

ORDINANCE NO. 18-48

**AN ORDINANCE AMENDING SECTIONS 18.01.020, 18.15.010, 18.20.500, 18.30.130, AND 18.30.160, OF THE OLATHE MUNICIPAL CODE PERTAINING TO THE UNIFIED DEVELOPMENT ORDINANCE.**

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

**WHEREAS**, on June 17, 2014, the Governing Body of the City of Olathe adopted Ordinance No. 14-39, the *Unified Development Ordinance*; and

**WHEREAS**, the Governing Body directed staff and the Planning Commission to proceed with consideration of amendments to the Unified Development Ordinance on an annual basis; and

**WHEREAS**, proposed amendments (UDO18-0001) to the *Unified Development Ordinance* were reviewed at a planning session with the Governing Body on June 19, 2018; and

**WHEREAS**, proposed amendments to the *Unified Development Ordinance* were discussed at a Planning Commission workshop and public hearing on August 13, 2018; and

**WHEREAS**, a workshop to discuss the amendment to the Use Matrix was held with the Planning Commission on October 8, 2018; and

**WHEREAS**, the Planning Commission held a public hearing and recommended approval of the amendments presented on October 8, 2018; and

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

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

**SECTION ONE:** 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, Ordinance No. 17-01, Ordinance No. 17-52, [and Ordinance No 18-48](#),” and open to inspection by 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:** Section 18.15.010 of the Olathe Municipal Code (Unified Development Ordinance) is hereby amended to read as follows:

**“18.15.010 Generally**

*Purpose: This Chapter establishes a framework of guidelines, criteria, and alternative standards for building and site design. ~~These standards are divided into categories in order to:~~*

- Promote greater interest in the appearance, development and redevelopment of all properties as it relates to a project, its surroundings and throughout the community by providing guidance and direction for high quality development and redevelopment in Olathe; and
- Protect the public health, safety, and welfare of the City, residents, property owners, business owners and visitors; and
- Implement the goals, objectives, and policies of *PlanOlathe*; and
- Encourage attractiveness, cohesiveness and compatibility of buildings and sites in order to achieve harmonious appearance and function while protecting property values; and
- Provide guidance for development and redevelopment while protecting the City’s rich history and protecting natural resources throughout the built environment; and
- Maintain and improve the qualities of, and relationships between, individual buildings, structures and the physical development in such a manner as to best contribute to the amenities and attractiveness of the City.

~~• **Enhance Readability.** *Instead of creating new zoning districts or a series of overlay districts, composite zoning embeds the standards for use, building design, and site design into general district categories. This creates a customized set of standards that the City can administer for all new zoning cases, instead of having to negotiate individual standards for each new application.*~~

~~• **Streamline the Approval Process.** *The City can establish composite zoning either through a comprehensive rezoning or by applicant-initiated rezonings to composite districts. In addition, property can be zoned to a composite district on adoption of this Title, a text amendment, or as part of an area planning effort. This allows property within a composite district to be approved with streamlined procedures.*~~

~~• **Match Standards to Their Context.** *Composite zoning can also provide precise planning. This is because the zoning map can reflect not just use categories, but also the City’s design expectations for an area. Composite building and site design standards address key design considerations in a range of contexts throughout Olathe.*~~

~~*The standards in this Chapter implement the following Comprehensive Plan policies:*~~

~~• LUC 7.1, HN-3.1 (residential development): Encourage economically reasonable efforts toward high quality architecture, urban design and site design.~~

~~• ESR-1.4: New development in proximity to significant natural landscapes, or within conservation/cluster neighborhood areas should employ open land conservation techniques to the extent reasonably feasible.~~

**A.** The composite standards are minimum requirements. ~~This Title does not prohibit an~~ Applicants are encouraged to use ~~from using~~ higher quality materials, more frequent building articulation, higher connectivity, a greater amount of open or civic spaces, or a greater percentage of sustainable or green building design or materials.

**B.** The architectural design of single family residences, their materials and color, shall be visually harmonious with the overall appearance of the community, natural environment, and other high-quality development approved within the City. The exterior appearance of single family residences shall consist of complimentary building materials and design features that provide a variation in amenities and features and incorporate high quality standards into the building layout, open space, natural topography, sustainability practices and overall character. The visual elements and amenities will be proportional to the relationships and patterns of the built and natural environment while providing decorative detailing and utilizing high quality materials.

**C.** The zoning regulations (Chapter 18.20) provide the combinations of building and site design that are allowed in each zoning district. In many districts, higher quality materials or more compact development patterns are associated with higher density, building height or floor area.

Instead of creating new zoning districts or a series of overlay districts, composite zoning embeds the standards for use, building design, and site design into general district categories. This creates a customized set of standards that the City can administer for all new zoning cases, instead of having to negotiate individual standards for each new application.

**CD.** For the purposes of composite design standards, nonresidential uses (i.e. churches and schools) that are permitted in residential zoning districts will be considered under Building Design Category C and Site Design Category 3. These types of uses should be comparable to a Neighborhood Commercial Center.

*Example: The C-1 district provides a set of dimensional standards for Site Design Category 3 or 4 with Building Design Category D or E, Site Design Category 4 with Building Design Category C, or Site Design Category 3 with Building Design Category C. Building Design Category F and Site Design Categories 5 and 6 are not allowed in*

*the C-1 district (Site Design Categories 1-2 and Building Design Categories A and B are applicable only to residential zoning districts).*

**18.15.020 Composite Building Design Standards**

**A. Generally**

A range of composite building design categories are provided to promote compatibility with surrounding land uses and community features, while providing realistic and flexible standards for new development. The required building design categories are based on the applicable zoning districts and type of use designated on the future land use map. Some building design categories are intended to promote design character and quality that are compatible with abutting features and neighborhoods (such as a key corridor or residential neighborhoods), while other areas are intended to promote maximum design flexibility. The range of design standards that apply in each building design category are briefly summarized in the table below. This summary table is for reference purposes only; the applicable design standards are detailed throughout the remainder of this Chapter.

**Table 15-1. Summary of Composite Building Design Standards**

	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>
<b>Future/proposed land use map category</b>	<i>Conventional, Conservation/Cluster Neighborhood</i>	<i>Mixed Use Residential Neighborhood</i>	<i>Neighborhood Center, Urban Center, TOD Center</i>	<i>Commercial Corridor, Regional or Community Commercial Center</i>	<i>Employment Area</i>	<i>Industrial Area</i>
<b>Typical zoning district</b>	<i>R-1</i>	<i>R-2, R-3, R-4</i>	<i>N, C-1, D</i>	<i>C-2, C-3, C-4</i>	<i>O, BP, M-1</i>	<i>M-2 M-3</i>
<b>Façade Expression</b>	No special considerations	Highly articulated façade with a high level of transparency	Highly articulated façade, with a high level of transparency	Moderately articulated façade, with a moderate level of transparency	Façade with a range of articulation and transparency	Façade with a range of articulation and transparency
<b>Pedestrian Orientation</b>	Front-facing entry element (porch, stoop,	High level of ground floor pedestrian	High level of ground floor pedestrian	Moderate level of ground floor pedestrian	No special considerations	No special considerations

	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>
<b>Future/proposed land use map category</b>	<i>Conventional, Conservation/Cluster Neighborhood</i>	<i>Mixed Use Residential Neighborhood</i>	<i>Neighborhood Center, Urban Center, TOD Center</i>	<i>Commercial Corridor, Regional or Community Commercial Center</i>	<i>Employment Area</i>	<i>Industrial Area</i>
<b>Typical zoning district</b>	<i>R-1</i>	<i>R-2, R-3, R-4</i>	<i>N, C-1, D</i>	<i>C-2, C-3, C-4</i>	<i>O, BP, M-1</i>	<i>M-2 M-3</i>
	etc.)	interest with front-facing entries (porch, stoop, etc.)	interest and transparency with front-facing entries (canopy, courtyard, etc.)	interest with front-facing entries (canopy, courtyard, etc.)		
<b>Materials</b>	No special considerations	High quality materials	High quality materials	Moderate quality materials	High quality materials	A wide range of materials permitted
<b>Garage</b>	Garage door design standards may apply	Garage door design standards may apply	No special considerations	No special considerations	No special considerations	Overhead doors generally do not face primary streets
<b>Transition Adjacent to Single-Family</b>	No special considerations	Lower scale adjacent to single-family	Lower scale adjacent to single-family	Lower scale adjacent to single-family	Lower scale adjacent to single-family / Façade adjacent to single family treated as primary	Façade adjacent to single family treated as primary / Smaller scale building modules adjacent to single-family

	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>
<i>Future/proposed land use map category</i>	<i>Conventional, Conservation/Cluster Neighborhood</i>	<i>Mixed Use Residential Neighborhood</i>	<i>Neighborhood Center, Urban Center, TOD</i>	<i>Commercial Corridor, Regional or Community Commercial Center</i>	<i>Employment Area</i>	<i>Industrial Area</i>
<i>Typical zoning district</i>	<i>R-1</i>	<i>R-2, R-3, R-4</i>	<i>N, C-1, D</i>	<i>C-2, C-3, C-4</i>	<i>O, BP, M-1</i>	<i>M-2 M-3</i>

**B. Building Materials**

1. Building material standards are provided to ensure appropriate quality and visually coherent building designs. Materials for the primary and secondary building façade shall be selected from **Table 15-2** below according to the percentage specified for each materials category in the relevant composite building design standards.

