with street widths of 29-feet or less, and requires that additional off-street parking be provided; then one-half of the required off-street parking may be located within the frontyard setback.
8. Common parking areas for townhouses and patio homes may be located within the frontyard setback.

This amendment will also allow the surfacing and utilization for off-street parking all of the front yard setback in the "BB" office district.

The surfacing of parking areas for one, two, three and four-family dwellings has been changed, and will allow the surfacing to be the same as the public roadway that may not be all weather surfacing.

RECOMMENDATION

It was recommended by the Wichita-Sedgwick County Metropolitan Area Planning Commission by a 9-0 vote that this resolution be adopted.


Robert A. Lakin
Director of Planning

RAL:GL:ch
Attachment

cc Ted Hill, County Counselor
Grover McLure, Sedgwick County Director of Public Works
Syd Werbin, Director of Bldg, Plng & Zoning
Wichita Area Builders Association
Wichita Board of Realtors

() Published in the Wichita Beacon on _____.

RESOLUTION

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 DECEMBER 28, 1977, 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 AMENDING SECTION 11 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 1. That upon the recommendation of the Wichita-Sedgwick County Metropolitan Area Planning Commission on July 6, 1978, 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, and subsequently amended, SECTION 11 - "SUPPLEMENTAL REGULATIONS", Subsection B. - "AUTOMOBILE PARKING AND LOADING", Paragraphs 1 (Parking Spaces.) and 3 (Improvements) shall be amended to read as follows:

"1. Parking spaces.

Off-street parking spaces as required in this section shall be provided for all new buildings and structures and for additions to existing buildings or structures. The word "addition" as used above shall include any alteration intended to enlarge or increase capacity by adding or creating dwelling units, guest rooms, floor area, or seats. Required parking space shall not include existing parking space and such space shall be maintained and shall not be encroached upon so long as main building or structures remain, unless and equivalent number of such spaces are provided elsewhere in conformance with this Resolution. The parking spaces required for dwellings shall be located on the same site as the main building. The parking space required for other uses shall be located on the same site or within 660 feet of such use, the distance to be measured along lines of public access. Parking spaces, when open, may be included as a part of the required open space for a side or rear yard.

For the purpose of this section, parking shall be on surfaced areas and shall not occupy any part of any required front yard in the "R", "R-1" or "AA" Residential zoning districts, except for the following:

- a) Ingress and egress drives providing access to required off-street parking and loading spaces;
- b) Parking permitted as a Transitional Use, provided however, such parking area shall not occupy more than 50 percent of any required front yard setback;

- c) Parking on ingress and egress driveways for one and two family dwellings when the parking is additional accessory off-street parking;
- d) Additional accessory off-street parking for one and two family dwellings shall be permitted within the required front yard setback when the yard is adjacent to a street having on-street parking limitations, provided however, the total surfaced area within the required yard shall not exceed 750 square feet or 50 percent of the required yard, whichever is less.
- e) Additional accessory off-street parking for one family dwellings on a surfaced area adjacent to an ingress driveway when there is not a side yard of at least twelve feet in width and unobstructed by buildings or mature landscaping which would prevent access to the side or rear yard. The surfaced area within the required yard shall not exceed 750 square feet or 50 percent of the required yard, whichever is less;
- f) Parking on an existing surfaced driveway when a portion of an existing single-family dwelling is converted to dwelling purposes by utilizing the required off-street parking space.
- g) One half of the required parking spaces for one and two family dwellings may be permitted within 50 percent of the required yards in residential subdivisions wherein street widths have been permitted to be reduced and roadway widths are 29 feet or less, with a direct stipulation that additional off-street parking be provided.
- h) Common off-street parking areas for townhouses and patio homes when subdivision regulations require additional off-street parking spaces due to permitted reduced street and roadway widths."

"3. Improvements.

- a) Every parcel of land hereafter used as a public parking area, or loading space shall be improved to the following minimum standard:
 - (1) Parking areas and driveways for one, two, three or four-family dwellings shall be surfaced with an all weather surface consisting of concrete, asphaltic concrete, asphalt, brick, gravel not less than 1/2 inch in diameter, or other comparable material treated to prevent dust. Any material used for surfacing that is not monolithic must be appropriately contained by curbs or concrete, brick, metal, wood or similar material. (Exception: Surfacing

improvements may be of the same material as the public streets, provided however, when public streets are improved, the parking areas and driveways shall be improved within 90 days as herein before required.

