

ORDINANCE NO. 17-01

AN ORDINANCE AMENDING SECTIONS 18.01.020, 18.20.500, 18.50.220, AND 18.94.040 OF TITLE 18 OF THE OLATHE MUNICIPAL CODE PERTAINING TO THE UNIFIED DEVELOPMENT ORDINANCE.

WHEREAS, on June 17, 2014, the Governing Body of the City of Olathe adopted Ordinance No. 14-39, the *Unified Development Ordinance*, which has been amended from time to time; and

WHEREAS, the proposed changes to the *Unified Development Ordinance* were discussed by the Planning Commission at public hearings and meetings held on December 12, 2016 and January 9, 2017; and

WHEREAS, the Planning Commission recommended approval of the amendments to the *Unified Development Ordinance* on December 12, 2016 and January 9, 2017; and

WHEREAS, the Governing Body reviewed the Planning Commission recommendations and concurs with their recommendations.


BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF OLATHE, KANSAS:

SECTION ONE: Existing Section 18.01.020 of the Olathe Municipal Code (Unified Development Ordinance) is hereby amended to read as follows:

"18.01.020 Marked Copies of Ordinance on File. There shall not be less than three (3) copies of the *Unified Development Ordinance*, adopted by reference in Section 18.01.010, kept on file in the office of the City Clerk, to which shall be attached a copy of the incorporating ordinance, marked or stamped "Official Copies as Incorporated by Ordinance No. 14-39, as amended by Ordinance No. 15-16, Ordinance No. 16-20, Ordinance No. 16-51, and Ordinance 17-01" and open to inspection to the public at all reasonable hours. The police department, municipal judges, and all other departments of the City charged with the enforcement of the *Unified Development Ordinance* shall be supplied, at the cost of the City, with such number of official copies of such ordinance as may be deemed expedient."

SECTION TWO: Existing Section 18.20.500 of the Olathe Municipal Code (Unified Development Ordinance) is hereby amended to read as follows:

18.20.500 Use Matrix

 *Purpose: The permitted, conditional and accessory uses within each zoning district are set out in the Use Matrix, below. The Use Table contains a correspondence to the applicable national coding system classifications (American Planning Association's Land Based Classification Standards [LBCS] and the North American Industrial Classification System [NAICS]) as aids to interpretation.*

The Use Table establishes the following categories of uses:

Notation	Category	Description
P	By right	Permitted if they meet the standards established in the zoning district.
S	Special Use	Requires special approval by the Governing Body (refer to § 18.40.100).
A	Accessory	The use is permitted only if it is customarily incidental and subordinate to a principal permitted use located on the same lot.

Use	AG Agriculture	R-1 (Residential Single-Family)	R-2 (Residential Two-Family)	R-3 (Residential Low-Density MF)	R-4 (Residential Medium Density MF)	O (Office)	C-1 (Neighborhood Center)	C-2 (Community Center)	C-3 (Regional Center)	C-4 (Corridor Commercial)	BP (Business Park)	M-1 (Light Industrial)	M-2 (Heavy Industrial)	M-3 (Intense Industrial)	D (Downtown) - Core	D (Downtown) - Mixed Use	D (Downtown) - Santa Fe	LBCS Function	LBCS Structure	NAICS	Definition
Residential																					
Accessory Dwellings	P	P	P	P											P	P	P	1100	1130	814	See Chapter 18.50.
Cluster or conservation subdivisions	P	P	P	P	P													1100	1110	814	A subdivision that incorporates a Category 2 site design (see Chapter 18.15)
Elderly housing, Multi-family Residences				P	P													1210	1200	814	A housing development that is certified as Housing for Elderly Persons by the United States Department of Housing and Community Development, and that includes multifamily dwellings.
Elderly housing, Single-family Residences	P	P	P	P														1210	1200	814	A housing development that is certified as Housing for Elderly Persons by the United States Department of Housing and Community Development, and that includes only single-family dwellings.
Residence, Adaptive Reuse		P	P	P	P		P	P										1100	1360	814	The occupancy and use of an existing, abandoned building that was formerly used as a commercial, service, or other non-residential use.
Multifamily Dwellings:																		1100	1340	814	A building, or portion thereof, arranged, intended or designed for three (3) or more dwelling units, and commonly referred to as a triplex, fourplex, townhouse, condominium or apartment building. (Ord. 02-54 § 2, 2002)
Residence, Multifamily 3 units (triplex)				P	P										P	P	P	1100	1200	814	A building arranged, intended or designed for three (3) dwelling units. (Ord. 02-54 § 2, 2002)
Residence, Multifamily 4 units (quadraplex or fourplex)				P	P										P	P	P	1100	1200	814	A building arranged, intended or designed for four (4) dwelling units. (Ord. 02-54 § 2, 2002)
Residence, Multifamily, more than 4 units				P	P										P	P	P	1100	1200	814	A building arranged, intended or designed for more than five (5) or more dwelling units.
Residence, Single-Family Attached	P		P															1100	1121	814	A building arranged, intended or designed for two (2) dwelling units with each dwelling unit located on a separate lot. This is sometimes referred to as a "semidetached dwelling unit."
Residence, Single-Family Detached	P	P	P															1100	1110	814	A building arranged, intended or designed for one (1) dwelling unit, and that is not attached to another dwelling unit or building.
Residence, Single-Family Modular	P	P	P															1100	1110	814	A dwelling constructed in accordance with the standards set forth in the City's building code applicable to site built homes, and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation.
Residence, Two-Family (Duplex)			P	P											P	P	P	1100	1121	814	A building arranged, intended or designed for two (2) dwelling units on one (1) lot, commonly referred to as a duplex. (Ord. 02-54 § 2, 2002)
Residence, Zero Lot Line	S	S	S	S	S													1100	1122	814	A dwelling built adjacent to an interior side lot line with a yard adjacent to the opposite side lot line.
Residential Design Manufactured Home	P	P	P															1100	1150	814	See Chapter 18.50.
Townhouse				P	P											P	P	1100	1140	814	A building that has dwelling units erected in a row as a single building, each being separated from the adjoining unit or units by a fire wall constructed in accordance with the City's building code. A Townhouse is separated from other buildings by space on all sides.
Watchmen / caretakers						A	A	A	A	A	A	A	A		A	A	A		1300		A dwelling located on premises with a principal nonresidential use and occupied only by a caretaker or guard employed on the premises.

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Accommodations & Group Living																						
Assisted living, skilled nursing, continuing care retirement facilities	P	P	P	P	P		P			P					P	P	P	1220 1250		62311 0, 6233	A building, or a group of buildings, where for compensation, care is offered or provided for three (3) or more persons suffering from illness, other than a contagious disease, or sociopathic or psychopathic behavior, which is not of sufficient severity to require hospital attention, or for three (3) or more persons requiring further institutional care after being discharged from a hospital. (Ord. 08-104 § 13, 2008)	
Bed and breakfast	S				S		P	P	P	P					P	P	P	1310		72119 1	An establishment operating primarily in a single family detached dwelling, or a building designated on the National Register of Historic Places and originally devoted to another use that supplies temporary accommodations to overnight guests for a fee.	
Day-Care & Child Care: Child day-care services						P	P	P	P	P								6562 6566		6244	See Chapter 18.50	
Day-Care & Child Care: Family Day-Care Home		P	P	P	P													6562 6566		6244	See Chapter 18.50	
Day-Care & Child Care: Child-Care Centers						P	P	P	P	P								6562 6566		6244	See Chapter 18.50	
Day-Care & Child Care: Group Day-Care Home		S	S	S	S													6562 6566		6244	See Chapter 18.50	
Day-Care & Child Care: Mother's Day-Care Home		S	S	S	S													6562 6566		6244	See Chapter 18.50	
Day-Care & Child Care: Preschools		S	S	S	S													6562 6566		6244	See Chapter 18.50	
Day-Care & Child Care: Adult Day-Care		S	S	S	S	P	P	P	P	P								6566		62412 0	See Chapter 18.50	
Community living facility, Mental Health / Substance Abuse, with on-site staff					S													6520		62322 0	A "community living facility" means any dwelling or building defined as "group living" or "semi-independent living" by the Kansas Department of Social and Rehabilitation Services (see KAR 30-22-31). This category provides residential care and treatment for patients with mental health and substance abuse illnesses. These establishments provide room, board, supervision, and counseling services. Medical services may be provided if they are incidental to the counseling, mental rehabilitation, and support services offered.	
Community living facility, Mental Health Convalescent							S	S							P	P	P	6520		62322 0	A community living facility, as defined above, where at least two persons afflicted with mental illness are housed or lodged, and furnished with nursing care.	
Group boarding home for adults, minors	P	P	P	P	P	P	P	P							P	P	P			62399 0	A residential dwelling unit for six (6) or more unrelated persons, eighteen (18) years of age or over, except where it is a group home as defined by KSA 12-736. (Ord. 02-54 § 2, 2002)	
Group day-care homes	S	S	S	S	S	P	P	P												62399 0	A residential facility for six (6) or more persons under eighteen (18) years of age who for various reasons cannot reside in their natural home and where twenty-four (24) hour adult care, supervision and consultation exists under license of the Kansas Secretary of Health and Environment, except where it is a group home as defined by KSA 12-736. (Ord. 02-54 § 2, 2002)	
Group home (up to 10)	P	P	P	P	P										P	P	P	6520		62322	A dwelling occupied by not more	

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persons)																				0	than 10 persons, including eight or fewer persons with a disability who need not be related by blood or marriage and not to exceed two staff residents who need not be related by blood or marriage to each other or to the residents of the home, which dwelling is licensed by a regulatory agency of the State of Kansas. (Source: KSA 12-736)
Hotel, boutique (50 rooms maximum)						P	P	P	P	P	P				P	P	P	1330	1330	72110	A hotel that (1) complies with any applicable City historic design guidelines or the Class C building design standards (see Chapter 18.15), include an accessory restaurant, and include no more than 50 rooms.
Hotel / Motel						P	P	P	P	P	P				P	P	P	1330	1330	72110	A building in which lodging or boarding and lodging are provided for primarily transient persons and offered to the public for compensation and in which ingress and egress to and from all rooms is made through an inside lobby or office supervised by a person in charge at all hours. A hotel may include restaurants, taverns, club rooms, public banquet halls, ballrooms, and meeting rooms.
Rooming house (Includes fraternity/sorority houses & dormitories)					P	P	P	P	P						P	P	P	1320		72130	A building, other than a hotel/motel, multi-family dwelling, or bed and breakfast, where for compensation and by pre-arrangement for definite periods, lodging, and meals are provided for four (4) or more persons.
Commercial/Mixed Use																					
Adaptive re-use (see Chapter 18.50)															S	S	S		2200		Adaptive reuse of a building formerly used as a dwelling unit for commercial, service, or office use.
Nursery, lawn, garden center, and farm supply store	S									P		S	S		P	P	P	2123		44422	An establishment primarily engaged in the retail sale of garden supplies and plants grown on the premises or elsewhere. This classification includes the sale of landscape materials, topsoil and rental of landscaping equipment. This includes accessory service facilities.
Animal care facility (see categories below):																					A commercial operation that: (1) provides food, shelter, grooming, sitting, training or care for more than four (4) animals of six (6) months of age or older for purposes not primarily related to medical care (a kennel may or may not be run by or associated with a veterinarian); or (2) regularly engages in the breeding of animals for sale. (Ord. 02-54 § 2, 2002). A "kennel" refers to any area where animals are boarded or kept to provide the services listed above.
Animal and pet services						P	P	P	P	P		S	S		P	P	P	2720		81290	An animal care facility with no outside kennel or retail sales.
Animal Care - enclosed kennel only	S					P	P	P	P	P		S	S		P	P	P	2718	8700	54190	An animal care facility where all kennels are located within an enclosed and roofed building. This may include accessory retail sales.
Animal Care - outside or enclosed kennel	S					P	P	P	P	P		S	S		P	P	P	2718	8700	54190	An animal care facility where all kennels may be located within an enclosed and roofed building, or outside of a building. This may include accessory retail sales.
Animal Care - veterinary clinics	S										P	S	S					2718	8700		An animal care facility operated by licensed veterinary practitioners primarily engaged in the practice of veterinary medicine, dentistry, animal surgery, or testing services for licensed veterinary practitioners. Examples include animal hospitals, veterinary clinics, veterinarians' offices, and veterinary testing laboratories. This may include either enclosed or outside kennels or dog runs.
Antique shop							P	P	P	P					P	P	P	2145	2200	45331	Establishments primarily engaged in

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																				0	retailing used merchandise, antiques, and secondhand goods (except motor vehicles, such as automobiles, RVs, motorcycles, and boats; motor vehicle parts; fires; and mobile homes).
Apparel and accessory stores							P	P	P	P		S	S		P	P	P	2133	2200	4481-4483	Establishments primarily engaged in retailing new clothing, shoes, luggage, or footwear.
Auto supply (parts) stores								P	P	P							P	2115		4413	Establishments that: (1) are primarily engaged in retailing new, used, and/or rebuilt automotive parts, new or used tires, and accessories (known as automotive supply stores); (2) automotive supply stores that are primarily engaged in both retailing automotive parts and accessories and repairing automobiles; and (3) establishments primarily engaged in retailing and installing automotive accessories.
Ball bonding															S			2600		812990	An establishment principally engaged in providing security to ensure compliance with the terms of an appearance bond (see KSA 22-2202).
Bait shop												P	P					2200		45110	An establishment principally engaged in selling artificial or natural lures for taking fish by hook and line.
Bakery, retail (no wholesale distribution facilities)							P	P	P	P		P	P		P	P	P	2151	2200	31181	Establishments primarily engaged in retailing bread and other bakery products not for immediate consumption made on the premises from flour, not from prepared dough.
Bars, Taverns and Drinking Establishments								P	P	P		S	S		P	P	P	2540		722410	Premises which may be open to the general public, where alcoholic liquor by the individual drink is served. (Ord. 02-54 § 2, 2002)
Beer, wine, and liquor store							P	P	P	P					P	P	P	2155		4453	Establishments primarily engaged in retailing packaged alcoholic beverages, such as ale, beer, wine, and liquor.
Bicycle sales and service							P	P	P	P		S	S		P	P	P	2113	2200	45110	An establishment principally engaged in selling and repairing bicycles and bicycle equipment.
Boat/watercraft, marine supplies, and marine/boating equipment sales and service										P		S	S	S	P	P	P	2114		441222	Establishments primarily engaged in (1) retailing new and/or used boats or retailing new boats in combination with activities, such as repair services and selling replacement parts and accessories, and/or (2) retailing new and/or used outboard motors, boat trailers, marine supplies, parts, and accessories.
Book, magazine, or stationery store							P	P	P	P					P	P	P	2135	2200	4512	Establishments primarily engaged in retailing new books, newspapers, magazines, and other periodicals.
Building materials sales - without lumberyard								P	P	P					P	P	P	2126 2127		444190	Establishments (except those known as home centers, paint and wallpaper stores, and hardware stores) primarily engaged in retailing specialized lines of new building materials, such as fencing, glass, doors, plumbing fixtures and supplies, electrical supplies, prefabricated buildings and kits, and kitchen and bath cabinets and countertops to be installed. Lumber is sold only from enclosed buildings rather than unroofed spaces such as lumberyards.
Building materials sales and storage									P	P		P	P					2126 2127		4441	Retailing, wholesaling or rental of building supplies or construction equipment. This classification includes lumberyards, home improvement sales and services, tool and equipment sales or rental establishments. [Note: establishments that operate from a warehouse are classified separately].
Business service centers / business support						P	P	P	P	P	A	P	S		P	P	P	2424	2200	56143 .5619	Includes blueprinting, printing, photostating, copying, packaging, labeling, and similar services.