**Table 15-2. Permitted Building Materials by Materials Category**

	Materials Category 1	Materials Category 2	Materials Category 3
<b>Masonry</b>			
Brick, solid	✓	✓	✓
Brick, modular	✓	✓	✓
Brick, panel/veneer		✓	✓
Brick, imprint or overlay systems			✓
Stone, modular	✓	✓	✓
Stone, veneer	✓	✓	✓
Stone, synthetic	✓	✓	✓
Stucco, genuine, detailed	✓	✓	✓
Stucco, synthetic/panels		✓	✓

	Materials Category 1	Materials Category 2	Materials Category 3
Concrete, plain finish		✓	✓
Concrete, detailed	✓	✓	✓
Concrete Masonry Unit, flush/plain			✓
Concrete Masonry Unit, split faced		✓	✓
Concrete Masonry Unit, burnished	✓	✓	✓
Cement fiber board		✓	✓
<b>Metals</b>			
Architectural metal		✓	✓
Corrugated metal			✓
Standard metal lap siding			✓
Aluminum Siding			✓
<b>Glass</b>			
Clear Glass	✓	✓	✓
Architectural panels	✓	✓	✓
Architectural block		✓	✓
Mirror glass	✓*	✓	✓
Opaque glass	✓*	✓	✓
<b>Wood</b>			
<b>Other Synthetics</b>		✓	✓
Synthetic stucco/EIFS			✓
Synthetic stucco/EIFS (detail only)		✓	✓
Vinyl siding			✓
Plastic (columns, details, etc.)			✓


\* Mirror and opaque glass may be used as Category 1 Materials in M-1 and M-2 Districts only

2. The permitting agency may approve a building material(s) not listed [in or reclassify a building material\(s\) for an individual project on Table 15-2](#) if it finds that the material is similar [or of higher quality](#) to the other materials in the same category with regard to:

- a. Durability and quality, and
- b. Appearance, and
- c. [Sustainability practices, and](#)
- d. Compatibility with the architectural style of the buildings that are subject to the application for approval."

**SECTION THREE:** 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:

<b>Notation</b>	<b>Category</b>	<b>Description</b>
<b>P</b>	<b>By right</b>	Permitted if they meet the standards established in the zoning district.
<b>S</b>	<b>Special Use</b>	Requires special approval by the Governing Body (refer to § 18.40.100).
	<b>Accessory</b>	Accessory uses are those as defined in §18.50.020.
	<b>Signs</b>	For information on what signs are permitted see § 18.50.190

Except as otherwise provided, uses permitted by right and uses permitted with a special use permit for any planned district, shall be equivalent to the uses found in the associated conventional district. Planned districts and their associated conventional districts are provided in the table below. The PR District and PD District are two planned district categories to which a property owner or their designee may zone property to. Zoning to either of these districts provides a variety of uses. Refer to Section 18.20.220 and 18.20.240 for additional information.



<b>Planned District Category</b>	<b>Associated Conventional District Category</b>
RP-1	R-1
RP-2	R-2
RP-3	R-3
RP-4	R-4
CP-O	C-O
CP-1	C-1
CP-2	C-2
CP-3	C-3
MP-1	M-1
MP-2	M-2
MP-3	M-3

Use	Residential															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)	IM-1 (Light Industrial)	IM-2 (Heavy Industrial)	IM-3 (Intense Industrial)	D (Downtown)-Core					D (Downtown)-Mixed Use	D (Downtown)-Santa Fe
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										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 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 See below:																		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	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										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 Townhouse	P	P	P															1100	1150	814	See Chapter 18.50.
				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																			1300		A dwelling located on premises with a principal nonresidential use and occupied only by a caretaker or guard employed on the premises.

Use	Accommodations & Group Living													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)	IM-1 (Light Industrial)	IM-2 (Heavy Industrial)					IM-3 (Intense Industrial)	D (Downtown)-Core	D (Downtown)-Mixed Use	D (Downtown)-Santa Fe
Assisted living, skilled nursing, continuing care retirement facilities	P	P	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			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: Family Day-Care Home	P	P	P	P	P													6562 6566		6244	See Chapter 18.50
Day-Care & Child Care: Child-Care Centers						P	P	P	P	P					P	P	P	6562 6566		6244	See Chapter 18.50
Day-Care & Child Care: Group Day-Care Home	P	P	P	P	P													6562 6566		6244	See Chapter 18.50
Day-Care & Child Care: Mother's Day Out -Care Home	P	P	P	P	P													6562 6566		6244	See Chapter 18.50
Day-Care & Child Care: Preschools	S	S	S	S	S	P	P	P	P	P								6562 6566		6244	See Chapter 18.50
Day-Care & Child Care: Adult Day-Care	S	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	S	S	S	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	S	S			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			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															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 persons)	P	P	P	P	P										P	P	P	6520		62322 0	A dwelling occupied by not more 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

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)	IM-1 (Light Industrial)	IM-2 (Heavy Industrial)					IM-3 (Intense Industrial)	D (Downtown)-Core	D (Downtown)-Mixed Use	D (Downtown)-Santa Fe
Homeless Shelter				S	S								S	S						634221	A facility providing temporary housing to indigent, needy, homeless, or transient persons. May also provide ancillary services such as counseling, meals, vocational training, etc. This land use category does not include group boarding homes for adults or minors or group homes as defined by K.S.A. 12-736.
Hotel, boutique (50 rooms maximum)						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	S	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.	
<b>Commercial/Mixed Use</b>																					
Adaptive re-use (see Chapter 18.50)														S	S	S		2200, 2611		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				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 care services							P	P	P	P			S	S				2720		81290	An animal care facility with no outside kennel or retail sales. Including establishments primarily engaged in providing pet care services (except veterinary), such as boarding, grooming, sitting and training pets.
Animal Care - indoor or outdoor kennel	S						P	P	P	P			S	S				2718	8700	54190	An animal care facility where all kennels are located within an enclosed and roofed building, or outside of a building. This may include accessory retail sales.
Animal Care - veterinary clinics	S								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

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)	IM-1 (Light Industrial)	IM-2 (Heavy Industrial)	IM-3 (Intense Industrial)	D (Downtown)-Core	D (Downtown)-Mixed Use	D (Downtown)-Santa Fe	LBGS Function	LBGS Structure	NAICS	Definition
Antique shop								P	P	P					P	P	P	2145	2200	45310	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).
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.
Bail 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	311811	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.
Brewpub									P	P											An establishment for facility which manufactures fermented malt beverages and operates a restaurant on the premises.
Building materials sales - without lumberyard								P	P	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

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)	IM-1 (Light Industrial)	IM-2 (Heavy Industrial)	IM-3 (Intense Industrial)	D (Downtown)-Core	D (Downtown)-Mixed Use	D (Downtown)-Santa Fe	LBCS Function	LBCS Structure	NAICS	Definition
Business service centers / business support						P	P	P	P	P	S	P	P	P	P	P	P	2424	2200	56143 .5619	and equipment sales or rental establishments. (Note: establishments that operate from a warehouse are classified separately). Includes blueprinting, printing, Photostatting, copying, packaging, labeling, and similar services to other businesses.
Cafeterias and snack bars (accessory)																		2520 2530		72251 4, 72251 5	Cafeterias and snack bars that principally serve the employees in the buildings in which they are located and their guests.
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	81119 2	Establishments that wash, wax or clean automobiles or similar light vehicles.
Catering / food service						P	P	P	P	P	P	S	S		P	P	P	2560 2570		72231 72232	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.
Commercial Use in Multifamily Development																					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		S	S		P	P	P	2152	2591	44711 0	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	P	P		S P	S P	P		2591	44512 0	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		72251 3	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)																			2110 2210		See Chapter 18.50.
Drive-Through Service (for financial institution)																			2110 2210		See Chapter 18.50.

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)	IM-1 (Light Industrial)	M-2 (Heavy Industrial)	M-3 (Intense Industrial)	D (Downtown)-Core	D (Downtown)-Mixed Use	D (Downtown)-Santa Fe	LBGS Function	LBGS Structure	NAICS	Definition
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.
Entertainment establishment							S	P	P	P					P	P	P	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	2200	2100	115115, 511, 51911, 4210, 51913, 523-525, 4241, 531, 5411-5418, 5611-5616, 56192, 5160, 54191, 6200, 54193, 54199, 6800, 6117, 6820, 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					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. Flea markets are 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) outside of an enclosed building, typically on an open lot from individual booths.
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.

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Financial Institution <i>(bank, credit union, or savings institution)</i>						P	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	3600			A building that combines office with manufacturing, wholesale, warehousing, or training facilities that relate to the office uses. Retail or showroom uses that are accessory to those uses may occupy up to 25% of the gross floor area.
Florist or floral/gift shop							P	P	P	P					P	P	P	2141		453110	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	P	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	S	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									P	P										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.
Laundry, pick-up only and garment services						P	P	P	P	P					P	P	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.
Laundry, coin operated							P	P	P	P					P		P			8123	Establishments primarily engaged in clean, dry clean, or supply (on a rental or contract basis) apparel, uniforms, garments and other textile items, linens, fur, leather, hats; draperies; and pillows. This includes industrial launderers that supply protective apparel (flame and heat resistant) and clean room apparel; dust control items, such as treated mops, rugs, mats, dust tool covers, cloths, and shop or wiping towels.