- (2) All off-street parking lots and loading areas and all driveways on private property providing ingress, except as provided in (1) above, shall be surfaced with concrete, asphaltic concrete, asphalt or other comparable surfacing, and shall be maintained in good condition and free of all weeds, dust, trash and other debris.
- b) Where any parking area or loading spaces as required in "LC", "C", "E", or "F" Districts or for automobile or trailer sales areas, adjoins lots in "R", "R-1", "AA" or "BB" Districts such lot shall be protected the full length of the parking area or loading spaces (but not closer than 15 feet to any street lot line), by a permanent screen of solid wall, compact evergreen screen, or uniformly painted board fence, or woven wire fence, having a height of not less than 4 feet nor more than 6 feet, erected and maintained by the owner or user of such parking area or loading space.
- c) Any lights used to illuminate such areas shall be so arranged as to reflect the light away from adjoining premises in an "R", "R-1", "AA" or "B" district."

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

PASSED AND ADOPTED this _____ day of _____, 1978.

EVERETT PATRICK, CHAIRMAN

JOHN HALE, COMMISSIONER

TOM SCOTT, COMMISSIONER

ATTEST:

Dorothy K. White, County Clerk

(SEAL)

APPROVED AS TO FORM BY:

Theodore H. Hill, County Counselor

June 20, 1978

DR-78-21

Possible Amendments to the
Sedgwick County Zoning Resolution Scheduled for
Public Hearing before the HAPC - Thursday, July 6, 1978

Recommended Amendments to Section 11 of the Supplemental Regulations related to:

B. Automobile Parking and Loading

Amend Section 1 (Parking Spaces) of Section B to read as follows:

1. Parking spaces.

For the purpose of this section, required parking space shall not occupy any part of any required front yard in the "R", "R-1", "AA" or "BB" Districts, except as indicated in Transitional Uses, and then may not occupy more than one-half of any required front yard setback. Parking spaces, when open, may be included as a part of a required open space for a side or rear yard.

Off-street parking spaces as required in this section shall be provided for all new buildings and structures and for additions to existing buildings or structures. The word "addition" as used above shall include any alteration intended to enlarge or increase capacity by adding or creating dwelling units, guest rooms, floor area, or seats. Required parking space shall not include existing parking space and such space shall be maintained and shall not be encroached upon so long as main building or structures remain, unless an equivalent number of such spaces are provided elsewhere in conformance with this Resolution. The parking spaces required for dwellings shall be located on the same site as the main building. The parking space required for other uses shall be located on the same site or within 600 feet of such use, the distance to be measured along lines of public access. Parking spaces, when open, may be included as a part of the required open space for a side or rear yard.

For the purpose of this section, parking shall be on surfaced areas and shall not occupy any part of any required front yard in the "R", "R-1" or "AA" Residential zoning districts, except for the following:

- a) Ingress and egress drives providing access to required off-street parking and loading spaces;
- b) Parking permitted as a Transitional Use, provided however, such parking area shall not occupy more than 50 percent of any required front yard setback;
- c) Parking on ingress and egress driveways for one and two family dwellings when the parking is additional accessory off-street parking;
- d) Additional accessory off-street parking for one and two family dwellings shall be permitted within the required front yard setback when the yard is adjacent to a street having on-street parking limitations, provided however, the total surfaced area within the required yard shall not exceed 750 square feet or 50 percent of the required yard, whichever is less;
- e) Additional accessory off-street parking for one family dwellings on a surfaced area adjacent to an ingress driveway when there is not a side yard or at least twelve feet in width and unobstructed by buildings or mature landscaping which would prevent access to the side or rear yard. The surfaced area within the required yard shall not exceed 750 square feet or 50 percent of the required yard, whichever is less;
- f) Parking on an existing surfaced driveway when a portion of an existing single-family dwelling is converted to dwelling purposes by utilizing the required off-street parking space;
- g) One half of the required parking spaces for one and two family dwellings may be permitted within 50 percent of the required yards in residential subdivisions wherein street widths have been permitted to be reduced and roadway widths are 29 feet or less, with a direct stipulation that additional off-street parking be provided.

- h) Common off-street parking areas for townhouses and patio homes when subdivision regulations require additional off-street parking spaces due to permitted reduced street and roadway widths.