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	R-1 (Residential Single-Family)	R-2 (Residential Two-Family)	R-3 (Residential Low-Density MF)	R-4 (Residential Medium Density MF)	O (Office)	C-1 (Neighborhood Center)	C-2 (Community Center)	C-3 (Regional Center)	C-4 (Corridor Commercial)	BP (Business Park)					M-1 (Light Industrial)	M-2 (Heavy Industrial)	M-3 (Intense Industrial)	D (Downtown) Core	D (Downtown) Mixed Use	D (Downtown) Santa Fe
Cafeterias and snack bars (accessory)					A	A	A	A	A	A	A	A					2520		722514, 722515	Cafeterias and snack bars that principally serve the employees in the buildings in which they are located and their guests.
																	2530			
Camera and film shop; photography studio; frame shop						P	P	P	P					P	P	P	2132	2200	54192, 81292	Establishments primarily engaged in providing still, video, or digital photography services, or developing film and/or making photographic slides, prints, and enlargements.
Candy or confectionary making (retail)						P	P	P	P	S	S			P	P	P	3100	2200	3113, 31191	Establishments that make candy or confectionaries on for retail sale on the premises.
Car Wash, Automobile Laundries, or Car Care Centers								P	P	S	S						2593		811192	Establishments that wash, wax or clean automobiles or similar light vehicles.
Catering / food service					P	P	P	P	P	S	S			P	P	P	2560		72231	A business that prepares food and beverages for off-site consumption, including delivery services. This classification includes catering kitchens, bakeries with on-site retail sales and the small-scale production of specialty foods, such as sweets. This classification excludes food production of an industrial character.
																	2570		72232	
Commercial Use in Multifamily Development				A										A	A	A				A commercial use located in a building that has multifamily dwelling units, and that has no direct entry from the use to the street.
Convenience Stores, without gas sales						P	P	P	P	A	S	S		P	P	P	2152	2591	447110	Establishments that retail a limited line of goods that generally includes milk, bread, soda, and snacks.
Convenience Stores, with gas sales						P	P	P	P	S	S			S	S	P		2591	445120	A convenience store that includes Fuel Sales. Automotive repair is also allowed if it is listed as a permitted use in the applicable zoning district.
Courier and messenger services					P	P	P	P	P	P	P						4160		492	Establishments primarily engaged in providing air, surface, or combined mode courier services, express delivery services of parcels, or local messenger and delivery services of small items, with local pick-up and delivery. Examples include air courier services, express delivery services; local delivery services for letters, documents, or small parcels; grocery delivery services (i.e., independent service from grocery store), or restaurant meals delivery services.
Delicatessen / Limited-Service Restaurant						P	P	P	P	S	S			P	P	P	2151		722513	Establishments primarily engaged in providing food services (except snack and nonalcoholic beverage bars) where patrons generally order or select items and pay before eating. Food and drink may be consumed on premises, taken out, or delivered to the customer's location.
Department store, warehouse club, superstore, or general merchandise							P	P	P	S	S			P	P	P	2145	2240, 2250	452	Establishments that retail new general merchandise from fixed point-of-sale locations. Establishments in this subsector are unique in that they have the equipment and staff capable of retailing a large variety of goods from a single location. This includes a variety of display equipment and staff trained to provide information on many lines of products.
Drive-in or Drive-Through Service (for retail, restaurant)					A	A	A	A	A	A	A			A	A	A	2110, 2210			See Chapter 18.50.
Drive-Through Service (for financial institution)					A	A	A	A	A	A	A			A	A	A	2110, 2210			See Chapter 18.50.
Elderly and disabled services						P	P	P	P					P	P	P			624120	Establishments primarily engaged in providing nonresidential social assistance services to the elderly, persons diagnosed with intellectual and developmental disabilities, or persons with disabilities.

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Entertainment establishment																		2540		722410	This includes any establishment other than a restaurant where alcoholic beverages are served for consumption on the premises (such as lounges, or private clubs), or which offers live entertainment such as music or dance floors (such as nightclubs). This includes any warehouse entertainment club or teen entertainment club (see Chapter 5.10 of the Municipal Code).
Executive Suite Space (Non-retail, Non-Industrial)						P	P	P	P	P	P	P	P	P	P	P	P	2200 - 2455 5111 51911 4210 - 4212 4241 - 4243 5140 5616 56192 5160 - 6200 - 6220 - 6800 - 6820 - 9210	2100	11511 5. 511. 51911 51913 . 523- 525. 531. 5411- 5418. 5611- 5616. 56192 54191 - 54193 - 54199 . 55. 6117. 4885. 7113- 7115. 8132- 8133. 813. 923- 928	A building where offices are rented either for businesses that operate from the building, or that use the building for mail collection, conferences, or similar business services (sometimes referred to as "virtual offices"), and where the proprietor provides furnishings, private mailbox, receptionist and secretarial services, faxing, photocopying, conference rooms and other support services. These are sometimes referred to as : open plan offices, serviced offices, office business centers, office suites, business centers, executive offices, furnished offices, flexible offices, managed offices, shared-office spaces, or office hotels. This does not include leasing for onsite retail or industrial purposes.
Farm / landscape / garden supply sales	S						S	S	P	P		A	A		P	P	P	2123			Establishments that sell specialized products and services for lawns and gardens. This may include: (1) new outdoor power equipment which may or may not be accompanied with repair services and replacement parts, or (2) nursery and garden products, such as trees, shrubs, plants, seeds, bulbs, and sod, that are predominantly grown elsewhere (these establishments may sell a limited amount of a product they grow themselves).
Farmer's markets	S						S	S	P	P		S	S		P	P	P		2260		A structure or place where agricultural products or consumer goods are brought by individual producers for the purposes of retail sales. The structure from which produce is sold need not be portable or capable of being dismantled or removed from the site. This includes farmers markets or flea markets.
Farm Supplies Merchant Wholesalers	S									P		S	S		P	P	P	2000		424910	Establishments primarily engaged in the merchant wholesale distribution of farm supplies, such as animal feeds, fertilizers, agricultural chemicals, pesticides, plant seeds, and plant bulbs.
Financial Institution (bank, credit union, or savings institution)						P	P	P	P	P					P	P	P	2210	2100	521-522	An establishment that provides retail banking, credit and mortgage, or insurance services to individuals and businesses. This classification includes banks and savings and loan establishments, brokerage firms, check cashing and currency exchange outlets and stand-alone automated teller machines. This does not include a Payday Loan Business or Title Loan Business.
Flex Space (office and warehouse building)										P	P	P	P		P	P	P	3600			A building that combines office with manufacturing, wholesale, warehousing, or training facilities that relate to the office uses. Retail or

Use												LBCS Function	LBCS Structure	NAICS	Definition						
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Florist or floral/gift shop							P	P	P	P					P	P	P	2141		453110	showroom uses that are accessory to those uses may occupy up to 25% of the gross floor area. Establishments known as florists primarily engaged in retailing cut flowers, floral arrangements, and potted plants purchased from others. These establishments usually prepare the arrangements they sell.
Furniture Stores											P							2121		442110	This industry comprises establishments primarily engaged in retailing new furniture, such as household furniture (e.g. baby furniture, box springs and mattresses) and outdoor furniture; office furniture (except those sold in combination with office supplies and equipment); and/or furniture sold in combination with major appliances, home electronics, home furnishings, or floor coverings.
Gas Station								P	P	P		P	P		S	S	S	2116	2270	4471	The retail sale of gasoline, diesel and kerosene fuels.
Grocery, meat, dairy product and bakery sales							P	P	P	P		S	S		P	P	P	2151		445	An establishment for retail sales of food and beverages for off-site preparation and consumption. Typical uses include supermarkets, specialty food stores, delicatessens or convenience markets. This category also includes large-scale stores that sell food items and beverages in bulk.
Gun shops and Gunsmiths											S									451110	An establishment principally engaged in selling, exchanging, or transferring firearms, handguns, rifles, or ammunition at wholesale or retail.
Hardware store							P	P	P	P		S	S		P	P	P	2122	2592	444130	Establishments known as hardware stores primarily engaged in retailing a general line of new hardware items, such as tools and builders' hardware.
Home occupation Laundry, pick-up only and garment services	A	A	A	A	A		P	P	P	P					A	A	A				See Chapter 18.50
Laundry, coin operated				A	A	A	P	P	P	P	A				P	A	P			81232	Establishments primarily engaged in one or more of the following: (1) providing dry-cleaning services (except coin-operated); (2) providing laundering services (except linen and uniform supply or coin-operated); (3) providing drop-off and pickup sites for laundries and/or drycleaners; and (4) providing specialty cleaning services for specific types of garments and other textile items (except carpets and upholstery), such as fur, leather, or suede garments; wedding gowns; hats; draperies; and pillows. These establishments may provide all, a combination of, or none of the cleaning services on the premises.
Leasing office, residential				A	A													2300		531110	Establishments primarily engaged in acting as lessors of buildings used as residences or dwellings, such as single-family homes, apartment buildings, and town homes.
Leasing, Commercial and Industrial Machinery and Equipment										P		S	S		P	P	P	2334		5324	Establishments primarily engaged in renting or leasing machinery and equipment for use in business or industrial operations. These establishments typically cater to a business clientele and do not generally operate a retail-like or storefront facility. Examples including the leasing of heavy equipment, office furniture or equipment, or off-highway

Use	AG Agriculture	R-1 (Residential Single-Family)	R-2 (Residential Two-Family)	R-3 (Residential Low-Density MF)	R-4 (Residential Medium Density MF)	O (Office)	C-1 (Neighborhood Center)	C-2 (Community Center)	C-3 (Regional Center)	C-4 (Corridor Commercial)	BP (Business Park)	M-1 (Light Industrial)	M-2 (Heavy Industrial)	M-3 (Intense Industrial)	D (Downtown) - Core	D (Downtown) - Mixed Use	D (Downtown) - Santa Fe	LBCS Function	LBCS Structure	NAICS	Definition
Leasing/Rental - consumer or recreational goods							P	P	P	P		S	S		P	P	P	2333 2335		5322, 5323	transportation equipment. Establishments that rent electronics, home health equipment, formal wear, furniture, party supplies, sporting goods, or similar consumer goods to the general public.
Leasing/Rental of Trucks, Trailers, RV's, Boats, Motorcycle										P		P	P					2332		53212 0	Establishments primarily engaged in renting or leasing, without drivers, one or more of the following: trucks, truck tractors, buses, semitrailers, utility trailers, or RVs (recreational vehicles).
Leasing/Rental, Car and Passenger Vehicle									S	S		S	S					2331		53211	Establishments primarily engaged in renting or leasing passenger cars without drivers.
Light manufacturing accessory to retail use							A	A	A	A	A	S	S		P	P	P				The production of goods or products as a subordinate function of a retail establishment, where the activities generate no offsite noise, vibrations, odors, or other nuisance impacts.
Live-work units	P	P	P	P	P		P	P	P						P	P	P	2200 - 2455 5140 - 5160 6200 - 6220 6800 - 6820	2300 2400		A building in which offices, studios, or other commercial uses are located on the first floor and a dwelling unit is located above the first floor, or behind the areas that house the commercial activities.
Medical equipment sales, rental or leasing										P					P	P	P			44619	Establishments primarily engaged in retailing medical equipment and supplies such as examples of products made by these establishments are surgical and medical instruments, surgical appliances and supplies, dental equipment and supplies, orthodontic goods, ophthalmic goods, dentures, and orthodontic appliances.
Mixed Use, Commercial (includes offices units located over storefronts)						P	P	P	P	P					P	P	P	2200 - 2455 5140 - 5160 6200 - 6220 6800 - 6820	2300 2400 2611		A building where retail activities occur on the ground floor, with offices or a mix of dwellings and offices located above the ground floor.
Mixed use, Vertical (includes residences located over storefronts)					P	S	P	P	P	P					P	P	P	2200 2455 5140 - 5160 6200 - 6220 6800 - 6820	2300 2400 2611		A building where retail activities occur on the ground floor, with residences located above the ground floor.
Mobile Food Services	----- As regulated by Municipal Code -----																	2550		72233	Establishments primarily engaged in preparing and serving meals and snacks for immediate consumption from motorized vehicles or nonmotorized carts.
Monument dealers (tombstones and markers)										P		P	P		P	P	P			45399 8	Establishments that buy or sell finished monuments or tombstones, or semifinished monuments and tombstones with no work other than polishing, lettering, or shaping to custom order.
Motor vehicles, all types, sales/leasing/rental								S	S			S	S					2111		4411, 4412	Establishments that sell automobiles, motorcycles, trucks, tractors, construction or agricultural equipment, motor homes and RV's, boats and similar equipment, including storage and incidental maintenance.

Use	AG Agriculture	R-1 (Residential Single-Family)	R-2 (Residential Two-Family)	R-3 (Residential Low-Density MF)	R-4 (Residential Medium Density MF)	O (Office)	C-1 (Neighborhood Center)	C-2 (Community Center)	C-3 (Regional Center)	C-4 (Corridor Commercial)	BP (Business Park)	M-1 (Light Industrial)	M-2 (Heavy Industrial)	M-3 (Intense Industrial)	D (Downtown-Core)	D (Downtown-Mixed Use)	D (Downtown-Sancti Fe)	LBCS Function	LBCS Structure	NAICS	Definition	
Motor Vehicles, Internet sales, no outdoor display																					454, 42511 0	Establishments that retail merchandise through online, mass media, telephone, mail, or similar methods (infomercials, direct-response advertising, paper and electronic catalogs, door-to-door solicitation, in-home demonstration, selling from portable stalls, vending machines, and similar methods). Examples include mail-order houses, vending machine operators, home delivery sales, door-to-door sales, party plan sales, electronic shopping, and sales through portable stalls (e.g., street vendors).
Musical Instrument and Supplies Stores							P	P	P	P					P	P	P	2135		45114	Establishments primarily engaged in retailing new musical instruments, sheet music, and related supplies; or retailing these new products in combination with musical instrument repair, rental, or music instruction.	
Nonstore retail / commercial						P	P	P	P	P	P	P	P		P	P	P	2144 2580		454, 42511 0	Establishments that retail merchandise through online, mass media, telephone, mail, or similar methods (infomercials, direct-response advertising, paper and electronic catalogs, door-to-door solicitation, in-home demonstration, selling from portable stalls, vending machines, and similar methods). Examples include mail-order houses, vending machine operators, home delivery sales, door-to-door sales, party plan sales, electronic shopping, and sales through portable stalls (e.g., street vendors).	
Office supply and equipment store						A	P	P	P	P	P	S	S		P	P	P	2135		45321	Establishments primarily engaged in one or more of the following: (1) retailing new stationery, school supplies, and office supplies; (2) retailing a combination of new office equipment, furniture, and supplies; and (3) retailing new office equipment, furniture, and supplies in combination with selling new computers.	
Office						P	P	P	P	P	P	P	P		P	P	P	2310 - 2322 - 2336 - 51791 - 2455 - 51911 - 4210 - 51913 - 4212 - 523- 525. 4241 - 531. 533. 4243 - 5411- 5418. 5611- 5616. 5160 - 6200 - 6220 - 6800 - 6820 - 9210	2100	11511 5. 23611 8. 511. 51791 1. 51911 - 51913 - 523- 525. 531. 533. 5411- 5418. 5611- 5616. 56192 - 54191 - 54193 - 54199 - 55. 6117. 4885. 7113- 7115. 8132- 8133. 813. 921. 92213 - 92219 - 923- 928	A building or facility for a firm or organization that primarily provides professional, executive, management or administrative services (such as accounting, advertising, architectural, consulting, planning, computer software consulting, data management, engineering, medical, dental, chiropractors, or other health care professionals, environmental analysis, insurance, interior design, investment, graphic design, landscape design, law and real estate offices, drafting), information services (such as print or software publishing, internet publishing and broadcasting, web search portals), and production of intellectual property. It includes research and development, scientific and technical research services that do not involve laboratory facilities. It excludes medical offices or clinics, banks/financial services, and offices that are incidental to retail, production, storage or other activities.	
Optical Goods Stores							P	P	P	P					P	P	P	2163		44613 0	Establishments primarily engaged in one or more of the following: (1) retailing and fitting prescription eyeglasses and contact lenses; (2) retailing prescription eyeglasses in combination with the grinding of lenses to order on the premises; and (3) selling nonprescription eyeglasses.	
Pawnshops and							P	P							P	P	P	2145		4533, 52229	Includes any pawnbroker or precious metal dealer (see 5.42 of the	