Use	LCS Structure													LCS Function	LCS 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)-Santa Fe
Leasing office, residential																		2300		53110	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 store-front facility. Examples including the leasing of heavy equipment, office furniture or equipment, or off-highway transportation equipment.
Leasing/Rental - consumer or recreational goods							P	P	P	P		S	S		P	P	P	2333 2335		5322, 5323	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		53210	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												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	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				

Use	Use													LBCS Function	LBCS Structure	NAICS	Definition				
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Monument dealers (tombstones and markers)										P		P	P		P	P	P			453998	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, include storage and incidental maintenance.
Motor Vehicles, internet sales, no outdoor display								P	P		P	P									Motor vehicles sold online with no display of vehicles outdoors and no on-site repair or refurbishing of the vehicles
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 / Internet Retail						P	P	P	P	P	P	P			P	P	P	2144 2580		454, 425110	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						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	2310 - 2322 - 2336 - 2455 - 4210 - 4212 - 4212 - 4241 - 4243 - 5140 - 5160 - 6200 - 6220 - 6800 - 6820 - 9210	2100	115115, 236118, 511, 517911, 51911, 51913, 523-525, 531, 533, 5411-5418, 5611-5616, 56192, 54191, 54193, 54199, 55, 6117, 4885, 7113-7115, 8133-813, 813, 921, 92213	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 assistance programs and associations, 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.

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)	IM-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
Optical Goods Stores							P	P	P	P					P	P	P	2163		92219 .923- 928	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								P	P						P	P	P	2145		4533, 52229 8	Includes any pawnbroker or precious metal dealer (see 5.42 of the Municipal Code). See Municipal Code § 5.43.010.
Payday Loan Business or Title Loan Business									P	P											See Municipal Code § 5.43.010.
Personal services						P	P	P	P	P					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 store							P	P	P	P					P	P	P	2710		45391 0	Establishments primarily engaged in retailing pets, pet foods, and pet supplies.
Pharmacy and drugstore							P	P	P	P					P	P	P	2161		44611 0	Establishments known as pharmacies and drug stores engaged in retailing prescription or nonprescription drugs and medicines.
Real estate Services						P	P	P	P	P	P	P		P	P	P		2300 - 2335		53121	Establishments primarily engaged in acting as agents in at least 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. This also includes establishments providing real estate services such as (4) appraising real estate; (5) property management; appraisal, and (6) any other real estate 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		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	P	P		2510		72251 1, 72251 4	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

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
Restaurant, limited service or carry out							P	P	P	P		S	S		P	P	P	2520		722513, 722515	consumption using cafeteria-style or buffet serving equipment, such as steam tables, refrigerated areas, display grills, and self-service nonalcoholic beverage dispensing equipment. Establishments primarily engaged in (1) 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), (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, generally (not otherwise listed)							P	P	P	P		S	S		P	P	P	2000 2100 2101 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		441210, 441222, 441228, 441229, 532120	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, 561622	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		45111	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								S	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 following: (1) placing of designs, letters, figures, symbols, or other marks upon or under the skin of any person, using ink or other

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)	IM-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
																					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				Temporary sales and events require a permit (see § 18.50.225 ).
Travel Agency						P	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 one of more of the following: (1) reupholstering furniture; (2) refinishing furniture; (3) repairing furniture; and (4) repairing and restoring furniture (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				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 and/or rental								P	P	P		S	S		P	P	P			532230	Establishments primarily engaged in renting prerecorded video tapes and discs for home electronic equipment.
Woodworking shops						P	P	P	P	P		P	P		P	P	P			337,	Establishments that make furniture,

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)	D (Downtown)-Core	D (Downtown)-Mixed Use	D (Downtown)-Santa Fe
																		444190		cabinets, or similar items from logs or lumber, for sale on the premises. Processes include carpentry or wood crafting.	
<b>Industrial</b>																					
Automobile storage or towing (excluding junked vehicles)												P	P					4138	488410	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	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	P	S	S	S			312120	This industry comprises establishments primarily engaged in brewing beer, ale, malt liquors, and non-alcoholic beer.	
Building contractor without outdoor storage											P	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	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	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						236115-236117, 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	S		S	S		S	S	S		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	P	P		4240	2613, 2620, 2621	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													S					3320	2620, 2621	332992-332995, 325928	Establishments primarily engaged in manufacturing ammunition, ordnance, or explosives such as dynamite.
Extractive industries	S												S					8000 - 8500		212, 213112-213115	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.
Food and Beverage Manufacturing												P	P					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

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)	IM-1 (Light Industrial)	M-2 (Heavy Industrial)	M-3 (Intense Industrial)	D (Downtown)-Core	D (Downtown)-Mixed Use	D (Downtown)-Santa Fe	LBGS Function	LBGS Structure	NAICS	Definition
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, stabbing, 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	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 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.

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)	IM-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	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																		2613, 2620	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	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				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			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 post press 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-Chemicals														S				3320 - 3350	2613, 2620, 2622	325	Establishments that transform organic 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												P	P					3350	2613, 2620, 2621	332, 333	Establishments that: (1) transform metal into intermediate or end Products (other than machinery,



<b>Use</b>	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	<b>Definition</b>
or 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	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	P				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	31163	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					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, tinsmithing 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 products manufacturing	S											P	P					3210	2612, 2613, 2620, 2621	321	Establishments that manufacture wood products, such as lumber, plywood, veneers, wood containers, wood flooring, wood trusses, manufactured homes (i.e., mobile homes), and prefabricated wood buildings
<b>Warehousing &amp; Storage</b>									P	P		P	P	P							
Mini-Warehouse																		2700	2710, 2720	53113	Structures containing generally small, individual, compartmentalized stalls or lockers rented as individual storage spaces and characterized by low parking demand.

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)	IM-1 (Light Industrial)	IM-2 (Heavy Industrial)	IM-3 (Intense Industrial)	D (Downtown)-Core	D (Downtown)-Mixed Use	D (Downtown)-Santa Fe	LBCS Function	LBCS Structure	NAICS	Definition
Petroleum Bulk Stations and Terminals	S																	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														P				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											P	P	P	P				3500 2730 3600 2740 2760	42, 493	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. Warehousing and distribution are permitted in the BP District areas as follows: <ul style="list-style-type: none"> <li>When located within the Industrial Revenue Bond (IRB) Target Areas according to City Council Policy F-5. OR</li> <li>When located outside the IRB area and containing an existing building intended for a warehouse use, prior to the effective date of this ordinance (August 2017). OR</li> <li>When located outside of the IRB area with a Special Use Permit.</li> </ul>
<b>Arts, Recreation &amp; Entertainment</b>																					
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	S		3130, 6970		
Amusement parks	S									P	S	S			S	S	S	5310	4440	71311 0	Establishments primarily engaged in operating a variety of attractions, such as mechanical rides, water rides, games, shows, theme exhibits, refreshment stands, and picnic grounds. These establishments may lease space to others on a concession basis.
Amusement, indoor						S	S	S	S		S	S		P	P	P		5320		71312 0	Includes game arcades.
Aquarium or Planetarium							S	S	P		S	S		P	P	P		4420 4430	71211 0		Establishments primarily engaged in preservation and exhibition of objects of historical, cultural, and/or educational value.
Art gallery						P	P	P	P		S	S		P	P	P		2142	4410	45392 0	An establishment primarily engaged in retailing original and limited edition art works. Included in this category are establishments primarily engaged in displaying works of art for retail sale.
Artist Studio				P		S	P	P	P		S	S		P	P	P		5160	4410	71151 0	A facility used for independent individuals primarily engaged in performing in artistic productions, in creating artistic and cultural works or

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)	IM-1 (Light Industrial)	IM-2 (Heavy Industrial)					IM-3 (Intense Industrial)	D (Downtown)-Core	D (Downtown)-Mixed Use	D (Downtown)-Santa Fe	
																		6830	3800	8134, 81399	productions, or in providing technical expertise necessary for these productions. Examples include: actors/actresses, producers, art restorers, recording technicians, artists (except musical, commercial or medical), cartoonists, theatrical costume designers, dancers, theatrical lighting technicians, journalists, and technical writers.	
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)	
Community center		S	S	S	S		P	P	S	P		S	S		P	P	P		3700 3800		A facility used for social, educational and recreational activities and programs. Generally open to the public and designed to accommodate and serve the community.	
Conference and Retreat 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	An area wherein buildings, structures, and land are used for the exhibition of livestock, farm products, etc., and/or for carnival-like entertainment providing recreational and amusement services.	
Indoor athletic facility	S						S	P	P	P		S	P	P		S	S	S	5370		71394	An indoor space that is used for fitness, tennis, racquetball, soccer, gyms, health spas, reducing salons, swimming pools/auditorium, racquet clubs or other athletic or fitness activities.
Museum / art gallery / cultural facility							P	P	P	P	S	S	S		P	P	P	5210 5220	4400	712	Establishments primarily engaged in preservation and exhibition of objects, of historical, cultural and/or educational value.	
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					S	S		P	P		P	P					5300 5380	3200	71395 71399	Uses not specifically listed.	
Recreation, outdoor	S						S	S	S	S		S	S		S	S	S	5120 5130 5310 5340 5350	3110- 3140, 3300	7112, 7131, 71121 2, 71391- 71392, 71399,	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,	