Amend Section 3 (Improvements) of Section B to read as follows:

3. Improvements.

- a) Every parcel of land hereafter used as a public parking area, or loading space shall be improved to the following minimum standard: Paved or otherwise surfaced with an all-weather surface treated to prevent dust.

(1) Parking areas and driveways for one, two, three or four-family dwellings shall be surfaced with an all weather surface consisting of concrete, asphaltic concrete, asphalt, brick, gravel not less than 1/2 inch in diameter, or other comparable material treated to prevent dust. Any material used for surfacing that is not monolithic must be appropriately contained by curbs or concrete, brick, metal, steel or similar material. (Exception: Surfacing improvements may be of the same material as the public streets, provided however, when public streets are improved, the parking areas and driveways shall be improved within 90 days as herein before required.

(2) All off-street parking lots and loading areas and all driveways on private property providing ingress, except as provided in (1) above, shall be surfaced with concrete, asphaltic concrete, asphalt or other comparable surfacing, and shall be maintained in good condition and free of all weeds, dust, trash and other debris.

- b) Where any parking area or loading spaces as required in "LC", "C", "E", or "F" Districts or for automobiles or trailer sales areas, adjoins lots in "R", "R-1", "AA" or "BB" Districts such lot shall be protected the full length of the parking area or loading spaces (but not closer than 15 feet to any street lot line), by a permanent screen of solid wall, compact evergreen screen, or uniformly painted board fence, or

woven wire fence, having a height of not less than 4 feet nor more than 6 feet, erected and maintained by the owner or user of such parking area or loading space.

- c) Any lights used to illuminate such areas shall be so arranged as to reflect the light away from adjoining premises in an "R", "R-1", "AA" or "B" district.

July 20, 1978

Board of County Commissioners

Robert A. Lakin, Director of Planning

DR-78-21-Amendment to County Zoning Resolution--
Re: Allowance of limited parking within the frontyard setbacks in the "R," "R-1," and "AA" districts and modify the surfacing standards.

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 hearing on Thursday, July 6, 1978. Also attached is a delineated copy of the proposed amendment.

SUMMARY

A recent amendment to the Subdivision regulations allowing street widths to be reduced with a stipulation that additional off-street parking be provided for each dwelling unit, is not provided for by the existing zoning resolution. In review of the off-street parking section, we also find the language is prohibitive of any parking in the frontyards of residential districts, except for one-half of the frontyard in a transitional use. This is when an off-street parking lot for a commercial or industrial use is provided in the residential district on a property adjacent to, and within 200 feet of the use. Off-street parking is also prohibited in the frontyard setback of the "BB" Office District in the existing zoning resolution.

The attached amendment will allow the surfacing and parking within the frontyard setbacks in the "R," "R-1," and "AA" districts provided the surfacing and parking is limited to the following:

1. Ingress and egress drives.
2. Parking as a transitional use; provided that it shall not occupy more than 50 percent of the frontyard.
3. Additional accessory off-street parking on driveways.
4. Additional accessory off-street parking for one and two-family dwellings; provided the surfaced areas shall be limited to 750 square feet or 50 percent of the frontyard, whichever is less; when the property is located adjacent to a street having on-street parking limitations.
5. Additional off-street parking on a surfaced area adjacent to a driveway when access to a side, or rear yard is prohibited.

Board of County Commissioners
July 20, 1978
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6. Allows parking on an existing driveway when the required off-street parking space is converted to dwelling purposes.
7. When the subdivision regulations permits an area to be platted with street widths of 29-feet or less, and requires that additional off-street parking be provided; then one-half of the required off-street parking may be located within the frontyard setback.
8. Common parking areas for townhouses and patio homes may be located within the frontyard setback.

This amendment will also allow the surfacing and utilization for off-street parking all of the front yard setback in the "BB" office district.

The surfacing of parking areas for one, two, three and four-family dwellings has been changed, and will allow the surfacing to be the same as the public roadway that may not be all weather surfacing.

RECOMMENDATION

It was recommended by the Wichita-Sedgwick County Metropolitan Area Planning Commission by a 9-0 vote that this resolution be adopted.