Use	AG Agriculture	R-1 (Residential Single-Family)	R-2 (Residential Two-Family)	R-3 (Residential Low-Density MF)	R-4 (Residential Medium Density MF)	O (Office)	C-1 (Neighborhood Center)	C-2 (Community Center)	C-3 (Regional Center)	C-4 (Corridor/Commercial)	BP (Business Park)	M-1 (Light Industrial)	M-2 (Heavy Industrial)	M-3 (Intense Industrial)	D (Downtown-Core)	D (Downtown-Mixed Use)	D (Downtown-Santa Fe)	LBCS Function	LBCS Structure	NAICS	Definition
secondhand goods																				8	Municipal Code).
Payday Loan Business or Title Loan Business									P	P											See Municipal Code § 5.43.010.
Personal services						P	P	P	P	P		A	A		P	P	P	2600		8121	The provision of recurrently needed services of a personal nature. This classification includes barber and beauty shops, nail salons, tanning salons, massage therapy (see Chapter 5.36 of the Municipal Code), electrolysis, seamstresses, tailors, shoe repair, dry cleaners (excluding dry cleaning plants), self-service laundries and photographic studios.
Pet care	S						P	P	P	P					P	P	P	2720		812910	Establishments primarily engaged in providing pet care services (except veterinary), such as boarding, grooming, sitting, and training pets.
Pet store							P	P	P	P					P	P	P	2710		453910	Establishments primarily engaged in retailing pets, pet foods, and pet supplies.
Pharmacy and drugstore							P	P	P	P					P	P	P	2161		446110	Establishments known as pharmacies and drug stores engaged in retailing prescription or nonprescription drugs and medicines.
Real estate sales or rental						P	P	P	P	P					P	P	P	2300 - 2335		53121	Establishments primarily engaged in acting as agents and/or brokers in one or more of the following: (1) selling real estate for others; (2) buying real estate for others; and (3) renting real estate for others.
Real estate services						P				P										5313	Establishments primarily engaged in providing real estate services, such as appraising real estate, property management, appraisal, and related services.
Repair services										P		P	P		P	P	P	2280	8111-8114		An establishment providing repair or restoration services for vehicles, machinery and equipment, personal and household goods, such as household appliances, computers, television, audio or video equipment, office machines, furniture and leather goods. This classification excludes building maintenance services and maintenance and repair of automobiles and other vehicles and equipment.
Restaurant (see classifications below)																					A building where food is prepared and served in ready-to-eat form to the public for human consumption. Restaurant includes cafe, cafeteria, grill, pizza parlor, diner, snack shop, hamburger shop and steak house. (Ord. 02-54 § 2, 2002)
Restaurant or snack bar, accessory						P	P	P	P	P	P	P	P		P	P	P	2520 - 2530			A restaurant or snack bar, as defined below, that is subordinate to an office or retail building with no direct outside entrance.
Restaurant, Full Service							P	P	P	P					P	P	P	2510	722511, 722514		Establishments primarily engaged in providing food services to patrons who order and are served while seated (i.e., waiter/waitress service) and pay after eating. These establishments may provide this type of food service to patrons in combination with selling alcoholic beverages, providing carryout services, or presenting live nontheatrical entertainment. This also includes establishments known as cafeterias, grill buffets, or buffets, primarily engaged in preparing and serving meals for immediate consumption using cafeteria-style or buffet serving equipment, such as steam tables, refrigerated areas, display grills, and self-service nonalcoholic beverage dispensing equipment.
Restaurant, limited service or carry out						A	P	P	P	P	A	S	S		P	P	P	2520	722513, 722514		Establishments primarily engaged in (1) providing food services (except snack and nonalcoholic beverage

Use	AG Agriculture	R-1 (Residential Single-Family)	R-2 (Residential Two-Family)	R-3 (Residential Low-Density MF)	R-4 (Residential Medium Density MF)	O (Office)	C-1 (Neighborhood Center)	C-2 (Community Center)	C-3 (Regional Center)	C-4 (Corridor Commercial)	BP (Business Park)	M-1 (Light Industrial)	M-2 (Heavy Industrial)	M-3 (Intense Industrial)	D (Downtown) - Core	D (Downtown) - Mixed Use	D (Downtown) - Sanitary	LBCS Function	LBCS Structure	NAICS	Definition
																				5	bars) where patrons generally order or select items and pay before eating (food and drink may be consumed on premises, taken out, or delivered to the customer's location), (2) preparing and/or serving a specialty snack, such as ice cream, frozen yogurt, cookies, or popcorn, or (3) serving nonalcoholic beverages, such as coffee, juices, or sodas for consumption on or near the premises.
Retail sales, accessory							A	A	A	A		A	A		A	A	A	2000		44-45	An establishment engaged in sales of goods, such as: furniture and home furnishings, electronics and appliances, sporting goods and hobbies, books, periodicals and music, tobacco sales, department stores, florists, office supplies and stationery, gifts and novelties, pets, hardware, pawn shops, video stores and auto parts. This classification includes the retail sale or rental of merchandise not specifically listed under another use classification.
Retail sales, generally (not otherwise listed)							P	P	P	P		S	S		P	P	P	2000 2100 2121 2124 2125 2131 2135 2143	2200 2590	44-45	The sale of any tangible personal property for use or consumption, and not for resale. Examples include the sale of: furniture and home furnishings, electronics and appliances, hobbies, tobacco, cosmetic and beauty supplies, gifts and novelties, and art work. Examples include standalone shops or stores, art galleries, pawn shops, and video stores. This classification includes the retail sale or rental of merchandise not specifically listed under another use classification.
Sales and service, manufactured homes										S		S	S					2112		45393	Establishments primarily engaged in retailing new and/or used modular or manufactured homes, recreation vehicle, bus, or trucks, including parts, and equipment.
Sales and service, large vehicles										S		S	S					2114		44121 0, 44122 2, 44122 8, 44122 9, 53212 0	Establishments primarily engaged in retailing new and/or used recreational vehicles (commonly referred to as RVs), boats/marine, recreational vehicle, travel trailer, or campers, or retailing these new vehicles in combination with activities, such as repair services and selling replacement parts and accessories.
Services to buildings and dwellings							P	P	P	P		P	P		P	P	P	2450 - 2455		5617, 56162 2	An establishment providing carpet cleaning, carpentry, roofing, exterminator, glazing, janitorial services, electrical repair, plumbing, heating and air conditioning, upholstery, painting and paper hanging, sign painting, packing and crating, landscaping, and locksmith services
Specialty food stores							P	P	P	P					P	P	P	2153 2154		4452	Establishments primarily engaged in retailing specialized lines of food, such as meat markets, fish and seafood markets, fruit and vegetable markets, and gourmet food stores.
Sporting goods shop							P	P	P	P					P	P	P	2134		4511	Establishments primarily engaged in retailing new sporting goods, such as bicycles and bicycle parts; camping equipment; exercise and fitness equipment; athletic uniforms; specialty sports footwear; and sporting goods, equipment, and accessories.
Tailor / shoe repair							P	P	P	P					P	P	P	3130		3152	Establishments primarily engaged in manufacturing cut and sew apparel from woven fabric or purchased knit fabric.
Tattoo Parlor/Tattoo Studio and/or Body Piercing									P	P					P	P	P	2600			An establishment whose principal business activity, either in terms of operation or as held out to the public, is the practice of one or more of the

Use	AG Agriculture	R-1 (Residential Single-Family)	R-2 (Residential Two-Family)	R-3 (Residential Low-Density MF)	R-4 (Residential Medium Density MF)	O (Office)	C-1 (Neighborhood Center)	C-2 (Community Center)	C-3 (Regional Center)	C-4 (Corridor Commercial)	BP (Business Park)	M-1 (Light Industrial)	M-2 (Heavy Industrial)	M-3 (Intense Industrial)	D (Downtown-Core)	D (Downtown-Mixed Use)	D (Downtown-Small FC)	LBCS Function	LBCS Structure	NAICS	Definition
																					following: (1) placing of designs, letters, figures, symbols, or other marks upon or under the skin of any person, using ink or other substances that result in the permanent coloration of the skin by means of the use of needles or other instruments designed to contact or puncture the skin; (2) creation of an opening in the body of a person for the purpose of inserting jewelry or other decoration.
Temporary sales and events						P	P	P	P	P	P	P	P	P	P	P	P				Temporary sales and events require a permit (see § 18.50.225).
Travel Agency							P	P	P	P					P	P	P	2430		5615	Establishments primarily engaged in acting as agents in selling travel, tour, and accommodation services to the general public and commercial clients.
Travel Plaza/Truck Stop										P										447190	A facility that provides services to the trucking industry, including but not limited to the following: dispensing of fuel, repair shops, automated washes, restaurants, and motels; all as part of the facility.
Upholstery and furniture refinishing							P	P	P	P	P	P			P	P	P			811420	Establishments primarily engaged in retailing used merchandise, antiques, and secondhand goods (except motor vehicles, such as automobiles, RVs, motorcycles, and boats; motor vehicle parts; tires; and mobile homes).
Used merchandise stores (e.g., books, clothes, etc.)							P	P	P	P	P							2145		453310	Establishments primarily engaged in retailing or wholesaling used merchandise, antiques, and secondhand goods (except motor vehicles, such as automobiles, RVs, motorcycles, and boats; motor vehicle parts; tires; and mobile homes) from an enclosed building/storefront. Examples include antique stores, used book stores, and used clothing stores.
Vehicle painting and body shops									P	P		P	P					2110	2280	81112	Establishments primarily engaged in: (1) repairing or customizing bodies or interiors of automotive vehicles, such as passenger cars, trucks, and vans, and all trailer bodies and interiors; (2) painting automotive vehicle and trailer bodies; (3) replacing, repairing, and/or tinting automotive vehicle glass; or (4) customizing automobile, truck, and van interiors for the physically disabled or other customers with special requirements. No vehicles are sold on the premises.
Vehicle repair and restoration (generally)									P	P		P	P					2110	2280	81111	Establishments providing mechanical or electrical repair and maintenance services for motor vehicles. This includes (1) repair or replacement of mechanical and electrical systems, engines, exhaust systems, transmissions, brakes, and radiators, and (2) installing radios, stereos, or similar items. These do not include automotive wrecking or long-term disabled vehicle outdoor storage.
Vehicle Services								P	P	P								2110	2280	811191	Establishments primarily engaged in providing automotive maintenance services. Examples include oil change, engine tune-ups, diagnostics, wheel alignment, and maintenance of air conditioning, charging or starting systems, belts, brakes, radiators, and transmissions. Repair services are limited to tires. Services do not include mechanical and electrical repair and maintenance; transmission repair; and body, paint, interior, and glass repair. This includes tune-up, quick lube and auto diagnostic centers.
Video/audio sales							P	P	P			S	S		P	P	P			532230	Establishments primarily engaged in renting prerecorded video tapes and

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and/or rental																						discs for home electronic equipment.
Woodworking shops						P	P	P	P	P		P	P		P	P	P			337, 44419 0	Establishments that make furniture, cabinets, or similar items from logs or lumber, for sale on the premises. Processes include carpentry or wood crafting.	
Industrial																						
Automobile storage or towing (excluding junked vehicles)										P		P	P					4138		48841 0	Establishments primarily engaged in towing light or heavy motor vehicles, along with incidental services such as storage and emergency road repair services. Includes any impound towing business subject to Chapter 5.44 of the Municipal Code.	
Bottling works												P	P					2613 2620 2621	31211		Establishments primarily engaged in one or more of the following: (1) manufacturing soft drinks; (2) manufacturing ice; and (3) purifying and bottling water.	
Brewery/Tasting Rooms												P	P							31212 0	This industry comprises establishments primarily engaged in brewing beer, ale, malt liquors, and non-alcoholic beer.	
Building contractor												P	P		P	P	P	7110 7450		236	Establishments primarily responsible for the construction of buildings. The work performed may include new work, additions, alterations, or maintenance and repairs.	
Carpentry, floor, and tile contractor												P	P		P	P	P	7310		2383	Establishments primarily engaged in the specialty trades needed to finish buildings. The work performed may include new work, additions, alterations, maintenance, and rep	
Computer and Electronic Product Manufacturing											P	P	P					2613 2614 2620 2621		334	Establishments that manufacture computers, computer peripherals, communications equipment, and similar electronic products, and establishments that manufacture components for such products.	
Construction and contractors												P	P							23611 5- 23611 7, 238	Establishments primarily engaged in the entire construction of new housing or non-residential buildings, or specific activities (e.g., pouring concrete, site preparation, plumbing, painting, and electrical work) involved in building construction or other activities that are similar for all types of construction, but that are not responsible for the entire project.	
Crematories	S	S						P	P			P	P					6720	4800	8122	A building or structure containing one or more furnaces for the reduction of bodies of deceased persons to cremated remains.	
Data Processing, hosting, and related services						P				P	P	P	P		P	P	P	4240 2620 2621	2613	518	Establishments that provide infrastructure for hosting or data processing services. These establishments may provide specialized hosting activities, such as web hosting, streaming services or application hosting; provide application service provisioning; or may provide general timeshare mainframe facilities to clients. An example is a data center.	
Explosives manufacturing/storage														P				3320	2620 2621	33299 2- 33299 5- 32592 32599 8	Establishments primarily engaged in manufacturing ammunition, ordnance, or explosives such as dynamite.	
Extractive industries	S													S				8000 8500		212, 21311 2- 21311 5	The extraction of metallic minerals and nonmetallic minerals, including coal. This includes mine site development, beneficiating (i.e., preparing), and support activities. Activities include ore extraction, quarrying, and beneficiating (e.g., crushing, screening, washing, sizing, concentrating, and flotation), customarily done at the mine site.	

Use	AG Agriculture											LPCS Function	LPCS Structure	NAICS	Definition					
	R-1 (Residential Single-Family)	R-2 (Residential Two-Family)	R-3 (Residential Low-Density MF)	R-4 (Residential Medium Density MF)	O (Office)	C-1 (Neighborhood Center)	C-2 (Community Center)	C-3 (Regional Center)	C-4 (Corridor Commercial)	BP (Business Park)	M-1 (Light Industrial)					M-2 (Heavy Industrial)	M-3 (Intense Industrial)	D (Downtown) - Core	D (Downtown) - Mixed Use	D (Downtown) - Santa Fe
Food and Beverage Manufacturing																	3110 3120	2613 2614 2620 2621	311-312	Establishments that transform livestock and agricultural products into products for intermediate or final consumption, or that manufacture beverages or tobacco products.
Fuel oil distribution											P	P							45431	Establishments primarily engaged in retailing heating oil, liquefied petroleum (LP) gas, and other fuels via direct selling.
Jewelry and Silverware manufacturing											P	P	P				3410	2613 2620 2621	33991	Establishments primarily engaged in one or more of the following: (1) manufacturing, engraving, chasing, or etching jewelry; (2) manufacturing, engraving, chasing, or etching metal personal goods (i.e., small articles carried on or about the person, such as compacts or cigarette cases); (3) manufacturing, engraving, chasing, or etching precious metal solid, precious metal clad, or pewter flatware and other hollowware; (4) stamping coins; (5) manufacturing unassembled jewelry parts and stock shop products, such as sheet, wire, and tubing; (6) cutting, stabling, tumbling, carving, engraving, polishing, or faceting precious or semiprecious stones and gems; (7) recutting, repolishing, and setting gem stones; and (8) drilling, sawing, and peeling cultured and costume pearls.
Junk yards, salvage yards, and auto and scrap processing												S					3510		42393	An establishment or part thereof, which is maintained, operated, or used for storing, keeping, repairing, buying or selling junk, including any parts of vehicles, equipment, or machines or discarded or similar materials, or for the maintenance or operation of a salvage yard. (Ord. 02-54 § 2, 2002). "Junk" includes, but is not limited to: older scrap copper; brass; rope; rags; batteries; paper; trash; rubber; debris; waste; junked, dismantled, scrapped or wrecked motor vehicle or parts thereof; iron; steel; or other old or scrap materials. (Ord. 08-104 § 9, 2008) A "salvage yard" is any establishment or part thereof, which is maintained, used or operated for storing, keeping, buying, repairing, or selling any wrecked, scrapped, ruined, and/or dismantled motor vehicles or parts thereof. (Ord. 02-54 § 2, 2002) This category includes any scrap metal dealer (see Chapter 5.52 of the Municipal Code).
Laboratories-research and testing					P					P	P	P		P	P	P	2416	2614 2615 2620	54138	Establishments primarily engaged in performing physical, chemical, and other analytical testing services, such as acoustics or vibration testing, assaying, biological testing (except medical and veterinary), calibration testing, electrical and electronic testing, geotechnical testing, mechanical testing, nondestructive testing, or thermal testing.
Laboratories-medical and diagnostic					P					P	P	P					6513	2614		Establishments that provide analytic or diagnostic services, and related services such as medical imaging, and forensics.
Landfill, demolition												S					6320 7000	6320	56221 2	An area used to dispose nonbiodegradable waste resulting from road building, construction, remodeling, repair, or demolition of structures.
Landfill, land clearing and inert debris												S					6320	6320	56221 2	A facility for the land disposal of land clearing waste, concrete, brick, concrete block, uncontaminated soil, gravel and rock, untreated and unpainted wood, and yard trash. For purposes of this definition, "land