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)	D (Downtown)-Core	D (Downtown)-Mixed Use	D (Downtown)-Santa Fe
																				72121 1	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	An establishment that provides facilities for participant skating.
Sports stadiums and arenas	S										S	S			S	S	S	5120	3300	71121 1	A large facility primarily used for professional, semiprofessional sports teams or clubs engaged in participating in live sporting events, such as but not limited to baseball, basketball, football, hockey, soccer, etc.
Theater, drive-in										P		S	S						3140	51213 2	An open lot devoted to primarily to showing motion pictures to patrons seated in vehicles.
Theater, Movie								P	P	P		S	S		P	P	P	5110	3120	51213 1	Establishments primarily engaged in operating motion picture theaters (except drive-ins) and/or exhibiting motion pictures. Said establishment can be comprised of one-single theater or a complex structure with multiple movie theaters.
Theaters, performing arts							P	P	P	P		S	S		P	P	P	5110	3110	7111	Establishments primarily engaged in producing live theatrical presentations such as musicals, operas, plays, comedy, dance presentations, and musical entertainment.
<b>Education, Public Administration, Health Care, &amp; Institutional</b>																					
Cemetery	S	S								P									4700	81222 0	Land used as 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.
Civic Assemblies, including churches/religious assemblies	P	P	P	P	P	S	P	P	P	P		S	S	S				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		62421 0	Establishments primarily engaged in collection, preparation, and delivery of food for the needy. These establishments may also distribute clothing and blankets. Food banks, meal delivery programs, and soup kitchens are included in this category.
Community Services, Counseling and Intervention							S	S	P	P		S	S		P	P	P	6512		62419 0	Includes family planning and outpatient care centers.
Correctional Facility												S	S		S	S	S	6222	4600	92214 0	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 Johnson County law enforcement agency or under contract with the Board of County Commissioners of Johnson County. Includes community correctional facilities, correctional facilities or juvenile detention facilities.
Correctional office, parole / probation												S	S		S	S	S			92215 0	A government facility engaged primarily in providing parole, probation, and pardon services.
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

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)	D (Downtown)-Core	D (Downtown)-Mixed Use	D (Downtown)-Santa Fe
Funeral home or mortuary	S	S							P		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 0	A facility engaged in maintaining collections of documents (e.g. books, journals, newspapers, and music) and facilitating the use of such documents as required to meet the informational, research, educational, or recreational needs of their user.
Medical Office or Clinic						P	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 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.
Post office and postal substations	P	P	P	P	P	P	P	P	P	P	P	S			P	P	P	4170		49111 0	These establishments provide and operate mail services under a universal service obligation. Mail services include the carriage of letters, printed matter, or mailable packages, including acceptance, collection processing and delivery.
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				
Public Safety services	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 6126	4230	6114- 6116	Includes training in alternative, adult, beauty, business management, technical, trade, computer, flight, sports and recreation, exam

Use	Use													LBCS Function	LBCS Structure	NAICS	Definition				
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Schools, colleges and universities						P	P	P	P	P		P	P		P	P	P	6140 - 6147	4220	6112- 6113	preparation, language, photography, and other specialty instruction or training.
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.
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 delivery of food, clothing and blankets for needy persons). These services do not include residential or accommodation services, temporary shelters or community housing (classified separately under Transitional Housing, above).
<b>Transportation, Communication, Information, and Utilities</b>																					
Airport landing strip (field or strip only)	S											S	S		S			4110 - 4114	5610	481	A landing area solely for takeoff and landing of aircrafts.
Airport	S											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		

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)-Santa Fe		
Freight terminals & truck terminals																		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	Establishments primarily engaged in operating gas or hydroelectric power generation facilities. These facilities primarily transmit and distribute to transmission and distribution systems.
Hazardous waste storage or treatment facility												S	S					4341 4342	6340	56211 2, 56221 1	Facilities that collect and/or haul hazardous waste within a local area and/or operating hazardous waste transfer stations. These facilities are responsible for the identification, treatment, packaging and labeling of waste for purpose of transport.
Heliport	S																		5640		Facilities intended solely for takeoff and landing of helicopters.
Incinerator, Commercial													P					4344	6330	56221 3	Facilities operating combustors and incinerators for the disposal of nonhazardous solid waste. These establishments may produce byproducts, such as electricity and steam.
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, Surface, as Principal Use	S				S			S	S	P		P	P		P	P	P		5210 5220	81293	A parking lot where the spaces are the principal use of the property, 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, 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	P					6430 6434			Plant facilities and equipment for the purpose of producing, generating, transmitting, delivering, or furnishing electricity for the production of power.
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 Energy	S	S	S	S	S	S	S	S	S	S	P	P	P					6460	22111		Facilities that convert energy from

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																			4	the sun into electric energy for distribution to electric power transmission systems or to electric power distribution systems. Including photovoltaic cell, solar collector, solar energy conversion system, or solar greenhouse as defined in Chapter 18.50.200	
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,	A facility operating landfills for disposal of nonhazardous solid waste or 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.	
Stormwater management / flood control facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		6220 6240	23799 0	Any stormwater management technique, apparatus, or facility that controls or manages the path, storage, or rate of release of stormwater runoff. Such as but not limited to: storm sewers, retention or detention basins, drainage channels, drainage swales, inlet or outlet structures, or other similar facilities.	
Telecommunication (Wireless)	See § 18.50.210 -----															4233	6500	5173, 5174	Depending upon the type of telecom facility, uses are permitted by right or special use. To further understand requirements, see Chapter 18.50.		
Telephone and other wired telecommunications	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		4234	51731 1	Establishments engaged in operating wired telecommunication network facilities. Providing a variety of services, such as wired telephony services, including VoIP services; wired (cable) audio and video programming distribution; and wired broadband internet services.	
Utility facilities, principal use	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		4310 4340 4343 4347	6100 6162, 6310 6314, 6350 6356	221	A facility where the distribution of gas, electricity, water, steam, hot water, chilled water, and landline communications serves as the principal use.
Water supply facilities	S	S	S	S	S					S	S	S		S	S	S		6200 6290		Includes including pump stations, dams, levees, culverts, water tanks, wells, treatment plants, reservoirs, and other irrigation facilities.	
Wind Energy Conversion Systems (WECS)	S	S	S	S	S	S	S	S	S	S	S	S	S						22111 5	A Wind Energy Conversion System (WECS) as defined in Chapter 18.50.	
<b>Agriculture</b>																					
Agriculture and Agricultural Support Functions (including raising of crops and pasturing livestock)	P																	9100 8210, 9155 8230 9230 8600, 9330 9350 8900 9373	111- 11133 9, 112- 11221 0, 113- 114 115	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 apian products; trees and forest products; fruits, nuts and berries; vegetables; or nursery, floral,	



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
																		9500 9520 9380			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)
Concentrated Animal Feeding Operations (CAFO's)	S																	8300 8450	112		
Forestry, Commercial	P	P																9400 9430			The growing or harvesting of forest tree species used for commercial or related purposes.
Non-commercial agriculture / community garden	P	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	P											P	P					9140	8500	1114	An enclosed structure with or without climate control facilities for growing plants and vegetation under controlled environments.
Greenhouse, Accessory to Florist Shop							S	S	P	P					S	S	S		8500		An enclosed structure with or without climate control facilities for growing plants to serve the principal retail use of the property.
Hatcheries and poultry houses	P																	9340	8220	1123	Establishments primarily engaged in raising and hatching poultry of any kind (e.g. chickens, turkey, ducks, and geese). These animals are raised for their meat and eggs.
Livestock sales, and markets	P	P																9200			An establishment primarily wherein livestock is collected for sale or auctioning.
Riding academies and/or stables (commercial)	S																	5300	8240	71399 0	A structure or premises for the keeping of horses, ponies or mules. (Ord. 02-54 § 2, 2002)

**SECTION FOUR:** Section 18.30.130 of the Olathe Municipal Code (Unified Development Ordinance) is hereby amended to read as follows:

**“18.30.130 Landscaping, Buffers and Screening**

*This chapter protects and preserves the appearance, character, health, safety and welfare of the City. Specifically, these regulations:*

- *Preserve and protect existing vegetation and trees;*
- *Maintain and improve environmental conditions by providing shade, air purification, oxygen regeneration, ground water recharge and decreased stormwater runoff;*

- *Abate noise, glare and heat;*
- *Encourage the use of xeriscaping and environmentally sustainable design/principles; and*
- *Improve the aesthetic quality and appearance of developed properties by establishing minimum landscaping, buffering and side design standards.*

## **A. Applicability**

1. This section applies to any final site development plan or building permit.
2. This section does not apply to:
  - a. Agricultural uses in the "A" Agriculture district.
  - b. Any development in the "D" Downtown district.

## **B. General Requirements**

1. All land area subject to a final site development plan and issued a building permit, which are not paved or covered by buildings shall be brought to finished grade and planted with turf, native grasses, or other appropriate ground covers.
2. The American Standard for Nursery Stock (see Technical References in Chapter [18.90](#)) applies to any technical landscaping term not already defined in this title.
3. The Planning Official shall maintain/update the following preferred lists in order to meet City landscaping standards: trees and shrubs; street trees; and prohibited trees and shrubs.
4. Development constraints and conditions vary greatly among sites. The Planning Official may therefore approve landscape plans that deviate from strict compliance with this section, including the applicability of any subsection to a particular development, if the purpose and intent of this section (including any subsection) are met. Any proposed deviation shall be clearly identified on the proposed landscape plan, which shall be accompanied by a written description of the proposed deviation(s) and an explanation of how the purpose and intent of this section (including any subsection) are met by the proposed revised landscape plan.

5. If landscaping is not installed, maintained and replaced as needed to comply with the approved plan and/or building permit plans, the owner and its agent or agents are considered in violation of the terms of the certificate of occupancy.

### **C. Landscape Plan**

All plans submitted in support of a final site development plan or building permit shall include a landscape plan sealed by a landscape architect licensed to practice in the state of Kansas. The Planning Official may waive this requirement for smaller projects such as expansions, renovations, and sign installations. The landscape plan shall include the information required by Chapter [18.94](#).