Robert A. Lakin
Director of Planning

RAL:GL:ch
Attachment

cc Ted Hill, County Counselor
Grover McLure, Sedgwick County Director of Public Works
Syd Werbin, Director of Bldg, Plng & Zoning
Wichita Area Builders Association
Wichita Board of Realtors

July 7, 1978

Mr. Syd Werbin
Bldg., Planning & Inspection
Sedgwick County Courthouse
525 North Main
Wichita, Kansas 67203

Re: DR 78-21 Amendment to the
Sedgwick County Zoning Resolution
regarding allowance of limited
parking within the front yard set-
backs in the "R", "R-1", and "AA"
districts and modifying the sur-
facing standards.

Dear Syd:

This is to advise you and Mr. McLure that the Planning Commission in considering the above-captioned case at their regular meeting of July 6, 1978, recommended that it be adopted.

This amendment will be considered by the County Commission at its regular meeting of August 2, 1978. Should either of you have any questions or comments prior to that meeting, we would appreciate hearing from you.

Sincerely yours,

Jack H. Galbraith
Chief Planner

JHG:bh

cc: Grover C. McLure, Director of Public Works, Sedgwick
County Courthouse, 525 N. Main, 67203

(Published in The Wichita Beacon on June 20, 1978)

OFFICIAL NOTICE

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

NOTICE IS HEREBY GIVEN that on July 6, 1978, the Wichita-Sedgwick County Metropolitan Area Planning Commission, in the City Commission Meeting Room, First Floor, City Hall, 455 North Main, Wichita, Kansas, at 1:30 p.m., will consider the following changes to the Zoning Resolution of Sedgwick County, Kansas:

That Section 12 (EXCEPTIONS) be amended to allow repair, reconstruction and expansion of nonconforming structures and nonconforming uses of land subject to certain limitations.

That Section 11 (SUPPLEMENTAL REGULATIONS) be amended to allow the placement of a mobile home as a temporary second dwelling as a variance from the limitation of one main residential structure on a lot.

That Section 11 (SUPPLEMENTAL REGULATIONS) be amended to allow parking within the required front yard setback of the "R", "R-1" and "AA" Residential zoning districts, and to modify the standards for the surfacing of off street parking and loading areas.

Copies of the proposed amendments are available upon request from the Wichita-Sedgwick County Metropolitan Area Planning Department, Tenth Floor, 455 North 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 16th day of June, 1978.

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

(SEAL)

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

June 30, 1978

TO Wichita-Sedgwick County Metropolitan Area Planning Commission

FROM G. E. Lytle, Special Assistant for Zoning

SUBJECT DR-78-21 -- Possible amendment to the Sedgwick County Zoning Resolution regarding allowance of limited parking within the frontyard setbacks in the "R", "R-1", and "AA" districts and modify the surfacing standards.

The attached delineated amendment to the Sedgwick County Zoning Resolution has been advertised for public hearing before the Planning Commission at the meeting of July 6, 1978.

BACKGROUND

A recent amendment to the Subdivision regulations allowing street widths to be reduced with a stipulation that additional off-street parking be provided for each dwelling unit, is not provided for by the existing zoning resolution. In review of the off-street parking section, we also find the language is prohibitive of any parking in the frontyards of residential districts, except for one-half of the frontyard in a transitional use. This is when off-street parking for a commercial or industrial use is provided on a property adjacent to, and within 200 feet. Off-street parking is also prohibited in the frontyard setback of the "BB" Office District.

SUMMARY

The attached amendment will allow the surfacing and parking within the frontyard setbacks in the "R", "R-1", and "AA" districts provided the parking is limited to the following:

1. Ingress and egress drives.
2. Parking as a transitional use; provided that it shall not occupy more than 50 percent of the frontyard.
3. Additional accessory off-street parking on driveways.
4. Additional accessory off-street parking for one and two-family dwellings; provided the surfaced areas shall be limited to 750 square feet or 50 percent of the frontyard, whichever is less; when the property is located adjacent to a street having on-street parking limitations.
5. Additional off-street parking on a surfaced area adjacent to a driveway when access to a side, or rear yard is prohibited.
6. Allows parking on an existing driveway when the required off-street parking space is converted to dwelling purposes.


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June 30, 1978
Page 2

7. When the subdivision regulations permits an area to be platted with street widths of 29-feet or less, and requires that additional off-street parking be provided; then one-half of the required off-street parking may be located within the frontyard setback.
8. Common parking areas for townhouses and patio homes may be located within the frontyard setback.