Use	AG Agriculture	R-1 (Residential Single-Family)	R-2 (Residential Two-Family)	R-3 (Residential Low-Density MF)	R-4 (Residential Medium Density MF)	O (Office)	C-1 (Neighborhood Center)	C-2 (Community Center)	C-3 (Regional Center)	C-4 (Corridor Commercial)	BP (Business Park)	M-1 (Light Industrial)	M-2 (Heavy Industrial)	M-3 (Intense Industrial)	D (DownTown) - CORE	D (DownTown) - Mixed Use	D (DownTown) - Santa Fe	LBCS Function	LBCS Structure	NAICS	Definition
Landfill, sanitary														S				4345	6320	56221 2, 56221 9	clearing waste" means solid waste which is generated solely from land clearing activities such as stumps, trees, limbs, brush, grass, and other naturally occurring vegetative material. Any solid waste disposal area, as defined in KSA 65-3402.
Limited Sales in Industrial Districts/Uses On-site									P	P		P	P	P	P	P	P				Retail sales areas that occupy up to 5,000 sf or 25% of the floor area of a principal industrial use, whichever is less.
Manufacturing, excluding other uses listed in this table												S	S					3100 - 3230 - 3400 - 3520	2613 - 2614 - 2620 - 2621	31-33	Establishments primarily engaged in (1) operating landfills for the disposal of nonhazardous solid waste or (2) the combined activity of collecting and/or hauling nonhazardous waste materials within a local area and operating landfills for the disposal of nonhazardous solid waste.
Meat packing and poultry processing														P				2613 - 2620	2613	3116	Establishments primarily engaged in processing or preserving meat and meat byproducts from purchased meats.
Medical Equipment and Supplies Manufacturing												S	P	P				2614 - 2620 - 2621	2614 - 2620 - 2621	3391	Establishments primarily engaged in manufacturing medical equipment and supplies. Examples of products made by these establishments are surgical and medical instruments, surgical appliances and supplies, dental equipment and supplies, orthodontic goods, ophthalmic goods, dentures, and orthodontic appliances.
Milling or canning of agricultural products, feed and flour mills													P	P				9240	2612 - 2620	31121 1	Establishments primarily engaged in (1) milling flour or meal from grains (except rice) or vegetables and/or (2) milling flour and preparing flour mixes or doughs.
Motor Vehicle Manufacturing													P	P				3370	2613 - 2620 - 2621	336	Includes automobiles, trucks, transportation equipment, aircraft, boat, railroad, and similar items.
Office Supply, Inks, etc. manufacturing (except paper)												P	P	P				3430	2613 - 2620 - 2621		Office supply manufacturing establishments manufacture office supplies with the exception of paper. Examples of products made by these establishments are pens, pencils, felt tip markers, crayons, chalk, pencil sharpeners, staplers, hand operated stamps, modeling clay, and inked ribbons.
Oil and gas well drilling	S												S	S				8100		211, 21311 1	See Section 18.50.065.
Paper Manufacturing													P	P				3220	2613 - 2620 - 2621	322	Establishments that transform metal into intermediate or end products (other than machinery, computers and electronics) and metal furniture, or treat metals and metal formed products fabricated elsewhere.
Petroleum and coal products manufacturing												S	S					3310	2613 - 2620 - 2630 - 2636	324	Establishments that transform crude petroleum and coal into usable products.
Printing / Publishing									P	P	P	P	P	P	P	P	P		2613 - 2614 - 2620 - 2621	32311 1- 32312 0, 511	Establishments primarily engaged in: (1) printing on apparel and textile products, paper, metal, glass, plastics, and other materials, except fabric (grey goods); (2) performing prepress and postpress services in support of printing activities, or (3) publishing newspapers, magazines, other periodicals, and books, as well as directory and mailing list and software publishing.
Process Plant-													S					3320	2613	325	Establishments that transform organic

Use	AG Agriculture											LACS Function	LACS Structure	NAICS	Definition					
	R-1 (Residential Single-Family)	R-2 (Residential Two-Family)	R-3 (Residential Low-Density MF)	R-4 (Residential Medium Density MF)	O (Office)	C-1 (Neighborhood Center)	C-2 (Community Center)	C-3 (Regional Center)	C-4 (Corridor Commercial)	BP (Business Park)	M-1 (Light Industrial)					M-2 (Heavy Industrial)	M-3 (Intense Industrial)	D (Downtown) - Core	D (Downtown) - Mixed Use	D (Downtown) - Santa Fe
Chemicals																	3350	2620 2622	331	and inorganic raw materials by a chemical process and the formulation of products.
Process Plant-Metals												S					3340	2613 2620 2622	331	Establishments that smelt and/or refine ferrous and nonferrous metals from ore, pig or scrap, using electrometallurgical and other process metallurgical techniques.
Production/Assembly Plant-Fabricated Metal or Machinery												S					3350	2613 2620 2621	332, 333	Establishments that: (1) transform metal into intermediate or end Products (other than machinery, computers and electronics), and metal furniture, or treat metals and metal formed products fabricated elsewhere, or (2) create end products that apply mechanical force, for example, the application of gears and levers, to perform work.
Production/Assembly Plant-Electronics											P	P					3360	2613 2614 2621	334, 335	Establishments that (1) manufacture computers, computer peripherals, communications equipment, and similar electronic products, and establishments that manufacture components for such products, or (2) manufacture products that generate, distribute and use electrical power.
Stone cutting/mason	S										S	S					8500		2123	Manufacturing establishments primarily engaged in cutting, shaping, and finishing marble, granite, slate, and other stone for building and miscellaneous uses. Also includes establishments primarily engaged in buying or selling partly finished monuments and tombstones.
Recycling Centers, Drop-Off	S							P	P		P	P					4346		562920	Establishments primarily engaged in (1) operating facilities for separating and sorting recyclable materials from nonhazardous waste streams (i.e., garbage) and/or (2) operating facilities where commingled recyclable materials, such as paper, plastics, used beverage cans, and metals, are sorted into distinct categories.
Rendering and Meat Byproduct Processing											P	P					3110	2613 2620	311613	Establishments primarily engaged in rendering animal fat, bones, and meat scraps.
Research and development					P	S	S	P	P	P	P	P	P	P	P	P	2416 3000 6320	2614	5417, 927	An establishment primarily engaged in the research, development and controlled production of high technology electronic, industrial or scientific products or commodities for sale. This classification includes biotechnology firms and manufacturers of nontoxic computer components. Includes government research such as space research and technology.
Sign makers											P	P	P				3440	2613 2620 2621	33995	Establishments primarily engaged in manufacturing signs and related displays of all materials (except printing paper and paperboard signs, notices, displays).
Textile, Clothing, and Leather Manufacturing											P	P	P				3130	2613 2620 2621	313-316	Establishments that (1) transform a basic fiber (natural or synthetic) into a product, such as yarn or fabric that is further manufactured into usable items, such as apparel, sheets, towels, and textile bags for individual or industrial consumption, (2) make textile products (except apparel), or (3) cut and sew (i.e., purchasing fabric and cutting and sewing to make a garment), or manufacture garments in establishments that first knit fabric and then cut and sew the fabric into a garment.
Welding, fimsmithing and machine shop											P	P						2613	332710	Establishments primarily engaged in machining metal and plastic parts and parts of other composite materials on a job or order basis.
Wood or wood	S										P	P	P				3210	2612	321	Establishments that manufacture wood products, such as lumber,

Use	Use													LBCS Function	LBCS Structure	NAICS	Definition			
	AG Agriculture	R-1 (Residential Single-Family)	R-2 (Residential Two-Family)	R-3 (Residential Low-Density MF)	R-4 (Residential Medium Density MF)	O (Office)	C-1 (Neighborhood Center)	C-2 (Community Center)	C-3 (Regional Center)	C-4 (Corridor Commercial)	BP (Business Park)	M-1 (Light Industrial)	M-2 (Heavy Industrial)					M-3 (Intense Industrial)	P (Downtown)-Core	P (Downtown)-Mixed Use
products manufacturing																		2613 2620 2621		plywood, veneers, wood containers, wood flooring, wood trusses, manufactured homes (i.e., mobile homes), and prefabricated wood buildings.
Warehousing & Storage																				
Mini-Warehouse									P	P		P	P	P				2700 2710 2720	53113	Structures containing generally small, individual, compartmentalized stalls or lockers rented as individual storage spaces and characterized by low parking demand.
Petroleum Bulk Stations and Terminals	S												P	P				3600 2780 2782	42471 0	Establishments with bulk liquid storage facilities primarily engaged in the merchant wholesale distribution of crude petroleum and petroleum products, including liquefied petroleum gas. These may include above-ground storage.
Refrigerated warehouse or cold storage												P	P	P				3600 2750	49312	Establishments primarily engaged in operating refrigerated warehousing and storage facilities, including the storage of furs.
Outdoor Display and Storage							A	A	A					P	A	A	A	3600	49319 0	Any off-street area designated and used for storing retail items sold on the premises. (Ord. 02-54 § 2, 2002)
Storage area or lot												P	P	P				7000	23	Any off-street area designated and used for placing, keeping, holding and storing of inoperable vehicles, vehicles awaiting repair, and vehicle parts; building materials, supplies and equipment; trailers; heavy construction equipment and other motorized vehicles and equipment, but not for junkyard or salvage yard purposes. (Ord. 02-54 § 2, 2002)
Warehousing, storage, wholesale, and distribution facilities	A											P	P	P				3500 2730 2740 3600 2760	42, 493	A facility for (1) storing goods, merchandise, or bulk goods and non-retail store items for wholesale distribution, or (2) for keeping business, personal property and office records in an enclosed and roofed building.
Arts, Recreation & Entertainment																				
Adult business establishments														P						See definition in Chapter 5.50. (Ord. 02-54 § 2, 2002, Ord. 08-20 § 6, 2008)
Amphitheater, outdoor stage, bandstand, or similar structure							S		S		S	S		S	S	S		3130 6960		
Amusement parks	S								P		S	S		S	S	S		5310 4440	71311	
Amusement, indoor						S	S	S	S		S	S		P	P	P		5320	71312	Includes game arcades.
Aquarium or Planetarium							S	P			S	S		P	P	P		4420 4430	71211 0	
Art gallery						P	P	P	P		S	S		P	P	P		2142	4410	45392 0
Artist Studio	A	A	A	A	P	S	P	P	P		S	S		P	P	P		5160	4410	71151 0
Club or Lodge, Membership	P	P	P			S	S	S	P		S	S		P	P	P		6830 3800	8134, 81399	A Class A or Class B Club. Class A club means a premises which is owned or leased by a corporation, partnership, business trust or association, and which is operated thereby as a bona fide nonprofit, social, fraternal or war veterans' club as determined by the Director of Alcoholic Beverage Control of the Kansas Department of Revenue, for the exclusive use of the corporate stockholders, partners, trust beneficiaries or associates and their families and guests accompanying them. Class B club means premises operated for profit by a corporation, partnership or individual to which members of such club may resort for the consumption of food or alcoholic beverages and for entertainment. (Ord. 02-54 § 2, 2002)

Use	AG Agriculture	R-1 (Residential Single-Family)	R-2 (Residential Two-Family)	R-3 (Residential Low-Density MF)	R-4 (Residential Medium Density MF)	O (Office)	C-1 (Neighborhood Center)	C-2 (Community Center)	C-3 (Regional Center)	C-4 (Corridor Commercial)	BP (Business Park)	M-1 (Light Industrial)	M-2 (Heavy Industrial)	M-3 (Intense Industrial)	D (Downtown-Core)	D (Downtown-Mixed Use)	D (Downtown-Santa Fe)	LBCS Function	LBCS Structure	NAICS	Definition	
Community center	S	S																3700 3800				
Conference center	S					P		P	P	P	P	S	S		P	P	P	3400			A facility used for assemblies or meetings of the members or representatives of a group, such as convention centers and banquet halls. This does not include clubs, lodges or other meeting facilities of private or non-profit groups that are primarily used by group members.	
Entertainment establishment	----- See listing under Commercial / Mixed Use -----																					
Fairgrounds	S										S	S	S		S	S	S	5310		71399 0		
Indoor athletic facility							S	P	P	P		S	S		S	S	S	5370		71394	An indoor space that is used for fitness, tennis, racquetball, soccer, gyms, health spas, reducing salons, swimming pools/aquarium, racquet clubs or other athletic or fitness activities.	
Indoor athletic facility located in an existing building							S	S	S	P		P	P		P	P	P	5370		71394		
Museum / art gallery / cultural facility	S	S	S	S	S	S	P	P	P	P	S	S	S		P	P	P	5210 5220	4400	712		
Parks and open space	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	5500		71219 0	A park, playground, recreation facility and open space. This classification includes community centers, playing fields, courts, gymnasiums, swimming pools, wave pools, picnic facilities, golf courses and country clubs, zoos and botanical gardens, and related food concessions.	
Recreation, indoor						S		P	P	P		S	S					5300 5380	3200	71395 71399	Uses not specifically listed.	
Recreation, outdoor							S	S	S	S		S	S		S	S	S	5120 3140 5130 5310 5340 5350	3110- 3140 3300	7112, 7131, 71121 2, 71391- 71392, 71399, 72121 1	Large, generally outdoor facilities primarily used for recreational or sports activities. Examples include: sports stadiums and arenas, amusement and theme parks, racetracks, driving ranges, swimming or wave pools, drive-in theaters, archery or shooting ranges, riding stables or academies, campgrounds, recreational vehicle parks, miniature golf, golf courses and country clubs, batting cages, driving ranges, go cart tracks, skiing, public or commercial swimming pools, or tennis courts.	
Recreational vehicle parks/campgrounds	S											S	S					5400		7032	An area of land available for the overnight or temporary parking of recreation vehicles which is in compliance with the zoning and other ordinances of the City. (Ord. 02-54 § 2, 2002)	
Skating Rink - Ice Or Roller Skating										P		S	S		P	P	P	5390		71394 0		
Sports stadiums and arenas	S										S	S	S		S	S	S	5120	3300	71121 1		
Theater, drive-in										P		S	S					5310		3140	51213 2	
Theater, Movie							P	P	P	P		S	S		P	P	P	5110	3120	51213 1		
Theaters, performing arts							P	P	P	P		S	S		P	P	P	5116	3110	7111		
Youth retreat	S																	5400		72121 4 71399 0		

Use	AG Agriculture	R-1 (Residential Single-Family)	R-2 (Residential Two-Family)	R-3 (Residential Low-Density MF)	R-4 (Residential Medium Density MF)	O (Office)	C-1 (Neighborhood Center)	C-2 (Community Center)	C-3 (Regional Center)	C-4 (Corridor Commercial)	BP (Business Park)	M-1 (Light Industrial)	M-2 (Heavy Industrial)	M-3 (Intense Industrial)	D (Downtown) Core	D (Downtown) Mixed Use	D (Downtown) Santa Fe	LBCS Function	LBCS Structure	NAICS	Definition	
Education, Public Administration, Health Care, & Institutional																						
Cemetery	S	S								P									4700	8122		
Civic Assemblies, including churches/religious assemblies	P	P	P	P	P	S	P	P	P	P									6600	3500	813	Includes religious assemblies such as churches or synagogues, clubs, lodges, meeting halls, recreation buildings, and community centers.
Community food and personal support services, non-residential	S	S	S	S	S		S	S	S	P					S	S	S		6563		624210	
Community Services, Counseling and Intervention							S	S	P	P		S	S		P	P	P		6512		624190	Includes family planning and outpatient care centers.
Correctional Facility												S	S						6222	4600	922140	A facility where persons are detained pending adjudication or confined under sentences of two years or less provided that the facility is operated by a Hamilton County law enforcement agency or under contract with the Board of County Commissioners of Hamilton County. Includes community correctional facilities, correctional facilities or juvenile detention facilities.
Correctional office, parole / probation												S									922150	
Cultural facilities	S	S	S	S	S		S	S	P	P		S	S		P	P	P		5210 5230	4300 4400 4450	71211 71213	A nonprofit institution engaged primarily in the performing arts or in the display or preservation of objects of interest in the arts or sciences that are open to the public on a regular basis. This classification includes performing arts centers for theater, dance and events, museums, historical sites, art galleries, libraries, zoos, aquariums and observatories.
Funeral home or mortuary										P		S	S		P	P	P		6710	4800	81221	An establishment primarily engaged in the provision of services involving the care, preparation or disposition of human dead. Typical uses include funeral parlors, mortuaries or columbaria. A "cemetery" means a burial ground for the interment of the human dead, including columbaria and mausoleums, but excluding crematories or mortuaries classified as Undertaking, funeral and interment services. Crematories are classified separately.
Government facilities, other than offices	S					S	S	S	S	P	P	S			P	P	P		6221 6310	7000 7500 6600	92211 .928	Includes courts, major mail processing centers, military installations, vehicle emissions testing facilities, and other similar facilities.
Hospital						P	P	P	P	P	P				P	P	P		6530	4110	622	A state-licensed facility providing medical, surgical, psychiatric or emergency medical services to sick or injured persons. This classification includes facilities for inpatient or outpatient treatment, including drug and alcohol abuse programs as well as training, research and administrative services for patients and employees.
Library	P	S	S	S	S	P	P	P	P	P	P				P	P	P		4242	4300	51912	
Medical Office or Clinic						P	P	P	P	P		P			P		P		6510 6511 6512 6514	4120	621	A facility other than a hospital where medical, mental health, surgical and other personal health services are provided on an outpatient basis. Examples of these uses include: offices for physicians, dentists, chiropractors, or other health care professionals; outpatient care