### **D. Species and Installation**

#### **1. Generally**

All landscape materials shall be installed in accordance with the current planting procedures established by the most recent addition of the American Standard for Nursery Stock.

#### **2. Design Principles**

- a. Landscape design and species shall be used to create visual continuity throughout the development.
- b. Landscape coordination shall occur among all phases of the development area.
- c. Trees, shrubs and other landscaping materials depicted on the approved final site development plans are considered site improvements in the same manner as parking, building materials and other details.
- d. A variety of different species (including both deciduous and evergreen species) shall be incorporated into the site design to provide visual interest, as well as disease and pest resistance.
- e. At least one-third ( $\frac{1}{3}$ ) of the plantings shall be evergreen species.
- f. Plant materials shall be placed intermittently against long expanses of building walls, fences and other barriers to create a softening effect.

**g.** Earthen berms and existing topography shall, whenever practical, be incorporated into the landscape treatment of a site.

**h.** Required landscape plantings shall be coordinated with the location of utilities, driveways and traffic site distance triangle areas.

**i.** Trees shall not be placed within public utility easements, but within adjacent areas that do not conflict with such public easements and meet site landscaping requirements.

**j.** Planting design shall coordinate the locations of trees to allow access to utilities with minimal disruption to the trees and their supporting root systems, while avoiding increased service costs to the utilities.

**3.** The Planning Official may approve exceptions to the location and spacing of trees to accommodate the location of public utilities.

**4.** Any area of a site not intended for a specific use, including a commercial pad site intended for future development, shall be seeded unless retained in its natural state. In all cases the site shall be maintained.

**5.** Vegetative stabilization and management techniques shall be used at a site after construction is completed. The applicant shall protect disturbed areas from any unnecessary run-on of stormwater from adjacent sites.

## **6. Approved Species List**

The Planning Official shall publish a comprehensive list of approved planting materials (the "approved species list"), and nuisance species or prohibited plants that are prohibited in required landscape areas. The applicant shall select planting materials corresponding with the approved species list. The Planning Official may approve a landscape plan with species not shown on the approved species list if:

**a.** The species are comparable in appearance and durability to the approved species, and

**b.** Are normally grown in northeastern Kansas, or are adaptable to the climate and growing conditions of northeastern Kansas and are not invasive.

## 7. Minimum Plant Specifications

Minimum planting specifications are:

Category	Specifications
<b>Deciduous shade trees</b>	2½- to 3-inch caliper measured 6 inches above ground
<b>Evergreen trees</b>	6 to 8 feet in height
<b>Small deciduous or ornamental trees</b>	1- to 1½-inch caliper measured 6 inches above ground. For multi-trunk clusters (3 or more trunks) the smallest trunk shall be ¾ inch.
<b>Deciduous and Evergreen Shrubs</b>	24-inch-high plant size. Spacing from 3 to 5 feet apart depending upon species. Native plants should use the largest size available in the area. The seed stock for native plants shall be grown within a 200 mile radius of the job site.
<b>Ground cover plants</b>	Ground cover shall be planted in a number as appropriate by species to provide 50 percent surface coverage.

## 8. Turf

- a. Turf shall be used where necessary to provide coverage and soil stabilization.
- b. Seeding may be approved in lieu of turf at the time of final site development plan approval by the Planning Commission, or, in the case of plats, by the Planning Official.

## 9. Native Vegetation, Drought Resistance/Xeriscape and Irrigation

- a. Native vegetation and drought resistant plant material shall be used wherever possible.
- b. If native vegetation or drought resistant plant materials are not used, then an irrigation system shall be installed to provide water during a three (3) year establishment period.
- c. Native vegetation and xeriscape plants may exceed the height limit for vegetation provided in Section [6.09.050](#) of the municipal code.
- d. Xeriscape landscape practices are allowed as a way to minimize the need for supplemental watering. The following techniques shall be used where possible:
  - (1) Using plant materials with lower moisture requirements;
  - (2) Selecting plants on the basis of specific slope, aspect, soil and micro climate conditions;

- (3) Using native and adapted plant species;
- (4) Minimizing the amount of irrigated turf area;
- (5) Planting and designing slopes to minimize runoff, using terracing in lieu of a consistent slope, where possible;
- (6) Separating irrigation zones according to plants' water requirements to reduce evaporation;
- (7) Emphasizing soil improvement by conserving topsoil, deeply loosening soil and incorporating organic matter and amendments based on soil tests;
- (8) Using mulch in planting areas to reduce weed growth, promote soil cooling and reduce evaporation.

#### **10. Substitute Planting Materials**

**a.** After the landscape plan is approved and before planting occurs, the Planning Official may approve comparable substitute planting materials if:

- (1) The approved plants and landscape materials are not available at the time that installation is to occur, or
- (2) Other unforeseen conditions prevent the use of the exact materials shown on the approved landscape plan.

**b.** If the substitute planting materials are on the approved species list, no new landscape plan is required.

**c.** A new landscape plan is required if the substitute planting materials are not on the approved species list. The applicant is not required to resubmit any other applications related to the landscaping plan (such as a site development plan or rezoning). The Planning Official may approve, approve with conditions, or deny the landscape plan. The applicant may appeal this decision to the City Manager.

## **E. Maintenance**

- 1.** The developer, its successor and/or subsequent owners and their agents shall maintain landscaping on the property on a continuing basis for the life of the development.
- 2.** Plant materials which exhibit evidence of insect pests, disease and/or damage shall be appropriately treated. Dead plants shall be promptly removed and replaced ~~within the next planting season after installation.~~
- 3.** All landscaping is subject to periodic inspection by the Planning Official or designee.
- 4.** The property owner shall maintain landscape areas in good condition and in a way that presents a healthy, neat and orderly appearance. This maintenance shall include weeding, watering, fertilizing, pruning, mowing, edging, mulching or other maintenance, in accordance with acceptable horticultural practices.
- 5.** The City may cause removal of any dead or diseased trees, plants and shrubs on private property within the City, when those trees, plants and shrubs constitute a hazard to life and/or property or harbor insects or disease which constitutes a potential threat to other trees, plants or shrubs within the City. If the Planning Official determines that removal of any diseased tree, plants or shrubs is necessary; the Planning Official shall provide the property owner written notice of the required maintenance or removal.

## **F. Timing of Landscaping**

### **1. During the Development Process**

Minimum timing requirements for landscaping (excluding street trees and master fence and screening improvements) are as follows:

- a.** For [residential](#), nonresidential or mixed-use development, all required landscaping materials, both living and nonliving, shall be in place prior to the time of issuance of a final certificate of occupancy, weather permitting. In periods of adverse weather conditions, a temporary certificate of occupancy may be issued, subject to the posting of a cash escrow or irrevocable letter of credit in an amount equal to the estimated cost of the landscaping, with the estimated cost certified by a landscaping provider. A contract letter or bill of sale from a landscape company or garden center for the required landscape materials may be

accepted in lieu of a cash escrow or irrevocable letter of credit. The cash escrow or irrevocable letter of credit may be forfeited if the landscaping is not completed within one (1) year after the issuance of the temporary certificate of occupancy. Forfeiture of any cash escrow or irrevocable letter of credit shall not relieve the owner of the responsibility to complete the required landscaping.

~~b. For residential development, all required landscaping materials both living and nonliving shall be in place prior to the issuance of a final certificate of occupancy for any permit in the same phase. If the required landscaping cannot be installed because of adverse weather or it is during a nonplanting season, the developer may be issued temporary certificates of occupancy that are scheduled to expire one (1) month after the beginning of the next planting season. The planting seasons are either the fall (September 15 through December 1) or spring (March 15 through June 15). All required landscaping on developed lots shall be installed prior to the issuance of any building permits for subsequent phases of the development.~~

## ~~2. Seasonal~~

~~a. Trees planted in fulfillment of this section shall only be planted during the spring (March 15 through June 15) or fall (September 15 through December 1). Planting at other times during the year may occur if the Planning Official determines, in writing, that the planting is appropriate due to unusual weather conditions or similar factors.~~

~~b. The Planning Official may temporarily suspend the installation of landscaping required by this section in individual cases during periods of adverse weather conditions or when plants and landscape materials are not available. A temporary certificate of occupancy would be issued, if temporarily suspended.~~

## **G. Street Trees**

### **1. Applicability**

a. Street trees are required in all residential and nonresidential districts along all local and collector streets.



**b.** Street trees are required along street right-of-way of public or private street frontage, excluding arterial and minor arterial streets where perimeter landscaping is required by this section.

## **2. General Requirements**

**a.** Street trees shall be spaced as uniformly as possible, with an average spacing of forty (40) linear feet between trees in all districts, resulting in at least one (1) tree per lot in residential districts.

**b.** A minimum of two (2) street trees are required on corner lots.

**c.** Street trees count toward the required number of trees within the interior of the lot only in residential districts for single-family and two-family dwellings.

**d.** Exceptions to the location and spacing of trees may be allowed to accommodate for the location of utilities, streetlights, driveways, storm drain structures, sidewalks and traffic sight distance triangle areas.

**e.** At least six (6) feet of space is required between the right-of-way or sidewalk and the back of curb for the planting of street trees.

**f.** The applicant shall coordinate adequate clearance between street trees and other infrastructure to allow for the location of street trees within the right-of-way, wherever practical, and shall promote the longevity of the street trees to avoid premature loss of the trees. The street tree plan shall coordinate the locations of street trees to allow access to utilities with minimal disruption to the street trees and their supporting root systems while avoiding increased service costs to the utilities.