Also included in the amendment is a provision for surfacing other than paving. It would also permit sand or gravel when the street is sand or gravel.

RECOMMENDATION

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


G.E. Lytle, Special Assistant for Zoning

GEL:vn

Attachments

cc: Robert A. Lakin, Director of Planning
Grover McLure, Sedgwick County Director of Public Works
Syd Werbin, Director of Building, Planning & Inspection, Sedgwick County
Theodore H. Hill, Sedgwick County Counselor
Vera Stevens, Administrative Assistant, Sedgwick County Zoning
Wichita Area Builders Association, 730 North Main, Wichita, KS 67203
Wichita Board of Realtors, 717 North Emporia, Wichita, KS 67214

- a) Ingress and egress drives providing access to required off-street parking and loading spaces;
- b) Parking permitted as a Transitional Use, provided however, such parking area shall not occupy more than 50 percent of any required front yard setback;
- c) Parking on ingress and egress driveways for one and two family dwellings when the parking is additional accessory off-street parking;
- d) Additional accessory off-street parking for one and two family dwellings shall be permitted within the required front yard setback when the yard is adjacent to a street having on-street parking limitations, provided however, the total surfaced area within the required yard shall not exceed 750 square feet or 50 percent of the required yard, whichever is less.
- e) Additional accessory off-street parking for one family dwellings on a surfaced area adjacent to an ingress driveway when there is not a side yard of at least twelve feet in width and unobstructed by buildings or mature landscaping which would prevent access to the side or rear yard. The surfaced area within the required yard shall not exceed 750 square feet or 50 percent of the required yard, whichever is less;
- f) Parking on an existing surfaced driveway when a portion of an existing single-family dwelling is converted to dwelling purposes by utilizing the required off-street parking space.
- g) One half of the required parking spaces for one and two family dwellings may be permitted within 50 percent of the required yards in residential subdivisions wherein street widths have been permitted within 50 percent of the required yards in residential subdivisions wherein street widths have been permitted to be reduced and roadway widths are 29 feet or less, with a direct stipulation that additional off-street parking be provided.

June 20, 1978

DR-78-21

Possible Amendments to the
Sedgwick County Zoning Resolution Scheduled for
Public Hearing before the MAPC - Thursday, July 6, 1978

Recommended amendments to Section 11 of the Supplemental Regulations related to:

B. Automobile Parking and Loading

Amend Section 1 (Parking Spaces) of Section B to read as follows:

1. Parking spaces.

~~For the purpose of this section, required parking space shall not occupy any part of any required front yard in the "R", "R-1", "AA" or "BB" Districts, except as indicated in Transitional Uses, and then may not occupy more than one-half of any required front yard setback. Parking space, when open, may be included as a part of a required open space for a side or rear yard.~~

Off-street parking spaces as required in this section shall be provided for all new buildings and structures and for additions to existing buildings or structures. The word "addition" as used above shall include any alteration intended to enlarge or increase capacity by adding or creating dwelling units, guest rooms, floor area, or seats. Required parking space shall not include existing parking space and such space shall be maintained and shall not be encroached upon so long as main building or structures remain, unless an equivalent number of such spaces are provided elsewhere in conformance with this Resolution. The parking spaces required for dwellings shall be located on the same site as the main building. The parking space required for other uses shall be located on the same site or within 660 feet of such use, the distance to be measured along lines of public access. Parking spaces, when open, may be included as a part of the required open space for a side or rear yard.

For the purpose of this section, parking shall be on surfaced areas and shall not occupy any part of any required front yard in the "R", "R-1" or "AA" Residential zoning districts, except for the following:

- h) Common off-street parking areas for townhouses and patio homes when subdivision regulations require additional off-street parking spaces due to permitted reduced street and roadway widths.