Use	AG Agriculture	R-1 (Residential Single-Family)	R-2 (Residential Two-Family)	R-3 (Residential Low-Density MF)	R-4 (Residential Medium Density MF)	O (Office)	C-1 (Neighborhood Center)	C-2 (Community Center)	C-3 (Regional Center)	C-4 (Corridor Commercial)	BP (Business Park)	M-1 (Light Industrial)	M-2 (Heavy Industrial)	M-3 (Intense Industrial)	D (Downtown) Core	D (Downtown) Mixed Use	D (Downtown) Specialty	LBCS Function	LBCS Structure	NAICS	Definition
Post office and postal substations	P	P	P	P	P	P	P	P	P	P	P	S			P	P	P	4170			facilities; urgent care facilities; blood and organ banks; and allied health services. These facilities may also include incidental medical laboratories. Counseling services by other than medical doctors or psychiatrists are included under "Offices - Professional/Administrative." Patients are not provided with room and board and are not kept overnight on the premises. Medical Services and medical clinics include medical and dental laboratories incidental to the medical office use.
Postal service receptacle pods designated on a plat or approved site plan	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P				
Public Safety services	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	6400 - 6430	4500 - 4530	92212 - 92216	A facility for public safety and emergency services, including police and fire protection and police and fire training facilities.
Schools, specialty						P	P	P	P	P		P	P		P	P	P	6124 - 6147	4230	6114 - 6116	Includes training in alternative, adult, beauty, business management, technical, trade, computer, flight, sports and recreation, exam preparation, language, photography, and other specialty instruction or training.
Schools, colleges and universities						P	P	P	P	P		P	P		P	P	P	6130	4220	6112 - 6113	An institution of higher education providing curricula of a general, religious, or professional nature, typically granting recognized degrees, including conference centers and academic retreats associated with such institutions. This classification includes business and computer schools, management training, technical and trade schools, but excludes personal instructional services.
Schools, elementary or secondary	P	P	P	P	P		P			P		P	P		P	P	P	6111 - 6124	4200 - 4210	6111	A facility for educational purposes that offers a general course of study at the elementary or middle school levels.
Schools, high schools	P	P	P	P	P		P			P		P	P		P	P	P	6111 - 6124	4200 - 4210	6111	A facility for educational purposes that offers a general course of study at the high school level, and vocational and trade programs that are incidental to the operation of those schools.
Schools, nursery and preschool	P	P	P	P	P		P			P		P	P		P	P	P	6110	4210		
Social Services								P	P	P								6560 - 6568		624	Establishments that provide social assistance services directly to clients such as children, elderly persons, disabled persons, homeless persons, or veterans. Social assistance may include food, medical relief, counseling or training. Examples include adoption agencies, youth centers (except recreational only), child guidance organizations, youth self-help organizations, foster care placement services, community action services agencies, marriage counseling services (except by offices of mental health practitioners), crisis intervention centers, multipurpose social services centers, family social services agencies, self-help organizations (except for disabled persons, the elderly, persons diagnosed with intellectual and developmental disabilities), family welfare services, suicide crisis centers, hotline centers, telephone counseling services, community food services (includes collection, preparation, and

Use	AG (Agriculture)	R-1 (Residential Single-Family)	R-2 (Residential Two-Family)	R-3 (Residential Low-Density MF)	R-4 (Residential Medium Density MF)	O (Office)	C-1 (Neighborhood Center)	C-2 (Community Center)	C-3 (Regional Center)	C-4 (Corridor Commercial)	BP (Business Park)	M-1 (Light Industrial)	M-2 (Heavy Industrial)	M-3 (Intense Industrial)	P (Downtown-COC)	P (Downtown-Mixed Use)	P (Downtown-Sama Fe)	LBCS Function	LBCS Structure	NAICS	Definition
Transportation, Communication, Information, and Utilities																					
Airport landing strip (field or strip only)	S											S	S					4110 - 4114	5610	481	
Airport	S											S	S					4110 - 4114	3920 5600 5650	481, 4881	An area of land or water that is used or designed for the landing and takeoff of aircraft, of any type, and includes its buildings and facilities, for the shelter, servicing or repair of aircraft. (Ord. 02-54 § 2, 2002)
Bus/Truck maintenance, including repair and storage												P	P	P					5400		A facility providing maintenance and repair services for vehicles and equipment and areas for storage of equipment and supplies. This classification includes governmentally owned construction yards, equipment service centers and similar facilities.
Cable networks and distribution							P	P	P	P	P	P	P	P	P			4232			
Environmental monitoring stations	S	S	S	S	S	P	P	P	P	P	P	S	S		S	S	S		6600		
Freight terminals & truck terminals												P	P	P				4122 - 4140 - 4144	5700 5720	48211 4841- 4842	
Gas or electric generation distribution facilities, compressor stations, or substations	S											S	S					4180	6410 6422 6440 - 6460	2211- 2212, 486	
Hazardous waste storage or treatment facility	S	S											S					4341 - 4342	6340	56211 2, 56221 1	
Heliport	S									A		A	A		A	A	A		5640		Facilities intended solely for takeoff and landing of helicopters.
Incinerator, Commercial														P				4344	6330	56221 3	
Media Production										P	P	P	P		P	P	P	4220 - 4223		51211 51212 51219 5122	Establishments that produce, manufacture, arrange for the manufacture, or distribute motion pictures, videos, television programs, television commercials, music and sound recordings. This includes specialized motion picture or video postproduction services, such as editing, film/tape transfers, titling, subtitling, credits, closed captioning, and computer-produced graphics, animation and special effects, and developing and processing motion picture film. Examples include motion picture film laboratories, stock footage film libraries, postproduction facilities, teleproduction services, and sound recording studios
Parking lots, pervious surface, as principal use	S				S		S	S	P			P	P		P	P	P		5210 5220	81293	
Parking lots, surface, accessory to principal use	A		A	A	A	A	A	A	A	A	A	A	A		A	A	A		5210 5220	81293	A parking lot where the spaces are not in a covered building, and where the surface is composed of porous pavement or similar surface that complies with Chapter 18.30.
Parking lots, surface, as principal use												P	P		P	P	P		5210 5220	81293	A parking lot offering parking to the public and is the principal use of the premises, and where parking is provided on an open, unroofed area.

Use	AG Agriculture	R-1 (Residential Single-Family)	R-2 (Residential Two-Family)	R-3 (Residential Low-Density MF)	R-4 (Residential Medium Density MF)	O (Office)	C-1 (Neighborhood Center)	C-2 (Community Center)	C-3 (Regional Center)	C-4 (Corridor Commercial)	BP (Business Park)	M-1 (Light Industrial)	M-2 (Heavy Industrial)	M-3 (Intense Industrial)	D (Downtown) Core	D (Downtown) Mixed Use	D (Downtown) Sanitary	LBCS Function	LBCS Structure	NAICS	Definition	
Parking lots, underground or structure, accessory to principal use	A				A	A	A	A	A	A	A	A	A		A	A	A	5230 5250	81293		A parking lot that provides spaces to serve the principal uses of the property.	
Parking lots, underground or structure, as principal use						P		S	S	P	P	P	P		P	P	P	5230 5250	81293		A parking lot where all spaces are provided in a covered building.	
Power generation plants	S												P					6430 6434				
Public transportation facility	S				P	P	P	P	P	P	P	P	P		P	P	P	4121 4130 4135	3900 3940 5300	485, 48211	Includes ground passenger transportation services such as bus, taxi, limousine, train or light rail depots, school bus, employee bus, charter bus, or similar service. This includes stations or dispatch facilities and any taxicab establishment subject to Chapter 5.24 of the Municipal Code.	
Public utility storage and service yards	S	S										P	P									
Radio and television broadcasting or recording studio						P				P	P	P	P		P	P	P	4231	6510	5151- 5152	Broadcasting and other communication services accomplished through electronic mechanisms. This classification includes radio, television or recording studios, switching centers and cable transmitting stations.	
Railroad facilities	S											P	P	P				4123	5700 5720	4882	Railroad land used for through tracks, or areas used for classification yards, switch tracks, team tracks, storage tracks and freight yards.	
Solar Electric Power Generation	S	S	S	S	S	S	S	S	S	S	S	P	P	P	S	S	S	6460		22111 4	Facilities that convert energy from the sun into electric energy for distribution to electric power transmission systems or to electric power distribution systems.	
Solar Energy and Solar Systems	See Chapter 18.50 -----																					A photovoltaic cell, solar collector, solar energy conversion system, or solar greenhouse as defined in Chapter 18.50.
Waste collection	S	S	S	S	S					S		S	S		S	S	S	4343 4346		56211 1, 56211 9, 56292 0	A facility where waste material, other than hazardous or infectious waste, is received and temporarily stored in closed containers without processing or disposition, including but not limited to: recycling drop-off point, yard waste depot, charitable drive box and other similar uses limited in volume and means of storage and posing no nuisance by reason of odor, noise, runoff, underground seepage or unsightly conditions. This includes solid waste collection centers, solid waste transfer stations, recycling centers, yard waste collection drop-offs, and similar facilities.	
Solid Waste Landfill														S				4345	6320	56221 2, 56291		
Stormwater management / flood control facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	6220 6240		23799 0		
Telecommunication - architecturally integrated	See § 18.50. 220-----																	4233	6500	5172, 5174	See 18.50.220	
Telecommunication equipment attached to a building	See § 18.50. 220-----																	4233	6500	5172, 5174	See 18.50.220	
Telecommunication towers	See § 18.50. 220-----																	4233	6500	5172, 5174	See 18.50.220	
Telephone and other	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	4234		5171		

Use	LBCS Function													LBCS Structure	NAICS	Definition					
	AG Agriculture	R-1 (Residential Single-Family)	R-2 (Residential Two-Family)	R-3 (Residential Low-Density MF)	R-4 (Residential Medium Density MF)	O (Office)	C-1 (Neighborhood Center)	C-2 (Community Center)	C-3 (Regional Center)	C-4 (Corridor Commercial)	BP (Business Park)	M-1 (Light Industrial)	M-2 (Heavy Industrial)				M-3 (Intense Industrial)	D (Downtown Core)	D (Downtown Mixed Use)	D (Downtown Sanitary)	
wired telecommunications																		4310 - 4340 - 4343 - 4347	6100 - 6162	221, 56299 1	A facility for the distribution of gas, electricity, water, steam, hot water, chilled water and landline communications to a principal building or structure on the same lot or parcel.
Utility facilities, principal use																		4310 - 4340 - 4343 - 4347	6100 - 6162 - 6310 - 6314 - 6350 - 6356	221	
Water supply facilities																		6200 - 6290			Includes including pump stations, dams, levees, culverts, water tanks, wells, treatment plants, reservoirs, and other irrigation facilities.
Wind Energy Conversion Systems (WECS)																				22111 5	A Wind Energy Conversion System (WECS) as defined in Chapter 18.50.
Agriculture																					
Agriculture (including raising of crops and pasturing livestock)	P																	9100 - 9155 - 9230 - 9300 - 9330 - 9350 - 9373 - 9500 - 9520	8100 - 8210 - 11133 9, 112- 11221 0, 113- 114 8600 8800 8900		The use of land where that is devoted to the production of plants, animals or horticultural products, including but not limited to: forages; grains and feed crops; dairy animals and dairy products; poultry and poultry products; beef cattle, sheep, swine and horses; bees and apilary products; trees and forest products; fruits, nuts and berries; vegetables; or nursery, floral, ornamental and greenhouse products. Agricultural use does not include use of land for recreational purposes, suburban residential acreages, rural home sites or farm home sites and yard plots whose primary function is for residential or recreational purposes even though the properties may produce or maintain some of those plants or animals listed in the foregoing definition. (Ord. 02-54 § 2, 2002)
Agricultural support functions	P																	9380		115	
Concentrated Animal Feeding Operations (CAFO's)	S																	8300 - 8450		112	
Forestry, Commercial	P	P																9400 9430			
Non-commercial agriculture / community garden	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	9400		113	A site operated and maintained by an individual or group to cultivate trees, herbs, fruits, vegetables, flowers, or other ornamental foliage for the following uses: personal use, consumption, donation or off site sale of items grown on the site.	
Greenhouse or Nursery	P																	9140	8500	1114	
Greenhouse, Accessory to Florist Shop						S	S	P	P					S	S	S		8500			
Hatcheries and poultry houses	P																	9340	8220	1123	
Livestock sales, and markets	P	P																9200			
Riding academies	S																	5300	8240	71399 0	A structure or premises for the keeping of horses, ponies or mules.

Use	AG Agriculture											LBCCS Function	LBCCS Structure	NAICS	Definition					
	R-1 (Residential Single-Family)	R-2 (Residential Two-Family)	R-3 (Residential Low-Density MF)	R-4 (Residential Medium Density MF)	O (Office)	C-1 (Neighborhood Center)	C-2 (Community Center)	C-3 (Regional Center)	C-4 (Corridor Commercial)	BP (Business Park)	M-1 (Light Industrial)					M-2 (Heavy Industrial)	M-3 (Intense Industrial)	D (Downtown) - Core	D (Downtown) - Mixed Use	D (Downtown) - Sanitary
and/or stables (commercial)																	5300	8240	71121 9 71399 0	(Ord. 02-54 § 2, 2002)
Stable, Accessory to Dwelling	A	A																		
Support functions for agriculture	P										P	P					9200 - 9230			Includes farm and farm labor management services; spraying, dusting, and other related services; and crop harvesting and post-harvest crop activities (including drying, siloing, etc.).
Miscellaneous																				
Accessory Uses	See § 18.50.020 -----																			
Signs	See § 18.50.180 -----																			

SECTION THREE: Existing Section 18.50.220 of the Olathe Municipal Code (Unified Development Ordinance) is hereby amended to read as follows:

18.50.220 Telecommunications Facilities



Purpose: *This chapter ensures that residents and businesses have reliable access to wireless telecommunications networks while also protecting the health, safety, welfare, and aesthetic character of the community. The City of Olathe recognizes that facilitating the development of wireless service technology can be an economic development asset to the City and a benefit to residents. This chapter is intended to ensure that the placement, construction, and modification of wireless telecommunications facilities complies with all applicable Federal and State laws and is consistent with the City's land use policies, zoning, planning, and design standards. This chapter meets the following specific objectives:*

- *Ensure access to reliable wireless communications services throughout the City of Olathe.*
- *Encourage the reasonable use of disguised (stealth) facilities in residential areas, properties located in corridors with specific design guidelines and properties located near historically significant structures or districts.*
- *Encourage the location of new monopoles in non-residential areas.*
- *Encourage the location of monopoles in areas where adverse impact on the community will be minimal.*
- *Minimize the potential adverse effects associated with the construction of monopoles through the implementation of reasonable design, landscaping and construction practices.*

A. Applicability.

- 1. Generally.** This section applies to broadcast systems, cellular, commercial mobile radio services, common carrier wireless access exchange services, enhanced specialized mobile radio, personal communication services paging, personal wireless services, public service and emergency systems, specialized mobile radio, tower builder, unlicensed wireless services, and wireless cable systems.
- 2. Exemptions.** This section does not apply to:
 - a. Amateur radio uses or private dispatch systems.
 - b. Antennae used by residential households solely for broadcast radio and television reception.
 - c. Satellite antennae used solely for residential or household purposes.
 - d. Carrier-on-wheels (COW) placed for a period of not more than one hundred twenty (120) days at any location within the City of Olathe after a declaration of an emergency or a disaster by the Governor or by the responsible official of the City of Olathe. In non-emergency situations, COWs or other temporary communication towers require approval of a temporary sales and events permit (see Section 18.50.225).
 - e. Television and AM / FM radio broadcast towers and associated facilities.
 - f. Facilities owned and operated by a federally-licensed amateur radio station operator.
- 3. Functionally Equivalent Services.** Section 704 of the Telecommunications Act of 1996 prohibits unreasonable discrimination among functionally equivalent services.

- a. The Approving Authority may waive any part of this Section where the applicant demonstrates that the provision would violate the federal ban on unreasonable discrimination among functionally equivalent services.
 - b. For purposes of this Section, the following are considered “functionally equivalent services”: CMRS, Cellular, PCS, Enhanced Specialized Mobile Radio, Specialized Mobile Radio and Paging. The Approving Authority may also consider current caselaw, state or federal legislation, or FCC rulings that define functionally equivalent services.
 - c. For purposes of this section, telecommunications facilities provided for commercial purposes are not considered functionally equivalent services to:
 - (1) public service / emergency systems and services, and
 - (2) services exempt from this Section (see subsection 2, above).
4. **Maintenance.** Ordinary maintenance of existing telecommunications facilities and support structures, as defined herein, is exempt from permitting requirements.