**g.** See Section [18.30.220.E](#), Sight Distance.

**h.** No tree, shrub, or woody vegetation shall be planted within a distance of ten (10) feet from any fire hydrant or fire department connection (FDC) to the sprinkler system.

**i.** No trees shall be planted within fifteen (15) feet of a street light.

### 3. Procedures

#### a. Timing

Street tree species and typical spacing requirements shall be provided with all preliminary plats and site development plans. Trees shall be planted prior to occupancy of the building.

### 4. Required Species

a. The Planning Official shall determine the botanical and common names of the street trees to be planted based on the requirements of this section.

b. Trees to be used to meet City street tree standards are as follows:

<b>Botanical Name</b>	<b>Common Name</b>
Acer platanoides var.	Norway Maple
rubrum var.	Red Maple
saccharum var.	Sugar Maple
Carya illinoienses	Pecan
Celtis occidentalis	Hackberry
Cladrastis lutea	American Yellowwood
Ginkgo biloba	Ginkgo (male, seedless)
Gleditsia triacanthos inermis var.	Honeylocust (thornless, podless)
Gymnocladus dioicus	Kentucky Coffeetree
Liquidambar styraciflua	Sweetgum Blackgum
Liriodendron tulipifera	Tuliptree
Platanus x acerfolia	London Planetree
Quercus acutissima	Sawtooth Oak
bicolor	Swamp White Oak
borealis	Northern Red Oak
imbricaria	Shingle Oak
macrocarpa	Bur Oak
muhlenbergi	Chinquapin Oak
robur	English Oak
Tilia americana	American Linden
cordata var.	Little Leaf Linden

tomentosa	Silver Linden
Sophora japonica	Japanese Pagoda tree
Ulmus carpinus var. buisman	Buisman Elm
parvifolia	Lacebark Elm
Zelkova serrata	Zelkova

- c. The Planning Official may approve other species that are similar in quality, durability, and appearance, and that are suitable for the climate and rainfall conditions in Olathe.

**5. Prohibited Plants/Trees**

Include Ailanthus, White and Silver Birch, Box Elder, Catalpa, Cottonwood, Siberian Elm, "Fruit" trees, Silver Maple, Mimosa, Pin Oak, Russian Olive, Poplar, weeping trees, Willows and all Ash species. Prohibited plants include those that are invasive or potentially damaging to streets, sidewalks, utilities, drainage improvements, and foundations.

**6. Street Tree Specifications:**

All street trees shall meet the requirements of subsections [G.1](#) through [G.5](#), above, except that the minimum size of newly installed street trees may be reduced to two (2) inch caliper as measured six (6) inches above ground. Trees shall be guaranteed by a one (1) year warranty period.

**7. Right-of-Way**

- a. If the street trees are located in the right-of-way, the adjoining property owner shall maintain them as depicted on the subdivision(s) street tree plan.
- b. The adjoining property owner shall remove and replace street trees within the right-of-way (as depicted on the subdivision(s) street tree plan) that are dead, dying, diseased or otherwise unsafe at any time as depicted on the subdivision(s) street tree plan.

**H. Landscaping along Arterial/Collector Streets (Master Fence/Screening Plan)**

*The purpose of the master fence/screening plan is to increase privacy, mitigate noise, reduce glare and enhance the aesthetics of the streetscape through the use of fences, walls, berms and professional landscaping to separate residential units from thoroughfare streets.*

## **1. Applicability**

Where a subdivision for property zoned R-1 through R-4 is adjacent to an arterial street or where rear lot lines are adjacent to a collector roadway, a master fence/screening plan for all areas abutting the arterial street shall be submitted for approval by the Planning Official prior to recording the final plat.

## **2. Required Landscape Area**

- a.** Landscape tracts shall have a landscape area with a minimum width of **twenty-five (25) feet along an arterial** roadway and **fifteen (15) feet along a collector** roadway.
- b.** This landscape area is in addition to the minimum required lot width and yard setback requirements of the zoning district.

## **3. Master Fence/Screening Plan Approval**

- a.** The Planning Official, or designee, shall review the plans with regard to proper building and plant materials, setbacks, height, grading and their effectiveness in creating privacy and mitigating noise.
- b.** Improvements indicated on the master fence/screening plan are considered a private subdivision improvement.
- c.** The applicant may:
  - (1)** Complete the landscaping improvements prior to the issuance of any building permit for any lots within the affected phase covered by the master landscape/screening plan, or
  - (2)** Submit a bond or irrevocable letter of credit of up to two (2) years, equal to the value of the landscaping material as outlined in bids from the developer's landscape installer or contractor. The bond or letter shall be held by the City until all landscaping is installed per the approved plan after inspection and acceptance by the City.

#### **4. Landscaping**

- a. The approved master fence/screening plan shall contain the following landscaping materials as a minimum for each one hundred (100) linear feet, or portion thereof, of arterial street frontage. Minimum size requirements shall be as stated in Section [18.62.070](#).
- (1) Eight (8) evergreen trees.
  - (2) Two (2) shade trees.
  - (3) One (1) ornamental tree.
- b. The landscape area shall not impair drainage and utility placements.
- c. The required minimum landscape area shall not be located within a utility easement.
- d. For each tree preserved within the landscape tract which meets or exceeds the minimum size requirements outlined in subsection [D.7](#), above, a one (1) to one (1) credit shall be given against the minimum tree requirements of this section.
- e. The above landscaping materials may be deviated from if an alternative list of materials is approved by the City Planner which achieves comparable screening and buffering.

#### **5. Grass areas**

Grass areas located within the arterial street right-of-way as well as the landscape tract shall be sodded. Use of appropriate drought-tolerant ground cover to reduce grass areas is encouraged in landscape tracts when approved through the planning process.

#### **6. Fences/Walls:**

- a. Fences or walls are not required as part of the master landscape/screening plan.
- b. In cases where the developer of the subdivision chooses to install a fence or wall, all types of fences installed by the developer, except wrought iron, split rail or similar see-through fence/wall types, must be located one (1) foot inside the boundaries of the landscape tract along the residential side of the tract. Wrought iron or similar see-through fences may be installed by the developer anywhere within the landscape tract, except they may be no closer than five (5) feet from the right-of-way line of the abutting arterial street.

## **7. Berms**

a. Berms are not required as part of the master fence/screening plan. In cases when the developer chooses to install a berm, the following standards apply:

(1) The slope of all installed berms shall not exceed three (3) to one (1);

(2) All berms shall be consistent with good engineering and landscape architectural design; and

(3) The grading plan for berms within the landscape tract shall be consistent with the approved subdivision grading plan and shall be approved by the City Engineer.

## **8. Maintenance/Irrigation:**

### **a. Maintenance**

The final plat and deed restrictions shall contain language as approved by the City Planner which identifies the organization (e.g., a homes association) that will be the entity having permanent responsibility and authority to enter upon the said landscape tract to maintain, plant, replant, replace, mow, clip, trim, spray, chemically treat, repair, and otherwise maintain any and all grass, trees, shrubs, flowers, plants, fences, and walls. Said deed restrictions shall be recorded with the Register of Deeds of Johnson County concurrently with the recording of the final plat.

### **b. Irrigation**

Landscape areas shall be irrigated as necessary to maintain required plant materials in good and healthy condition. Irrigation systems shall comply with the following standards:

(1) All landscape areas shall be provided with a readily available water supply with at least one (1) outlet within one hundred (100) feet of the plants to be maintained. The use of nonpotable water for irrigation purposes shall be encouraged.

(2) No permanent irrigation system is required for an area set aside on approved plans for preservation of existing natural vegetation.

**(3)** Temporary irrigation systems installed pursuant to acceptable xeriscape landscape practices may be used to meet the standards of this section. Xeriscape means to landscape using vegetation that is drought tolerant or water conserving in character.

**(4)** Irrigation systems shall be continuously maintained in working order and shall be designed so as not to overlap water zones, or to water impervious areas.

**(5)** Whenever practical, irrigation systems shall be designed in zones to apply water onto shrub and tree areas on a less frequent schedule than those irrigating grass areas. When technically feasible, a rain-sensor switch shall be installed on systems with automatic controllers.

**(6)** No irrigation system shall be installed or maintained abutting any public street which causes water from the system to spurt onto the roadway or to strike passing vehicular traffic.

**(7)** The use of irrigation-quality effluent or reused water shall be encouraged.

## **I. Screening**

Landscape plans for all ~~multifamily residential, commercial, industrial and nonresidential~~ developments shall include a detailed drawing of enclosure and screening methods as provided below.

**1.** Areas or facilities used for trash, recycling containers, service and loading are to be located out of public view from streets, adjacent residential properties, and other highly visible areas such as parking lots, access drives, and similar areas.

**2.** Trash containers, trash compactors, and recycling containers shall be screened from public view on all four (4) sides:

**a.** On three (3) sides with a six (6) to eight (8) foot solid wall constructed of masonry, and

**b.** On one (1) side with a gate, and

**c.** The container/compactor areas shall be appropriately landscaped.

**3.** Recycling containers shall be screened from public view on the front or rear side with a six (6) to eight (8) foot solid wall constructed of masonry.

4. The screening requirements of this subsection do not apply to containers used to collect clothing donations, or publicly accessible recycling containers. See Section [18.50.020.F](#) for locational requirements.

5. Alternative compatible, durable materials for the screening of trash containers and trash compactors may be approved by the ~~Planning Commission~~ [City](#) through the final site development plan approval process.