Amend Section 3 (Improvements) of Section B to read as follows:

3. Improvements.

- a) Every parcel of land hereafter used as a public parking area, or loading space shall be improved to the following minimum standard: Paved or otherwise surfaced with an all-weather surface treated to prevent dust.
- (1) Parking areas and driveways for one, two, three or four-family dwellings shall be surfaced with an all weather surface consisting of concrete, asphaltic concrete, asphalt, brick, gravel not less than 1/2 inch in diameter, or other comparable material treated to prevent dust. Any material used for surfacing that is not monolithic must be appropriately contained by curbs or concrete, brick, metal, wood or similar material. (Exception: Surfacing improvements may be of the same material as the public streets, provided however, when public streets are improved, the parking areas and driveways shall be improved within 90 days as herein before required.
- (2) All off-street parking lots and loading areas and all driveways on private property providing ingress, except as provided in (1) above, shall be surfaced with concrete, asphaltic concrete, asphalt or other comparable surfacing, and shall be maintained in good condition and free of all weeds, dust, trash and other debris.
- b) Where any parking area or loading spaces as required in "LC", "C", "E", or "F" Districts or for automobiles or trailer sales areas, adjoins lots in "R", "R-1", "AA" or "BB" Districts such lot shall be protected the full length of the parking area or loading spaces (but not closer than 15 feet to any street lot line), by a permanent screen of solid wall, compact evergreen screen, or uniformly painted board fence, or

woven wire fence, having a height of not less than 4 feet nor more than 6 feet, erected and maintained by the owner or user of such parking area or loading space.

- c) Any lights used to illuminate such areas shall be so arranged as to reflect the light away from adjoining premises in an "R", "R-1", "AA" or "B" district.

June 30, 1978

Wichita-Sedgwick County Metropolitan Area Planning Commission

G. E. Lytle, Special Assistant for Zoning

DR-78-21 -- Possible amendment to the Sedgwick County Zoning Resolution regarding allowance of limited parking within the frontyard setbacks in the "R", "R-1", and "AA" districts and modify the surfacing standards.

The attached delineated amendment to the Sedgwick County Zoning Resolution has been advertised for public hearing before the Planning Commission at the meeting of July 6, 1978.

BACKGROUND

A recent amendment to the Subdivision regulations allowing street widths to be reduced with a stipulation that additional off-street parking be provided for each dwelling unit, is not provided for by the existing zoning resolution. In review of the off-street parking section, we also find the language is prohibitive of any parking in the frontyards of residential districts, except for one-half of the frontyard in a transitional use. This is when off-street parking for a commercial or industrial use is provided on a property adjacent to, and within 200 feet. Off-street parking is also prohibited in the frontyard setback of the "BB" Office District.

SUMMARY

The attached amendment will allow the surfacing and parking within the frontyard setbacks in the "R", "R-1", and "AA" districts provided the parking is limited to the following:

1. Ingress and egress drives.
2. Parking as a transitional use; provided that it shall not occupy more than 50 percent of the frontyard.
3. Additional accessory off-street parking on driveways.
4. Additional accessory off-street parking for one and two-family dwellings; provided the surfaced areas shall be limited to 750 square feet or 50 percent of the frontyard, whichever is less; when the property is located adjacent to a street having on-street parking limitations.
5. Additional off-street parking on a surfaced area adjacent to a driveway when access to a side, or rear yard is prohibited.
6. Allows parking on an existing driveway when the required off-street parking space is converted to dwelling purposes.

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June 30, 1978
Page 2

7. When the subdivision regulations permits an area to be platted with street widths of 29-feet or less, and requires that additional off-street parking be provided; then one-half of the required off-street parking may be located within the frontyard setback.
8. Common parking areas for townhouses and patio homes may be located within the frontyard setback.

Also included in the amendment is a provision for surfacing other than paving. It would also permit sand or gravel when the street is sand or gravel.

RECOMMENDATION

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

G.E. Lytle, Special Assistant for Zoning

GEL:vn

Attachments

cc: Robert A. Lakin, Director of Planning
Grover McLure, Sedgwick County Director of Public Works
Syd Werbin, Director of Building, Planning & Inspection, Sedgwick County
Theodore H. Hill, Sedgwick County Counselor
Vera Stevens, Administrative Assistant, Sedgwick County Zoning
Wichita Area Builders Association, 730 North Main, Wichita, KS 67203
Wichita Board of Realtors, 717 North Emporia, Wichita, KS 67214

June 23, 1978

Syd Werbin, Director of Building, Planning & Inspections
Glen E. Lytle, Special Assistant for Zoning

Possible amendments to the Sedgwick County Zoning Resolution:
DR's-78-19; 78-20, and 78-21.

Attached hereto are delineated copies of three possible amendments to the Sedgwick County Zoning Resolution that have been advertised for public hearing before the Wichita/Sedgwick County Metropolitan Area Planning Commission at the meeting of July 6, 1978. Please review these amendments and if you have any comments or concerns, I would appreciate receiving your comments as soon as possible.