B. Definitions

The terms and phrases used in this Section are defined as follows:

Accessory Equipment	Any equipment serving or being used in conjunction with a telecommunications facility or support structure. This equipment includes, but is not limited to, utility or transmission equipment, power supplies, generators, batteries, cables, equipment buildings, cabinets and storage sheds, shelters or other structures.
Amateur Radio	Radio equipment and associated antennas or support structures operated for the purpose of receiving or transmitting communications by a radio station as described in Section 153(g) of Title 47 of the U.S. Code and which is operated under license by the FCC.
Antenna	Any structure or device used to collect or radiate electromagnetic waves for the provision of wireless services, including but not limited to, cellular, paging, personal communications services (PCS) and microwave communications. Such structures and devices include, but are not limited to, directional antennae, such as panels, microwave dishes and satellite dishes, and omni-directional antennae. A whip (omni-directional antenna), panel (direction antenna), disc (parabolic antenna) or similar device used for transmission and/or reception of radio frequency signals.
Antenna Array	An assembly of antennae, whip, panel, disc or similar device for a telecommunications provider or wireless service that are placed on a structure and spaced apart to avoid interference.
Broadcast Systems	Wireless communication systems that are licensed for the broadcast of AM/FM radio or television.
Camouflage	To paint or mount a wireless communication facility in a manner that

requires minimal changes to the host structure and hides the facility in the context of its surroundings on the host structure. (*Compare "Disguised (Stealth) Telecommunications Facility"*).

Carrier	A company licensed by the Federal Communications Commission (FCC) that provides wireless communication. A tower builder is not a carrier.
"Carrier on Wheels" or "cell on Wheels" ("COW")	A portable self-contained cell site that can be moved to a location and set up to provide personal wireless services on a temporary or emergency basis. A COW is normally vehicle-mounted and contains a telescoping boom as the antenna support structure.
Cellular	A personal wireless service capable of transmitting and receiving voice that operates in the 800 MHz spectrum.
Co-location	The act of siting telecommunications facilities: <ol style="list-style-type: none">1. in the same location on the same support structure as other telecommunications facilities, or2. on an existing structure (for example: water tanks, towers, utility poles, building rooftops, etc.) without the need to construct a new support structure.
Commercial Mobile Radio Services (CMRS)	Per Section 704 of the Telecommunications Act of 1996, any of several wireless communication technologies using radio signals at various frequencies to send and receive voice, data and video.
Common Carrier Wireless Exchange Access Services Conceal	Services by which wireless communication is interconnected with wired communication infrastructure. To enclose a wireless communication facility within a natural or man-made feature resulting in the facility being either hidden from view or made part of the feature enclosing it.
Design	The appearance of wireless communication facilities as determined by selection of materials, colors, size, and shape.
Disguised (Stealth) Telecommunications Facility	Any telecommunications facility that is integrated as an architectural feature or designed to blend with surrounding development or natural environment in a manner to minimize visual impacts and to not have the appearance of providing wireless service. Specifically, this means ensuring that all antennae, arrays, cables and other equipment used for providing communications service are not obtrusive or noticeably visible from adjacent properties or adjacent streets. Examples of disguised telecommunications facilities include, but are not limited to, structures designed to resemble trees, flag poles, steeples, crosses, clock towers or other building elements. (<i>Compare "Camouflage"</i>).

Due to changing technologies and the use of new communications equipment, the City Planner has the discretion to determine if a telecommunications facility is designed as a disguised or stealth facility.

Elevation	The measurement of height above sea level. Also AMSL, or above mean sea level.
Enhanced Specialized Mobile Radio (ESMR) Equipment Shelter	Private land mobile radio with telephone services. An enclosed structure, cabinet, shed, or box at the base of or in the general proximity of a support structure within which are housed the equipment for the wireless communication facility such as radios, batteries, and electrical equipment.
Federal Communications Commission (FCC)	An independent federal agency charged with licensing and regulating wireless communication at the national level.
Ground-mounted	Mounted on the ground.
Guyed Tower	Any type of support structure that is supported in whole or in part by cables anchored to the ground or other surface.
Lattice Tower	A type of support structure that consists of an open network of braces forming a tower that is usually triangular or square in cross section.
Location	The area where a wireless communication facility is located or proposed to be located.
Major Modifications	Improvements to existing telecommunications facilities or support structures that result in a substantial change to the facility or structure. Co-location of new telecommunications facilities on an existing support structure without replacement of the structure shall not constitute a major modification. Major modifications include, but are not limited to, increasing the height of the support structure by more than ten (10) feet or ten percent (10%), whichever is greater, and expansion of the compound area for additional accessory equipment.
Minor Modifications	Improvements to existing telecommunications facilities and support structures that result in some material change to the facility or support structure but of a level, quality, or intensity that is less than a substantial change. Such minor modifications include, but are not limited to, a one-time increase in the height of the support structure by less than ten (10) feet or percent (10%), whichever is greater.
Modification	The changing of any portion of a telecommunications facility from its description in a previously approved permit.

Monopole Ordinary Maintenance	A single, freestanding vertical pole supporting one or more antenna. Ensuring that telecommunications facilities and support structures are kept in good operating condition. Ordinary maintenance includes inspections, testing, and modifications that maintain functional capacity, aesthetic and structure integrity (such as the strengthening of the support structure foundation or the support structure itself). Ordinary maintenance includes replacing antennae and accessory equipment on a like-for-like basis within an existing telecommunications facility and relocating the antennae of approved telecommunications facilities to different height levels on an existing monopole or tower upon which they are currently located. Ordinary maintenance does not include minor and major modifications.
PCS (Personal Communication Services) Paging	A personal wireless service capable of transmitting and receiving voice, data, text, and video messaging that operates in the 1850-1990 MHz range. A personal wireless service that provides tone, text, and limited voice messaging that operates on several frequency ranges, usually in a limited geographic area.
Personal Wireless Services	Any personal wireless service defined in the Federal Telecommunications Act of 1996 which includes Federal Communications Commission (FCC) licensed commercial wireless telecommunications services including cellular, personal communications services (PCS), specialized mobile radio (SMR), enhanced specialized mobile radio (ESMR), paging and unlicensed wireless services, and common carrier wireless exchange access services.
Private Dispatch System	Wireless communication systems that are licensed to one user for exclusive use and not to be shared with, or leased to, other users.
Public Service / Emergency System	Wireless communication systems operated by or for a governmental agency for the delivery of emergency or other public services.
Radio Frequency (RF) Engineer	Someone with a background in electrical engineering or microwave engineering who specializes in the study of radio frequencies.
Radio Frequency Radiation (RFR)	The propagation of electromagnetic waves through space.
Radio Frequency (RF) Signal	The actual beam or radio waves sent and received by telecommunications facility. A signal is the deliberate product of a telecommunications facility. The RF emission is the byproduct.
Replacement	Constructing a new support structure of proportions and of equal

height or such other height as would be allowed under the definition of minor modification to a pre-existing support structure in order to support a telecommunications facility or to accommodate co-location, and removing the pre-existing support structure.

- Roof-mounted** Mounted on the roof of a building.
- Screening** Decorative fencing or other materials, evergreen vegetation, or landscaped earth berms constructed and maintained for the purpose of concealing a telecommunications facility from view.
- Separation** The distance between one carrier's antenna array and another carrier's antenna array.
- Side-mounted** Mounted on the side of a building.
- Site** That portion of a subject property where a telecommunications facility is to be placed. Any acceptable location may have several potential sites within it.
- Siting** The method and form of placement of telecommunications facilities on a specific area of a subject property.
- Specialized Mobile Radio (SMR)** A form of dispatch or two-way communication used by companies that rent space or time from an SMR carrier. These are used primarily for delivery vans, truckers or taxis within a small, definable geographic area.
- Structure-mounted** Mounted on a structure other than a building.
- Support Structure** A structure designed to support telecommunications facilities including, but not limited to, monopoles and other freestanding structures.
- Telecommunications Facility** Any unmanned facility established for the purpose of providing wireless transmission of voice, data, images, or other information including, but not limited to, cellular service, personal communications service (PCS), and paging service. A telecommunications facility can consist of:
- one or more antennae, antenna array, equipment shelter, guyed tower, lattice tower, location, monopole, site, support structure, and tower; and
 - accessory equipment, or
 - one or more base stations.

Tower	A structure designed to support telecommunications facilities including, but not limited to, monopoles and other freestanding structures.
Tower Builder	A company or individual that builds or manages support structures for wireless communication facilities.
Unlicensed Wireless Services	Wireless communication services operating on public domain frequencies using duly authorized devices which do not require an FCC license for their sites.
Wireless Cable System	Wireless communication services that provide point-to-multipoint communication for the provision of voice, data, text, and video that operate in the 2.1 to 2.8 GHz range.
Wireless Communication	A comprehensive term describing the wireless services covered by this Section, including: broadcast systems, cellular, commercial mobile radio services, common carrier wireless access exchange services, enhanced specialized mobile radio, personal communication services paging, personal wireless services, public service and emergency systems, specialized mobile radio, tower builder, unlicensed wireless services, and wireless cable system. Does not include amateur radio or private dispatch system.

C. Where Permitted

1. Special Use Permit.

- a. Except as provided in subsection 2, telecommunications facilities are allowed only upon approval of a special use permit (see Chapter 18.40).
- b. The initial special use permit has a time limit of ten (10) years with subsequent renewals of ten (10) years each. At the time of renewal, the applicant shall demonstrate that the telecommunications facility is still in compliance with the original conditions of approval.

2. By Right. The following telecommunications facilities are permitted by right in any zoning district, if they comply with all applicable requirements of this section.

- a. In non-residential zoning districts:
 - (1)** New facilities that are concealed in or mounted on top of or the side of existing buildings (excluding single-family and duplex residences) and other structures. This includes support structures up to 20 feet above the building, or the maximum height permitted in the underlying zoning district, whichever is greater.
- b. In any zoning district, modification and/or replacement of support structures (light poles, flag poles, electrical poles, private dispatch towers, and similar structure) that do not make the existing structure significantly more visible or intrusive, including cumulative height extensions of up to ten (ten) percent above the original structure height.

- c. In any zoning district, telecommunications facilities are allowed in the City Right-of-Way if the applicant has complied with all the requirements of O.M.C. Chapter 12.14, and has obtained a right of way permit from the City engineer as required by such Chapter.

D. General Requirements

1. Generally.

- a. **Legal Requirements.** All telecommunications facilities shall comply with all federal, state, and local rules and regulations.
- b. **Locations.** Telecommunications facilities are allowed in the following locations:
 - (1) Mounted on top or the side of multistory buildings and other structures, appropriately concealed, screened, disguised or camouflaged.
 - (2) On existing poles in street rights of way, including telephone poles, electrical transmission and distribution poles, street lights, and traffic signal stanchions; on existing parking lot and athletic field/stadium light standards; and on modified or rebuilt poles that are substantially similar in appearance.
 - (3) On existing support structures, including those constructed for personal wireless services, AM/FM radio and television broadcast, school district microwave antennas and private dispatch systems.
 - (4) In wooded areas.
 - (5) At certain City owned properties, where the size and nature of the use does not interfere with other functions and allows for compatible siting. These may include water towers, large park areas, sewer treatment plant sites, and maintenance yards.

2. Concealing Disguising, or Camouflaging. Telecommunications facilities shall be –

- a. Concealed within potential space in or on existing structures;
- b. Disguised to look like another type of facility, like a flagpole, clock tower, tree, or church steeple;
- c. Placed in areas where trees and/or buildings obscure some or all the facility from view, or behind new plantings/screening installed around the site where visible from major street or residential areas; or
- d. Placed on existing walls, flush-mounted, or on building roofs (excluding single-family and duplex) and structures, up to 20 feet above the existing structure, as opposed to building new ground-mounted support structures. Facilities on rooftops shall be set back from roof edges or screened from view.

3. Modifications to Existing Facilities.

- a. **Minor modifications** to telecommunications facilities and support structures may be permitted upon the granting of administrative approval by the City Planner.
- b. **Major modifications** to telecommunications facilities and support structures may be permitted only upon approval of a special use permit by the Governing Body.
 - (1) **Platting:** Platting is not required to obtain a building permit where the underlying parent property has not been previously platted. *(This supersedes the subdivision regulations in Section 18.40.140).*

(2) Replacement: Replacement (as defined above) of an existing support structure may be permitted upon the granting of administrative approval by the City Planner. In cases where a new support structure exceeds the height allowed under the definition of minor modification to a pre-existing support structure, a special use permit is required. Replacement of non-conforming support structures must conform to the subsection J.3.e of this section.

4. Setbacks:

- a. Commercial and Industrial Zoning Districts:** Unless otherwise stated, support structures shall be set back from all platted property lines a distance equal to fifty (50) percent of the height of the structure measured from the base of the structure to its highest point (excluding lightning arrestor). In addition, where support structures are located on property zoned for commercial or industrial use that is adjacent to property zoned for residential use, the monopoles and towers shall be set back from the residential property line a distance equal to the height of the structure measured from the base of the structure to its highest point. Setbacks for other structures are governed by the underlying zoning district.
- b. Agricultural and Residential Zoning Districts:** Unless otherwise stated, support structures shall be set back from all platted property lines a distance equal to the height of the structure measured from the base of the structure to its highest point (excluding lightning arrestor). Setbacks for other structures are governed by the underlying zoning district.
- c. Measurement:** Unless otherwise stated, setbacks for support structures shall be measured from the outermost point of the structure to the platted property line.
- d. Exceptions:** The Planning Commission may recommend and the Governing Body may approve, a deviation from the setback requirements if it finds that all of the following conditions are met:
 - (1)** That the deviation is appropriate.
 - (2)** The deviation will not adversely affect the rights of adjacent property owners or residents.
 - (3)** That the strict application of the provisions of this ordinance would constitute unnecessary hardship upon the property owner represented in this application.
 - (4)** That the deviation will not adversely affect the public health, safety or general welfare.

5. Height:

- a. Agricultural, Commercial and Industrial Zoning Districts:** Unless otherwise stated, the maximum height for support structures shall be one hundred fifty (150) feet, excluding lightning arrestor.
- b. Residential and Mixed-Use Districts:** New telecommunications facilities shall be disguised facilities as defined above. The maximum height for disguised facilities shall be one hundred twenty (120) feet, excluding lightning arrestor.
- c. In the City Right-of-Way:** New telecommunications facilities in the City Right-of-Way shall be subject to the following maximum height restrictions:
 - (1)** 50 feet along arterial streets;
 - (2)** 40 feet along collector streets; and
 - (3)** 20 feet along residential streets.

E. Design Standards

1. Access:

- a. Paved access shall be provided to all telecommunication equipment shelters and cabinets and to all telecommunication support structures.
- b. The Planning Commission, Governing Body or City Planner may waive this requirement if it is concluded that the goals of the City are better served by an alternative surface.
- c. Paved access is not required when co-locating telecommunications facilities on existing structures or buildings.

2. Accessory Structures:

- a. Accessory equipment, including any buildings, cabinets, or shelters shall be used only to house equipment and other supplies in support of the operation of the telecommunication facility or support structure. Any equipment not used in direct support of the operation shall not be stored on the site.
- b. An equipment building, shelter, or cabinet must not exceed five hundred sixty (560) square feet in area and twelve (12) feet in height.
- c. Buildings or shelters must be faced with materials that are compatible with surrounding development.
- d. Ground-level equipment shall conform to the setbacks for accessory uses in the applicable zoning district.
- e. Ground-level equipment shall be enclosed by 6-8 foot height security fencing, of a material compatible with its surroundings.
- f. Equipment shall be located indoors if space is available nearby. Burying equipment in an underground vault, to keep most of the equipment out of sight, may be necessary in rights of way and in some other visually/environmentally sensitive locations, such as tourist attractions, historic landmarks/districts, museum district, river corridor, and other locations of civic importance or architectural significance.
- g. The Approving Authority may require additional screening or landscaping for stacked equipment buildings where needed to hide the buildings from surrounding parcels located in a residential or mixed-use district.

3. **Antennae:** All anticipated antennae and mounting hardware shall be shown on drawings for review. Mounting locations for multiple antennae on a single support structure shall be coordinated in design, and spaced and balanced to give a planned and uncluttered appearance. Installation of additional antennae at new centerlines beyond those reflected in initial approvals may be approved administratively subject to subsection F.

4. **Cable/Conduit:** All cable runs should be through tower portals and within the tower itself. Where cable is required to be located on the exterior of tower for co-location of additional antennae, the cable shall be painted to match the tower or covered by a material to match the tower.