6. Exterior ground-mounted or building-mounted equipment including, but not limited to, mechanical equipment, utilities' meter banks and coolers shall be screened from public view with [three-sided](#) landscaping or with an architectural treatment compatible with the building architecture. Mechanical equipment shall be subject to the following:

a. Preferred locations for utility structures (cabinets), as listed in order of ~~priority~~ [preference](#) are: 1) nonresidential properties; ~~2) arterial or collector landscape easements;~~ ~~3) rear yards;~~ ~~4) street side yards on a corner lot behind the front yard setback; and~~ ~~5) arterial or collector landscape easements.~~ [4\) front yards within the required side yard setback;](#)

b. Size and Height – Residential: maximum height is thirty-six (36) inches above grade. Office/Commercial: limited to six (6) feet in height.

c. Arterial or Collector ~~Streets Landscape Easements—Utility structures subject to site plan approval. Limited to four (4) feet in height.~~

[i. Placement – Utility structures shall be located on the interior façade of the building, away from arterial or collector streets, and when possible, recessed into the wall of the structure. Utility structures shall not be placed along collector or arterial streets except when approved by the City.](#)

d. Location in Public Right-of-Way – Utility structures shall be located behind the sidewalk and are subject to approval by the City Engineer. [When requested within public right-of-way](#) ~~a For utility boxes located within the right-of-way,~~ landscaping plan shall be required with the right-of-way permit.

e. Landscaping – Landscaping [selected for screening shall be provided for on three \(3\) sides of the structure and shield the structure from public view.](#) ~~shall be provided for all~~



structures where it is necessary to substantially screen the structure from public view and/or the view of adjacent homeowners.



*Adequate Three-Sided Screening*



*Decorative Wall Screening at building*

**f.** Other Requirements – Utility structures located within public right-of-way (in front of sidewalk) require approval of an administrative review application.

**7.** All buildings or additions in nonresidential districts shall provide a solid screen fence or wall at least six (6) feet in height within all rear and side yards abutting property zoned for residential purposes. The screening shall be placed so the required perimeter landscape area is located between the property line and the fence or wall. The screening shall not be placed on property lines or within the landscape area of the development and shall not extend in front of the building line of adjacent dwellings. The screening is not required where similar screening exists on the abutting residential property or where a screened storage lot is provided.

**8.** In industrial and commercial districts, storage of materials, products or equipment outside of a fully enclosed building shall be one hundred (100) percent screened from public view, except when adjacent to another storage area which is one hundred (100) percent screened from public view.

**9.** Outdoor display confinement areas shall be enclosed with materials compatible to the building architecture such as decorative fencing (i.e., wrought iron), a building wall or other similar enclosure. Limited visibility into the display confinement area may be permitted depending upon the location of the area and the visibility of the area from nearby roadways. The display merchandise may not extend above or be stacked higher than the confinement area enclosure.

**10.** For purposes of this section, the phrase “screened from public view” means not visible from the subject property from adjoining properties or any street right-of-way at any distance.

## **J. Buffers**

*The intent of buffering is to provide landscaped separation between residential and nonresidential uses and to screen from view certain land uses that may create visual clutter and distraction. The standards of this section provide for increases in the width and the opacity of the buffer as the land use intensity of the new or expanded development increases.*

### **1. Applicability**

#### **a. Generally**

This section applies to any activity subject to this section (see subsection [A](#), above).

#### **b. Exemptions**

This section does not apply to:

- (1)** Residential uses adjoining residential uses within the same residential zoning district.
- (2)** Agricultural uses.
- (3)** Any change of use that does not increase the existing building square footage or parking area.
- (4)** Single-family dwellings located on an existing lot of record.
- (5)** Contiguous commercial parcels or land areas under common ownership.

*Commentary: Subsection [J.1.b\(5\)](#), above, addresses situations where a parcel is rezoned with several different zoning districts, and one of the districts acts as a “buffer” for the other. For example, a landowner rezones part of a parcel to “C-2,” the other part of the parcel as “R-1.” The “R-1” portion of the parcel is a strip adjoining a residential area zoned “R-1.” A type “3B, 4A, or 5A” buffer is normally required between the “C-2” and “R-1” districts. No buffer is required between the portion of the parcel zoned “C-2” and “R-1” internal to the property in this situation.*



9	PD, PR	1	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
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**1** Buffers vary based upon the size of the development area adjacent to residential zoned land. Development areas less than five (5) acres in size require buffer type 3. Development areas between five (5) to ten (10) acres in size require buffer type 4A. Development areas greater than ten (10) acres in size require buffer type 5A or 6.

#### 4. Buffer Types

**a.** There are ten (10) types of buffers. Table 18.30.130-2 shows the minimum width and number of trees and/or plants required for each one hundred (100) linear feet for each buffer.

**b.** Each buffer type provides several plant material options. The applicant may either plant new trees or plants, or preserve existing trees or plants, within the required buffer which meet the requirements of this subsection.

**Table 18.30.130-2. Minimum Plant Materials Required for Each Buffer Type**

Buffer Type	Minimum Width (in Feet)	Trees <sup>1</sup>			Shrubs and		Constructed Features <sup>3</sup>
		Deciduous Shade Trees per 100 Linear Feet	Ornamental Trees per 100 Linear Feet	Evergreen Trees per 100 Linear Feet	Ornamental Grasses per 100 Linear Feet <sup>2</sup>		
<b>1</b>	10	1	1	1	20	None	
<b>2</b>	15	2	3	2	35	None	
<b>3</b>	20	1.5	1	1.5	35	Min. 6-ft. high wall or berm	
	25	4	2	3	40	Min. 9-ft. high wall and berm combination (e.g., 6-ft. wall and 3-ft. berm)	
<b>4A</b>							
<b>4B</b>	60	None	None	None	None	None	
	30	5	3	5	45	Min. 11-ft. high wall and berm combination (e.g., 6-ft. wall and 5-ft. berm)	
<b>5A</b>							
<b>5B</b>	75	None	None	None	None	None	
<b>6</b>	40	5	4	5	50	Varied berm with 4-ft. average height	

N4

20% reduction with minimum of 10 feet Any combination of trees or shrubs is acceptable where: (1) the existing vegetation provides at least the number of equivalent planting units required by Table 18.30.130-2, or (2) the existing vegetation provides complete visual screening from the adjoining property.

1 See Section 18.30.130.D for acceptable tree species and sizes

2 See Section 18.30.130.D for acceptable shrub species and sizes. A minimum one-third (1/3) of the shrubs shall be evergreen.

3 A double row of evergreen trees may be substituted for a screening wall, but may not be counted toward minimum requirements for trees, shrubs, and ornamental grasses.

4 Natural areas with native vegetation may be used to meet any of the above buffer requirements if the criteria of Table 18.30.130-2 are met. The width of a buffer shall be reduced by twenty (20) percent if the minimum width is at least ten (10) feet. Irrigation requirements do not apply if no additional planting is required to meet these criteria.

5. The number of **equivalent planting units** (EPUs)

for purposes of applying a type "N" buffer, above, are calculated based on the following ratios: Canopy Trees = 1 EPU, Understory = 0.5 EPU, Large Shrubs = 0.25 EPU, Medium Shrubs = 0.1 EPU, and Small Shrubs = 0.05 EPU. Each buffer type "A" through "F," above, is assigned the following number of EPUs for purposes of determining whether a type "N" buffer may be substituted:

Buffer Type	EPUs
1	1
2	2
3	1.5
4A or 4B	3
5	4
6	5

6. **Location of Buffer**

a. A buffer required by this section shall be provided along the side lot line of abutting uses.

b. The required perimeter landscape area shall be located outside of the fenced area of the development between the fence and the street, unless this requirement is otherwise modified with final site development plan approval.

c. Buffers are not required along the front property line.

## **7. Permitted Uses Within the Buffer**

- a.** The buffer may be included in the required yard or building setback.
- b.** No active recreation area, storage of materials, parking, or structures, except for necessary utility boxes and equipment, shall be located within the buffer.
- c.** Parking is permitted within the building setback, but not within the minimum width of the buffer.
- d.** Buffers may be used as part of a greenway as defined in the parks/open space standards.

## **K. Residential Lots**

- 1.** In residential districts, large deciduous shade or evergreen trees are required within the interior of each lot at a ratio of three (3) trees for every single-family dwelling, four (4) trees for every two-family dwelling and one (1) tree for every dwelling unit for multifamily buildings.
- 2.** For single-family and two-family dwellings, at least one (1) required interior lot tree may be a street tree in compliance with subsection [G](#), above.
- 3.** Multifamily developments shall have street trees in addition to the required interior lot trees. Perimeter and buffer landscaping trees shall not count toward the required number of trees within the interior of any lots.
- 4.** Residential lot trees shall be planted in accordance with subsection [G.3](#), above.

## **L. Nonresidential Landscaping**

- 1.** Within the front and corner side yards where a street separates a nonresidential use from property zoned or designated on the Comprehensive Plan Map for residential use, a continuous fifteen (15) foot landscape area shall be provided with landscaping, clustered or spaced linearly and need not be placed evenly, at a rate of one (1) deciduous shade or evergreen tree for every thirty (30) feet of linear street frontage. In addition, one (1) ornamental tree shall be planted for every three (3) required deciduous shade or evergreen trees.
- 2.** Where a street separates a nonresidential use from property zoned or designated on the Comprehensive Plan Map for nonresidential use, a continuous ten (10) foot landscape area shall

be provided with landscaping at a rate of one (1) deciduous shade or evergreen tree for every fifty (50) feet of linear street frontage. In addition, one (1) ornamental tree shall be planted for every three (3) required deciduous shade or evergreen trees.