DR-78-19. This is an amendment to Section 12 relating to nonconforming uses. This has been completely rewritten and will replace all of Section 12 (B). The proposed amendment will allow nonconforming uses to continue indefinitely. It also will allow a nonconforming structure to be rebuilt, repaired or altered, subject to limitations as set forth in the regulations. It also allows for expansion of nonconforming uses. These are categorized into two groups. (1) Nonconforming uses in the residential districts are permitted a 50% expansion as a use by right, and up to 100% expansion by the Board of Zoning Appeals. (2) Nonconforming uses in the nonresidential districts will be permitted 100% expansion as a use by right, and up to 200% expansion by the Board of Zoning Appeals. Also included are descriptions of the manner in which a building or use is to be considered abandoned.

DR-78-20. This amendment is for the allowance of a second residential structure on a lot, providing it is a mobile home and will be there only temporarily. This will be to handle situations of hardship such as the need to provide for care of elderly parents or disabled persons for a limited time.

DR-78-21. This amendment will allow parking within the front yard setback of the residential zoning districts, and establishes limitations on the amount of surfacing permitted and the type of parking. It also provides for parking in the front yard setbacks in new subdivisions wherein the subdivision regulation allows lesser street widths providing additional offstreet parking is provided. The amendment also revises the surfacing standards for parking and loading areas.

Syd Werbin
June 23, 1978
Page Two

If you have any questions on these proposed amendments, please give me a call at 268-4421.

Glen E. Lytle
Special Assistant for Zoning

cc:
Grover McLure, Director of County Public Works
Theodore Hill, County Counselor
Vera Stevens, Administrative Assistant

GEL:et

Published in The Wichita Beacon on June 20, 1978

**OFFICIAL NOTICE
TO WHOM IT MAY CONCERN AND TO ALL
PERSONS INTERESTED:**

NOTICE IS HEREBY GIVEN that on July 4, 1978, the Wichita-Sedwick County Metropolitan Area Planning Commission, in the City Commission Meeting Room, First Floor, City Hall, 455 North Main, Wichita, Kansas, at 1:30 p.m., will consider the following changes to the Zoning Resolution of Sedwick County, Kansas:

That Section 17 (EXCEPTIONS) be amended to allow repair, reconstruction and expansion of nonconforming structures and nonconforming uses of land subject to certain limitations.

That Section 11 (SUPPLEMENTAL REGULATIONS) be amended to allow the placement of a mobile home as a temporary second dwelling as a variance from the limitation of one main residential structure on a lot.

That Section 11 (SUPPLEMENTAL REGULATIONS) be amended to allow parking within the required front yard setback of the "R-1" and "AA" Residential zoning districts, and to modify the standards for the surfacing of off street parking and loading areas.

Copies of the proposed amendments are available upon request from the Wichita-Sedwick County Metropolitan Area Planning Department, Tenth Floor, 455 North Main, Wichita, Kansas.

The proposed amendment will there be discussed and considered by the said Wichita-Sedwick 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 Sedwick County Zoning Resolution will be considered by the Commission as by law provided.

WITNESS my hand and seal this 16th day of June, 1978.

Robert A. Lakin, Secretary
Wichita-Sedwick County Metropolitan Area Planning Commission

(SEAL)

WICHITA-SEDGWICK COUNTY

DATE
May 8, 1978

METROPOLITAN AREA PLANNING DEPARTMENT

TO Jack H. Galbraith, Chief Planner
FROM Robert A. Lakin, Director of Planning
SUBJECT County Zoning Resolution

As soon as the public hearings of the City Zoning Ordinance are over, please have someone on your staff to prepare amendments to the County Zoning Resolutions which parallel the recommended nonconforming provisions of the proposed City ordinance. At the same time we're carrying that through, we probably also ought to make the adjustments on the off-street parking definitions so that the four off-street parking space requirements on the street standards can be accommodated. I told the County Commissioners that we would start that within two weeks of the time that we finish the City hearings. Let me know if you have any problems with it.

Robert A. Lakin
Robert A. Lakin
Director of Planning

RAL:rme

Also include amendment to allow a mobile home on any property as a temporary use.

*RAL -
Staff mtg. 5/22/78*