5. Color:

- a. Unless otherwise required by the Federal Communications Commission (FCC), the Federal Aviation Administration (FAA), or the City of Olathe:

- b. The telecommunications facility shall use colors, textures and materials that blend in with the existing environment;
 - c. Surfaces shall be painted, or otherwise treated, to:
 - (1) match or complement existing background structures and surfaces, or the sky, as appropriate, and
 - (2) to minimize reflection.
 - d. Support structures shall be painted;
 - (1) A galvanized silver or gray finish, or
 - (2) Red and white where needed to avoid strobe lighting that would otherwise be required by applicable governing agencies.
- 6. Disguised (stealth) Telecommunications Facilities:**
- a. Disguised telecommunications facilities must be enclosed, camouflaged, screened, obscured, or otherwise not readily apparent to a casual observer.
 - b. The structure used to support the antennae must meet the requirements of the underlying zoning district, including, but not limited to, height, setback, and use.
 - c. The structure used to support the disguised facility must be integrated as an architectural feature or designed to resemble an object or structure that does not have the appearance of a monopole or other telecommunications facility.
- 7. Landscaping:** In all districts the Governing Body, Planning Commission, or City Planner shall have the authority to impose reasonable landscaping requirements surrounding accessory equipment. Required landscaping shall be maintained by the facility owner. The Governing Body, Planning Commission, or City Planner may choose to not require landscaping for sites that are not visible from the public right-of-way or adjacent property or in instances where in the judgment of Governing Body, Planning Commission, or City Planner, landscaping is not appropriate or necessary.
- 8. Lighting and Marking:**
- a. Telecommunications facilities or support structures shall not be lighted or marked unless required by the Federal Communications Commission (FCC) or the Federal Aviation Administration (FAA).
 - b. Nighttime lighting of or on telecommunications facilities is not permitted except for aircraft warning lights or similar emergency warning lights required by applicable governmental agencies.
 - c. Strobe lights are not permitted.
 - d. Lighting for security purposes is not permitted at the base of telecommunications facilities.
 - e. Temporary lighting for nighttime repairs is permitted.
- 9. Security and Fencing:** Ground mounted accessory equipment and support structures shall be secured and enclosed with fencing not less than six (6) feet in height. Fencing shall be constructed with materials and design compatible with surrounding development.
- 10. Signage:** No advertising or display is permitted on any telecommunication facility or related equipment, unless required by the Federal Communications Commission (FCC) or the Federal Aviation Administration (FAA).

- 11. Tower Design:** In order to minimize the silhouette presented by new support structures and antenna arrays -
 - a. All new towers shall be constructed of a monopole design. Guyed and self-support (lattice) towers are not permitted for telecommunications facilities.
 - b. Antennas shall be mounted flush to the support structure where economically and technically feasible. Triangular "top-hat" antenna arrays are not permitted in a residential or mixed-use zoning district.
- 12. Disguised Facilities Required.** New telecommunications facilities shall be disguised facilities or camouflaged if they are:
 - a. located in residential zoning districts, or within five hundred (500) feet of residential zoning districts;
 - b. located in mixed-use zoning districts;
 - c. located in the K-7 Corridor or North Ridgeview Road Corridor; or
 - d. located in a Class A through C building design or Class 1 through 3 site design composite district (see Chapter 18.15).
- 13. Wall and Roof Mounted Antennae:**
 - a. The maximum height (measured from the highest point) of any wall or roof-mounted antenna shall be fifteen (15) feet above the roofline.
 - b. Wall and roof-mounted antennae shall be designed and located to minimize visual impact and shall be architecturally compatible with the building.
- 14. Flight Path Obstruction.** New support structures shall not be located in the flight paths of local airports where they would constitute a potential hazard to air safety.

F. Procedures for Approval

- 1. Administrative Review Process:**
 - a. The following types of telecommunications facilities require administrative review approval:
 - (1) Co-location of telecommunications facilities on existing support structures.
 - (2) Telecommunications facilities on existing buildings.
 - (3) Minor modifications to existing telecommunications facilities.
 - b. Unless otherwise stated herein, all administrative review applications for telecommunications facilities and support structures must conform to the requirements of Chapter 18.40.
 - c. In addition to the requirements of Chapter 18.40, all administrative review applications for telecommunications facilities and support structures must contain the following:
 - (1) Number and type of proposed antennae and their height above ground level, including the proposed placement of antennae on the support structure; and
 - (2) Elevations showing the height of proposed telecommunications facilities and all associated buildings and structures.
 - d. Co-location of telecommunications facilities on existing support structures and buildings requires a building permit only and a separate administrative review is not required.

- e. Telecommunications facilities in the City Right-of-Way that comply with the provisions of O.M.C. Chapter 12.14 require a permit from the city engineer and a separate administrative review is not required.

2. Special Use Permit Process:

- a. The following types of proposed telecommunications facilities require approval of a special use permit:
 - (1) Major modifications to existing telecommunications facilities.
 - (2) New support structures for telecommunications facilities.
 - (3) Disguised (stealth) telecommunication facilities
- b. All special use permit applications for telecommunications facilities and support structures must conform to the requirements of Chapter 18.40.
- c. In addition to the requirements of Chapter 18.40, all special use permit applications for telecommunications facilities and support structures must contain the following:
 - (1) Number and type of proposed antennae and their height above ground level, including the proposed placement of antennae on the support structure.
 - (2) Elevations showing the height of proposed telecommunications facilities and all associated buildings and structures.
 - (3) In the case of a new support structure:
 - (a) Line-of-sight diagram or photo simulation, showing the proposed support structure set against the skyline and viewed from at least three (3) directions within the surrounding area.

- 3. Time Limits.** The Approving Authority shall act within a reasonable period of time to review and recommend requests to place, construct, or modify telecommunications facilities after an application is filed. Unless otherwise agreed between the City and the applicant or provided by state or federal law, reasonable review and action by the City shall take no more than:

- a. 90 days for wireless co-location applications, and
- b. 150 days for all other wireless siting applications.

G. Abandonment and Removal

- 1. Abandonment:** Any telecommunications facility or support structure that is not operated for a period of one hundred eighty (180) consecutive days is considered abandoned.

2. Removal:

- a. The owner of the telecommunications facility or support structure shall remove the facility within one hundred eighty (180) days of its abandonment.
- b. The owner is responsible for removing the unused facilities, including the uppermost 20% of support structures that are unused. This does not apply where removal of the uppermost 20% would require the removal of a lower portion the support structure that is in use, in which case the required removal will be raised to the next highest portion of the support structure not in use.
- c. If the facility or portion of a facility is not removed by the owner, then the City may employ all legal measures, including, if necessary, obtaining authorization from a court of competent jurisdiction, to remove it, and after removal may place a lien on the subject

property for all direct and indirect costs incurred in its dismantling and disposal, including court costs and reasonable attorney fees. Under this paragraph, "owner" includes both the owner of the real property and the owner of the telecommunications facility, whether such ownership is divided or in the same person.

H. Federal Regulations

All telecommunications towers and facilities must meet or exceed current standards and regulations of the Federal Aviation Administration, the Federal Communications Commission, and any other agency of the State or Federal Government with the authority to regulate telecommunications facilities, towers, and antennae.

I. Interference Requirements

All telecommunications facilities, towers, and antennae shall be installed, operated, and maintained in accordance with all applicable laws, regulations, and ordinances so as not to interfere or cause interference with existing communications including, but not limited to, radios, televisions, computers, and the City's or other public entity's emergency broadcast systems.

J. Structures in Existence on the Date of Adoption of this Ordinance

1. **Generally.** Telecommunications facilities and support structures that were legally permitted on or before the date this ordinance was enacted are considered a permitted and lawful use.
2. **Non-Conforming Telecommunications Facilities:**
 - a. Ordinary maintenance may be performed on non-conforming antennae and accessory equipment.
 - b. Minor modifications to non-conforming telecommunications facilities may be permitted upon the granting of administrative approval by the City Planner.
 - c. Major modifications to non-conforming telecommunications facilities may be permitted only upon the granting of a special use permit by the Governing Body.
 - d. Notwithstanding other provisions of the Unified Development Ordinance denying modifications for non-conforming structures, minor/major modifications to telecommunication facilities and supporting structures shall be allowed for the sole purpose of co-location of facilities.
3. **Non-Conforming Support Structures:**
 - a. Ordinary maintenance may be performed on a non-conforming support structure.
 - b. Co-location of telecommunications facilities on an existing non-conforming support structure is permitted upon the granting of administrative approval by the City Planner.
 - c. Minor modifications may be made to non-conforming support structures to allow for co-location of telecommunications facilities. The minor modifications are permitted only upon the granting of administrative approval by the City Planner. Prior to the consideration of any minor modifications, the applicant shall submit a letter or signed lease agreement with a telecommunications provider indicating intent to collocate.
 - d. Major modifications may be made to non-conforming support structures to allow for co-location of telecommunications facilities. The major modifications are permitted only if the Governing Body grants a special use permit. Prior to the consideration of any major

modifications, the applicant shall submit a letter or signed lease agreement with a telecommunications provider indicating intent to collocate.

- e. Replacement of a non-conforming support structure is considered a major modification, and is permitted only if the Governing Body grants a special use permit.

SECTION FOUR: Existing Section 18.94.040 of the Olathe Municipal Code (Unified Development Ordinance) is hereby amended to read as follows:

18.94.040 Submittal Requirements

A. Proof of Ownership and/or Authorization of Agent

1. Where an application has been filed by a landowner, an affidavit of ownership shall be submitted to the City.
2. Where an application has been filed by an agent of a landowner, an affidavit of the landowner establishing the agent's authorization to act on behalf of the landowner shall be submitted to the City.
3. The affidavits required by this section shall be on forms prescribed by the City or in such form as is acceptable to the Planning Official or designee, and shall be submitted at the time of filing the application.

B. Submittal Checklists

Applications for land use or building permits shall be filed upon forms prescribed by the City. The following information is required for each application listed below:

Material / Information

- required
- approving agency may require the information on a case by case basis

Rezoning
Special Use Permit
Planned Development
Site Development Plan-Preliminary
Site Development Plan-Final
Plat-Preliminary
Plat-Final

General

¹ Legal description of the property.	■	■	■	■
² Names and addresses of owner, applicant and agent.	■	■		
³ Names and addresses of land owners and engineer or land surveyor preparing the plan.				

Material / Information

- required
 approving agency may require the information on a case by case basis

	Rezoning	Special Use Permit	Planned Development	Site Development Plan-Preliminary	Site Development Plan-Final	Plat-Preliminary	Plat-Final
4	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>					
5	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
6	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
7	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>					
9				<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
10							<input checked="" type="checkbox"/>
11				<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
12						<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
13							<input checked="" type="checkbox"/>
Boundaries							
14						<input checked="" type="checkbox"/>	
15				<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
16						<input checked="" type="checkbox"/>	
17				<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
18	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
19						<input checked="" type="checkbox"/>	
20						<input checked="" type="checkbox"/>	
21						<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Material / Information

- required
- approving agency may require the information on a case by case basis

	Rezoning	Special Use Permit	Planned Development	Site Development Plan-Preliminary	Site Development Plan-Final	Plat-Preliminary	Plat-Final
22							■
23							■
24							■
25							■
26							■
27							
28				■		■	
29				■	■	■	■
30							■
31							■

Material / Information

- required
- approving agency may require the information on a case by case basis

Rezoning
Special Use Permit
Planned Development
Site Development Plan-Preliminary
Site Development Plan-Final
Plat-Preliminary
Plat-Final

Approvals

32	Evidence showing that all taxes and special assessments due and payable have been paid in full. In the case of taxes which have been protested as provided by law, monies or other sufficient escrows guaranteeing the payment of such taxes in the event the protest is not upheld shall be placed on deposit with such officials or governing bodies to meet this requirement.									■
----	--	--	--	--	--	--	--	--	--	---

Legal

33	Deeds of dedication for all rights-of-way or easements required as a result of preliminary site-development plan approval.										■
34	A copy of any applicable covenants or deed restrictions applicable to the property. The restrictions may appear on the face of the plat or site plan, or may be submitted separately.									■	■
35	Evidence of the establishment of the agency for the ownership and maintenance of any common open space and all assurances of the financial and administrative ability of such agency required pursuant to approval of the preliminary site development plan, if required by the terms of the approved preliminary site development plan.									■	
36	Evidence of satisfaction of any stipulations of the preliminary site-development plan approval which were conditions precedent to consideration of the final development plan.									■	

Existing Conditions (site and within 200 feet for a site plan, 400 feet for a preliminary plat)

37	Existing uses									■	■	
38	Existing zoning and land use of site and surrounding properties.									■	■	
39	The names of all adjacent subdivisions or, in the case of unplatted land, the names of the landowners of adjacent property.										■	
40	Existing and proposed finished grades or contours at two (2) foot intervals.									■	■	
41	Contour lines or spot elevations based on US Geological Survey (USGS) data having the following intervals: two (2) foot contour intervals for ground slopes less than ten (10) percent; five (5) foot contour intervals for ground slopes exceeding ten (10) percent; and spot elevations where the ground is too flat for contours. The date and source of the topographic survey shall be indicated.									■	■	■

Material / Information

- required
- approving agency may require the information on a case by case basis

Rezoning
Special Use Permit
Planned Development
Site Development Plan-Preliminary
Site Development Plan-Final
Plat-Preliminary
Plat-Final

42	Contours of existing grades at intervals not more than five (5) feet. Intervals less than five (5) feet may be required dependent on the character of the topography.					
43	Final grading contours drawn at sufficient intervals of not more than two (2) feet to depict major drainage patterns. (Ord. 09-23 § 1, 2009)			■	■	
44	The location, width and names of all existing public or private streets and sidewalks within or adjacent to the tract, together with easements, railroad rights-of-way, and other important features such as section lines and corners, municipal boundary lines and monuments.			■	■	■
45	All platted or existing streets and property lines.					■
46	Description of any existing streets or roads which abut, touch upon or extend through the subdivision. The description shall include types and widths of existing surfaces, rights-of-way widths, and dimensions of any bridges or culverts.			■	■	■
47	Zoning classifications for the tract and adjacent tracts.					■
48	Location of the one hundred (100) year floodplain and all watercourses.			■	■	■
49	One hundred (100) year floodplain line with elevations.			■	■	■
50	Land areas within the one hundred (100) year floodplain.			■	■	■
51	Existing streams, drainage channels and other bodies of water.			■	■	■
52	Natural features such as rock outcroppings, marshes, lakes, wooded areas and isolated preservable trees.					■
53	Existing and proposed slopes in excess of ten (10) percent.			■	■	
54	The location, size, cross-section and calculation of any drainage structures, such as culverts, paved or earthen ditches or storm water sewers and inlets.			■	■	
55	Location, massing and pattern of existing vegetation. Indicate proposed on-site preservation.			■	■	
56	8. Location and size of all trees with a caliper of eight (8) inches or greater (measured at four and one-half [4½] feet above the ground).					

Site Development

57	Land use allocation map, including a general designation of all mixed-use, residential, commercial, industrial, or other areas by general land use description.	■		■	■	■
58	The proposed use of land, whether for single-family, multifamily, commercial, industrial, parks, schools or other uses.					■
59	Intended use of land or buildings					

Material / Information

- required
- approving agency may require the information on a case by case basis

	Rezoning	Special Use Permit	Planned Development	Site Development Plan-Preliminary	Site Development Plan-Final	Plat-Preliminary	Plat-Final
60	A general description of any building or structure proposed to be constructed, erected or structurally altered thereon						
61	Approximate height, bulk and shape, gross and net square footage of buildings and structures						
62						■	
63				■	■		
64	Location of buildings or structures upon the lot, tract or parcel						
65				■	■		
66				■	■		
67				■	■		
68				■	■	■	
69				■	■		
70				■	■	■	
71		■	■	■	■		
72					■		
73						■	■
74					■		
75					■		
76					■		
77					■		
78	For residential subdivisions in Districts R-1 through R-4 inclusive and N, a master fence/screening plan if required by Chapter 18.30.						
79							■

Material / Information

- required
 approving agency may require the information on a case by case basis

	Rezoning	Special Use Permit	Planned Development	Site Development Plan-Preliminary	Site Development Plan-Final	Plat-Preliminary	Plat-Final
94 Building elevations (may be conceptual at rezoning stage)				■	■		
95 Where several building types are proposed, such as, one and two unit dwellings, apartments and commercial buildings, a separate sketch for each type.				■	■		
96 If an architectural theme is planned, describe the intent and extent of the scheme and provide details, focal points, etc., (i.e., material rustification, period lighting, pavement patterns).				■	■		
97 Certificates of execution, dedication, etc. (see subsection H.6, below)							■

Infrastructure

98 Assurances of adequate public facilities as required by Chapter 18.30.040.	■	■			■	■	■
99 All public streets and easements which are of record. Sufficient dimensions and information to indicate existing and proposed rights-of-way, pavement width and type, number of lanes, medians and median breaks, sidewalks, existing and proposed driveways (<i>to the degree that they appear on plans on file with the City</i>).				■	■	■	
100 Calculation sheets containing the length and radii of all curved street and lot lines, bearings, length of all straight streets and lot lines, and the area in square feet of each lot.							■
101 All existing and proposed adjacent public street rights-of-way with centerline location and surface type, condition and width.				■	■	■	
102 Location, size and radii of all existing and proposed median breaks and turning lanes.				■	■	■	
103 All existing and proposed drive locations, widths, curb cuts and radii.				■	■	■	
104 Approximate gradients of proposed streets within the plat.							■
105 Location and type of utilities to be installed.				■	■	■	
106 Proposed utility layouts for water and sewer. Under certain circumstances the proposed utility layout for multifamily residential, commercial or industrial subdivisions, may be deferred until site or preliminary development plan submittal				■	■	■	

Technical Studies

107 Traffic studies (see Access Management Plan for required information)	○	○					
108 Engineering studies	○	○					
109 Geologic or hydrologic studies	○	○					
110 Environmental impact assessments	○	○					

Material / Information

- required
- approving agency may require the information on a case by case basis

	Rezoning	Special Use Permit	Planned Development	Site Development Plan-Preliminary	Site Development Plan-Final	Plat-Preliminary	Plat-Final
111 Noise studies	○	○					
112 Market studies	○	○					
113 Economic impact reports	○	○					
114 Architectural surveys	○	○					

C. Building Elevations

1. If required, building elevations shall -
 - a. be drawn to a standard architectural scale, and
 - b. Include dimensions sufficient to determine relationship between various elements, building height, proportion, adequate screening of mechanical equipment, etc.
2. Building elevations shall include the following:
 - a. The architectural style, size, exterior construction materials, and colors of the proposed buildings.
 - b. Elevations of all sides of proposed buildings including notation indicating building materials to be used on exteriors and roofs.
 - c. Size, location, color and materials of all signs to be attached to building exteriors, unless the site is subject to an approved master sign plan.
 - d. Location, size and materials to be used in all screening of rooftop mechanical equipment.

D. Rezoning and Special Use Permit Applications

See subsection B.

E. Preliminary Site Development Plans

All site development plans are to be drawn to a standard engineer's scale. The actual scale used will depend on the development and shall be subject to the approval of the Planning Official. Nine (9)

copies of the site development plan shall be submitted in support of the application. In addition, one (1) copy of the proposed site plan and one (1) copy of the proposed building elevations, reduced onto eight and one-half (8½) inch by eleven (11) inch paper and one (1) digital file shall be submitted with the application.

F. Final Site Development Plans

All final site development plans are to be drawn at the same scale as the preliminary site development plan. Nine (9) copies of the final site development plan shall be submitted in support of the application. In addition, one (1) copy of the development plan and one (1) copy of all building elevations, reduced onto eight and one-half (8½) inch by eleven (11) inch paper, and one (1) digital file shall be submitted with the application.

G. Preliminary Plats

Preliminary plats shall be drawn to a scale of one (1) inch to one hundred (100) feet; however, plats of areas in excess of one hundred (100) acres may be drawn to a scale of one (1) inch to two hundred (200) feet. Nine (9) copies, one digital file (Section 18.68.260) and one (1) copy reduced onto eight and one-half (8½) by eleven (11) inch paper, and one (1) digital file of the preliminary plat shall be submitted in support of the application.

H. Final Plats

1. After a preliminary plat is approved by the Planning Commission, the applicant may submit a final plat for record to the Planning Commission.
2. The final plat may contain all or part the area contained in the preliminary plat. For properties developed in phases:
 - a. The final plat shall include all open space areas adjacent to the lots being platted, including the open space between those lots and arterial or collector streets, existing platted lots, or the perimeter property lines of the development.
 - b. Plat numbers shall be tied to the phase of development designated in the preliminary plat.
 - c. No unplatted remnants shall remain by the final phase. The Governing Body may waive these requirements.
3. Page sizes for final plats shall be as required by the Register of Deeds office. When more than one (1) sheet is used for any plat, each sheet shall be numbered consecutively and each sheet shall contain a notation showing the whole number of sheets in the plat and its relation to other sheets (e.g., sheet 1 of 3 sheets).
4. Final plats shall be prepared with the accuracy required for traverse data.
5. Final plats shall be drawn to a scale of one (1) inch to one hundred (100) feet, or at another scale acceptable to the Planning Official or designee. Nine (9) copies, one (1) digital file (subsection 19.94.030), and one (1) copy reduced onto eight and one-half (8½) inch by eleven (11) inch paper of the final plat shall be submitted in support of the application.

6. A final plat must include the following certificates, which may be combined where appropriate:
 - a. A certificate of execution signed and acknowledged by all parties having any record, title or interest in the land subdivided, and consenting to the preparation and recording of the plat.
 - b. A certificate signed and acknowledged as above, dedicating all parcels of land shown on the final plat and intended for any public use except those parcels which are intended for the exclusive use of the lot owners of the subdivision, their licensees, visitors or tenants.
 - c. A certificate granting utility easements as follows:

"An easement or license to enter upon, locate, construct and maintain or authorize the location, construction or maintenance and use of conduits, water, gas, electrical, sewer pipes, poles, wires, drainage facilities, ducts and cables, and similar utility facilities, upon, over and under these areas outlined and designated on this plat as "Utility Easement" or "U/E," is hereby granted to the City of Olathe, Kansas, and other governmental entities as may be authorized by state law to use such easement for said purposes."
 - d. A certificate that all prior existing easement rights to any person, utility or corporation have been absolved on the parcels to be dedicated to public use.
 - e. A certificate signed by the licensed professional engineer or surveyor responsible for the survey and final plat. The engineer or surveyor shall not sign the plat until all monuments, irons or benchmarks have been set as required by this ordinance. Said signature shall be accompanied by the engineer's or surveyor's seal and shall state the month and year such survey was made.
 - f. The typewritten or printed names of all persons required by this subsection shall appear below the signature of that person.
7. A final plat for a condominium development shall include the information required by the Apartment Ownership Act (KSA Chapter 58, Article 31) and Township Ownership Act (KSA Chapter 58, Article 37).
8. After the final plat is filed of record with the Register of Deeds office, a final and/or revised digital plat in conformance with Section 18.94.030 shall be submitted.

I. Lot Splits

1. The lot split application shall be accompanied by two (2) copies of a drawing to scale depicting the lots, structures and existing utility easements located on any part of the lot being split,

together with the precise nature, location, dimensions and legal descriptions of the new lots to be created.

2. Prior to being submitted to the Planning Official or designee, lot split applications shall be signed by the various public or private utilities, the City Engineer and Municipal Services Department, to establish the existence of adequate public easements and facilities to serve the resulting lots.
3. A lot split application for a two-family residence (duplex) or a townhouse shall include:
 - a. A signed and notarized Fire Wall Affidavit, and
 - b. If the property is serviced by one sewer service lateral line, a shared responsibility affidavit, and
 - c. Verification of the location of electrical service meters to each unit.

J. Minor Plats

Minor plats shall contain the same information as identified for final plats in subsections B and H, above.

K. Required Engineering Plans

1. Whenever the construction of new improvements is required by this ordinance, a "Registered Professional Engineer" in the State of Kansas shall prepare all plans and specifications.
2. Engineering plans shall include, but not be limited to:
 - a. detailed site grading plans;
 - b. road construction and parking lot plans;
 - c. plans for storm drainage facilities and street lights;
 - d. Water and Sanitary; and
 - e. Traffic Signal.
3. Such plans shall be drawn in accordance with the Technical Specifications.

L. Landscaping Plans

All landscaping plans shall include the following information: (Ord. 09-22 § 3, 2009)

1. North arrow and scale.
2. Topographic information and final grading adequate to identify and properly specify planting for areas needing slope protection.

3. The location, size and type of all above-ground and underground utility easements and structures with proper easement notation, where appropriate, as to any safety hazards to avoid during installation of landscaping. (Ord. 09-22 § 3, 2009)
4. The location and size and surface of materials of all existing and proposed structures, parking lots and drives, sidewalks, refuse disposal areas, fences, recreational facilities, and other freestanding structural features as determined necessary by the City. (Ord. 09-22 § 3, 2009)
5. The location, size, spread (at the time of planting), type and quantity of all proposed landscaping materials, along with common and botanical names of all plant species. The size, grading and condition shall be specified according to The American Standard for Nursery Stock, as published by the American Association of Nurserymen. (Ord. 09-22 § 3, 2009)
6. Mature sizes of plant materials shall be drawn to scale and identified on the plan by its common and botanical name. (Ord. 09-22 § 3, 2009)
7. Location and identification of hose connections and other watering sources. (Ord. 09-22 § 3, 2009)
8. Location of the boundaries of any required tree preservation area, traffic sight-distance triangle, buffer, and/or landscape easement and/or area. (Ord. 09-22 § 3, 2009)
9. The location of all existing trees, 8-inch caliper or larger, measured at 4-1/2 feet above ground level, that are proposed for removal and/or to be preserved. (Ord. 09-22 § 3, 2009)
10. All screening required by this chapter. (Ord. 09-22 § 3, 2009)
11. The plan shall identify how the City's Crime Prevention through Environmental Design (CPTED) techniques have been incorporated into the layout and design of the landscape plan. Such techniques are optional, but encouraged, and are site specific. (Ord. 09-22 § 3, 2009)

M. Telecommunications

An application for a telecommunications facility, as defined in 18.50.220, shall include the following information in addition to the information normally required for the application:

1. Name/signatures of applicants, owners of land and/or facilities if different, and agents if any.
2. Written statement acknowledging and agreeing to the responsibilities under the zoning code (e.g. allowing modification/rebuilding of support structures; removal upon abandonment, etc.).
3. A one-inch-equals-200 feet vicinity plan, dimensioned and identifying existing buildings, trees, and other features within 200 feet of the telecommunications facility.
4. A one-inch-equals-200 feet site plan, dimensioned.
5. Typical elevations of all facility elements, dimensioned.

6. Specification of all exterior materials and colors, with drawings, photos or samples as appropriate.
7. Landscape/screening plan, with all materials and sizes specified.
8. Appearance shown by at least two photo-simulations for proposed facilities that do not adhere to the location/design guidelines or facilities located in designated visually/environmentally sensitivity locations.

N. Vacation

1. Where an application for the vacation of any street, alley, utility easement or other public reservation by ordinance is not made by the owners of lands adjoining on both sides of the street, alley or public reservation to be vacated, the application shall be accompanied by affidavits of all such owners not joining in the application indicating their consent to the vacation.
2. Copies of the application shall be filed with the Planning Official.
3. The application shall be accompanied by a legal description and survey or other drawing acceptable to the Planning Official depicting the street, alley or public reservation sought to be vacated and the properties and property ownerships surrounding the street, alley or public reservation.
4. The applicant shall obtain letters from representatives of any affected utility companies stating that the street, alley, utility easement or other public reservation will not be needed by the service provider. These letters shall be submitted to the Planning Department prior to scheduling a public hearing regarding the proposed vacation.

O. Wind Energy Conversion Systems (Micro-WECS)

The following items shall be submitted in support of an application for a Micro-WECS:

1. Name of the project applicant(s), facility owner(s) and operator(s).
2. Legal description and address of the project.
3. A plot plan utilizing a standard engineering scale not to exceed 1:100, indicating the placement of the wind turbine(s) and distances from the proposed turbine location to existing buildings including purpose (e.g. residence, garages, barns, etc.), any above-ground utilities, the nearest tree(s), and all property lines.
4. Turbine information: specific information on the type, model, size, height, rotor material, rated power output, performance, safety, and noise characteristics of each wind turbine being proposed, tower and electrical transmission equipment.

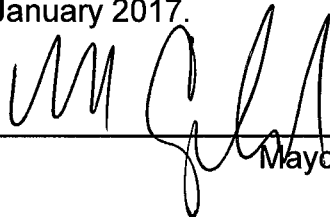
5. A noise compliance summary statement to demonstrate that the wind turbine will not exceed noise standards of these regulations, except for during short-term events such as utility outages and severe windstorms.
6. Drawings of the electrical components in sufficient detail to allow for a determination that the manner of electrical wiring is in compliance with the manufacturer's specifications
7. Any other data that the City may require of the applicant for the proposed wind turbine structure, including the tower, base, and footings in sufficient detail to allow for a determination that the proposed Micro-WECS complies with these standards. The City may require an engineering analysis of the tower showing compliance with the manufacturer's specifications.

SECTION FIVE: Existing sections 18.01.020, 18.20.500, 18.50.220, and 18.94.040 are hereby repealed.

SECTION SIX: This Ordinance shall take effect and be in force from and after its passage and publication as required by law.

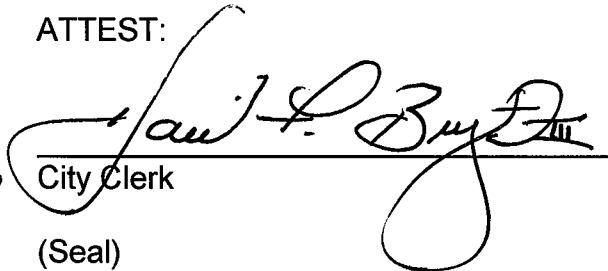
PASSED by the Governing Body this 10th day of January 2017.

SIGNED by the Mayor this 10th day of January 2017.




 Mayor

ATTEST:

Deputy 

 City Clerk
 (Seal)

APPROVED AS TO FORM:



 City Attorney



Publish one time and return one Proof of Publication to the City Clerk, one to the City Attorney and one to Planning.

**PUBLICATION SUMMARY OF ORDINANCE NO. 17-01, PASSED BY THE GOVERNING BODY OF
THE CITY OF OLATHE, KANSAS ON THE 10th DAY OF JANUARY, 2017.**

SUMMARY

On January 10, 2017, the Governing Body of the City of Olathe, Kansas passed Ordinance No. 17-01 amending certain sections of Title 18 of the Olathe Municipal Code pertaining to the Unified Development Ordinance and repealing the same existing sections. Section 18.20.500 is amended to allow certain industrial uses in the M-2 district and to add a cross-reference to Section 18.50.220. Sections 18.50.220 and 18.94.040 are amended to comply with a recent state law regarding telecommunications facilities.

The complete text of this ordinance may be obtained or viewed free of charge at the office of the Olathe City Clerk, Olathe City Hall, 100 East Santa Fe Street, Olathe, Kansas, or on the City's official website address www.olatheks.org/Council/Search, where a reproduction of the original ordinance will be available for a minimum of one week following this summary publication.

This summary is certified this 10th day of January, 2017.



Daniel Yoza
Assistant City Attorney

Publish one time and return one Proof of Publication to the City Clerk, one to Planning, and one to the City Attorney.

AFFIDAVIT OF PUBLICATION

STATE OF MISSOURI)
JSS:
COUNTY OF JACKSON)

CYPRESS MEDIA, LLC, publishers of *THE KANSAS CITY STAR'S* zoned Johnson County edition published and circulated weekly on Wednesdays in State of Kansas, Johnson County, Kansas, and *THE OLATHE NEWS*, a weekly newspaper published and circulated Saturdays in the STATE OF KANSAS and in the City of Olathe, Johnson County, Kansas, of general paid circulation on a daily, weekly, monthly or yearly basis in Johnson County, Kansas and in their daily forms and under all of their former names, separate or combined, and their present names, have possessed all of the foregoing qualifications and have continuously and uninterruptedly published weekly, twice weekly or daily for more than fifty weeks a year and have been so published for more than five years prior to the first publication of the notice hereinafter mentioned, and that a notice of which a true copy is in THE KANSAS CITY ZONED EDITION FOR JOHNSON COUNTY and/or *THE OLATHE NEWS* for the first publication commencing as stated below and running issues as stated below.

(First published in The Olathe News Saturday, January 14, 2017)

PUBLICATION SUMMARY OF ORDINANCE NO. 17-01, PASSED BY THE GOVERNING BODY OF THE CITY OF OLATHE, KANSAS ON THE 10th DAY OF JANUARY, 2017.

SUMMARY

On January 10, 2017, the Governing Body of the City of Olathe, Kansas passed Ordinance No. 17-01 amending certain sections of Title 18 of the Olathe Municipal Code pertaining to the Unified Development Ordinance and repealing the same existing sections. Section 18.20.500 is

CITY OF OLATHE - LEGALS 9718675

**PO BOX 768
OLATHE KS 66061
25391357 115**

amended to allow certain industrial uses in the M-2 district and to add a cross-reference to Section 18.50.220. Sections 18.50.220 and 18.94.040 are amended to comply with a recent state law regarding telecommunications facilities.

FOR THE PERIOD OF: 1 Day (s)
COMMENCING: January 14,2017
ENDING: January 14,2017
THE OLATHE NEWS/
THE KANSAS CITY STAR EDITIONS(S):
1/14/

The complete text of this ordinance may be obtained or viewed free of charge at the office of the Olathe City Clerk, Olathe City Hall, 100 East Santa Fe Street, Olathe, Kansas, or on the City's official website address www.olatheks.org/Council/Search, where a reproduction of the original ordinance will be available for a minimum of one week following this summary publication.

As representative of the publisher and notary, I acknowledge the statements set forth above as true.

This summary is certified this 10th day of January, 2017.

Subscribed and sworn to before me, this Monday, January 16, 2017. I certify that I was duly qualified as a Notary Public for the State of Missouri, commissioned in Jackson County, Missouri. My commission expires October 3, 2018.

Daniel Yoza
Assistant City Attorney
(14, 25391357-2P)

Vickie L. Holden, Notary

Vickie L. Holden
Notary Public - Notary Seal
State of Missouri, Jackson County
Commission #14394648
My Commission Expires October 3, 2018