## **M. Parking and Vehicular Use Areas**

All multifamily residential and nonresidential developments shall include the following interior landscaping standards within their parking and vehicular use areas:

### **1. Generally**

Landscaping and planting areas shall be dispersed throughout the parking lot.

### **2. Perimeter**

a. Along street rights-of-way, parking areas shall be screened [from public view in one of the methods described below](#):

~~b. Screening may include:~~

~~(1) Berms,~~

[\(1\) A landscape mix of shrubs, trees and other plantings to create a visual screen of the parking and vehicular. Trees should be spaced with at least one tree per thirty \(30\) linear feet of landscape strip, with a width of at least ten \(10\) feet; or,](#)

[\(2\) Shrubs that form a continuous visual screen at least three \(3\) feet in height; or,](#)

[\(3\) A decorative wall of a material and design compatible with the architecture of the primary structure not to exceed four \(4\) feet in height; or,](#)

[\(4\) A berm at least three \(3\) feet above the adjacent elevation of the street or parking area, whichever is highest, with a maximum slope of three to one \(3:1\) and shall have a crown of at least two \(2\) feet. Berms will include plantings such as shrubs, trees or other landscaping.](#)

### **3. Interior**

- a.** The interior dimensions of any planting area or landscape islands shall be at least one hundred sixty-five (165) square feet in area. Landscape islands shall be at least nine (9) feet wide, as measured from back of curb to back of curb, and shall be constructed at a ratio of one (1) per each twenty (20) parking spaces. Each area shall be protected by vertical curbs or similar structures, and be designed and grouped into a parking and vehicular use area to create defined aisles and entrances for on-site traffic circulation.
- b.** One (1) shade tree shall be provided for every parking and vehicular use landscape island. Areas where utility conflicts restrict tree plantings, other landscape plantings such as shrubs and ornamental grasses may be approved by the City.
- c.** Landscape aisles and strips between parallel parking rows shall be a minimum of ten (10) feet in width. When incorporating pedestrian walkways, the aisles and strips shall be a minimum of twenty (20) feet in width to accommodate vehicular overhangs, walks, lights, posts and other appurtenances. Landscape aisles and strips shall include medium to large deciduous trees at a minimum of one (1) tree every thirty (30) linear feet, in addition to other parking lot landscape requirements.
- d.** Primary landscape materials shall be trees which provide shade or are capable of providing shade at maturity. Ornamental trees, evergreen trees, shrubbery, hedges and other planting materials may be used to complement the landscaping, but shall not be the sole means of landscaping. Earth berms, existing topography and decorative walls shall be integrated with the landscape plan where feasible.
- e.** No landscaping tree, shrub, fence, wall, or similar item shall be placed in traffic zones of ingress or egress at street corners, or in the intersection of public right-of-way, which the City Engineer determines is an obstruction to visibility, or extends into a sight-distance-triangle as set forth in Section [18.30.220](#), or is otherwise a traffic hazard.
- f.** Landscape islands in parking lots may alternately be designed and planted to serve as dual-purpose and stormwater treatment areas. When landscaping islands are designed as a stormwater treatment area, trees are not required as the primary landscaping material if the City determines that trees are incompatible with native plantings proposed for use as a means of stormwater treatment.



**g.** Islands shall be designed in locations based on the following priorities: defining major drives and vehicle lanes, delineating the end of parking rows and at aisle intersections and internal to the parking rows.

**h.** Plantings shall anticipate foot traffic patterns, discourage foot traffic where dictated by safety concerns, and shall provide adequate visibility for the safety of pedestrians and vehicles.

**i.** If earthen berms are constructed they shall be at least to a height of two and one-half (2½) feet above the adjacent elevation of the street or parking/loading area, whichever is highest, shall not exceed a slope of three to one (3:1) and shall have a crown of at least two (2) feet. The berm shall be planted in ground covers and other plant materials to achieve a decorative effect.

#### **N. Environmentally Sustainable Design/Principles**

Landscape plans shall address:

- 1.** The placement/arrangement of building(s) to minimize disruption to existing ecosystems and designing the building to minimize its footprint, and
- 2.** Strategies such as stacking the building program, and sharing parking facilities with adjacent property owners, to minimize the building footprint, and
- 3.** The relationship of open space to development footprint(s) on site biodiversity, and
- 4.** Marking construction boundaries to minimize disturbance of the existing site and restore previously degraded areas to their natural state, and
- 5.** If appropriate to the site, a soil/climate analysis to determine appropriate plant material and design the landscape with native or adopted plants to reduce or eliminate irrigation requirements, and
- 6.** The feasibility of using stormwater, and/or condensate water for irrigation, and
- 7.** Whether native plants are incorporated in lieu of planted landscaping.

## **O. Building Façade/Foundation Landscaping**

*Purpose: Landscaping and planting areas provide a buffer between the parking lot or drives and building walls or pedestrian circulation. Landscape areas may be placed adjacent to the building wall or adjacent to the curb to coordinate with building overhangs and canopies, if any. Building landscaping is encouraged to include a variety of shrubs, ornamental trees and/or shade trees. Any trees used should accommodate pedestrian circulation.*

### **1. Applicability**

- a.** This subsection applies to nonresidential developments, unless modifications to these standards are otherwise approved as part of final site development plan approval.
- b.** This subsection does not apply to building façades that abut a sidewalk or the rear yard.

### **2. Location**

- a.** Along any building façade or foundation that fronts upon a public right-of-way or a parking lot provided for the building, landscape areas shall be provided equivalent to a minimum of twenty-five (25) percent of each building façade or foundation. The landscape area may be a continuous area or comprised of several areas.
- b.** Building façades along service areas are excluded, unless the service area fronts upon a public right-of-way or common access drive.
- c.** Landscape areas may be placed adjacent to the building wall or adjacent to the curb, with walkways, overhangs or canopies between the landscape area and building wall. Landscape areas shall generally not be placed under overhangs and canopies.

### **3. Planting**

- a.** Each landscape area shall be planted with shrubs capable of reaching three (3) feet in height above the adjacent parking area or drive, covering a minimum of seventy-five (75) percent of the length of the landscape area.
- b.** A mixture of evergreen and deciduous shrubs shall be used to maintain seasonal interest.

c. Ornamental trees (where appropriate), or shade trees should be included in the landscape design to further buffer the building façade from the drives and parking lot areas. In areas where pedestrian circulation is anticipated, trees with a branching habit conducive to walking under shall be used. For example, Pin Oaks are not acceptable due to their descending branching habit.

d. Appropriate plant species should be installed so that mature tree limbs can be maintained at a minimum eight (8) foot clearance from ground level and so that shrubs do not exceed two and one-half (2½) feet in height for areas where it is important to maintain visibility for security and safety purposes.

e. Berms may be incorporated in the landscape areas if positive drainage from the building is provided.

4. Planting areas shall have a minimum **width** of either six (6) feet or the equivalent of twenty (20) percent of the building façade height as measured from the ground elevation to the top of the wall or parapet, whichever is greater.

## 5. Irrigation

Building façade and foundation landscape areas shall be irrigated.

## P. Residential Traffic Islands, Thoroughfare Rights-of-Way, Planting Restrictions

No trees, shrubs, woody vegetation, or other landscape improvements over two (2) feet in height are permitted on residential traffic islands or thoroughfare rights-of-way unless approved by the City Engineer and the Planning Official. (*Ord. 17-52 §§ 10, 41, 2017; Ord. 16-20 § 4, 2016; Ord. 15-16 § 3, 2015; Ord. 10-57 § 2, 2010; Ord. 10-56 § 2, 2010; Ord. 09-22 §§ 1, 2, 5, 7—9, 11—13, 2009; Ord. 02-54 § 2, 2002*)”

**SECTION FIVE:** Section 18.30.160 of the Olathe Municipal Code (Unified Development Ordinance) is hereby amended to read as follows:

### “18.30.160 Parking and Loading

#### A. Parking Required for All Structures

1. All buildings or structures that are erected, constructed, reconstructed, moved or altered shall provide off-street parking in the form of garages or areas made available exclusively for parking.

2. Parking spaces shall be located entirely on the same property as the principal use, except where specifically provided in this section or the zoning district regulations (Chapter [18.20](#)).
3. No portion of the parking area or structure other than the necessary drives shall extend into any street or other public way.
4. The issuance of building permits or certificates of occupancy require compliance with the minimum parking standards. This applies even if a final site development plan was previously approved with fewer parking spaces due to the unknown or changing status of occupancy.

**B. Improvement of Parking Areas**

1. All parking areas and drives shall be ready for use upon occupancy of a building.
2. Parking areas and drives shall be surfaced with a permanent, bituminous or concrete paving meeting the technical specifications prior to the issuance of a certificate of occupancy.
3. All parking lots and drives, except those serving single-family dwellings, shall have curbs and drainage facilities that are consistent with the technical specifications.
4. Approach aprons and curbs shall be Portland cement concrete.

**C. Access to Parking Areas**

See Section [18.30.050](#).

**D. Dimensions and Design of Parking Areas**

**1. Parking Stalls**

Parking stall dimensions are as follows:

**Table 18.30.160-1. Parking Space Dimensions**

Type	Dimensions (feet) ( <i>minimum dimensions; excludes access drives or aisles</i> )	Conditions / Exceptions
Standard spaces	9' x 20'	
Parallel Parking Space	9' x 22'	
Parking areas reduced for landscaping	9' x 18' (standard) with 25' wide aisle	The reduction in pavement area must be used as landscape area within the parking lot.

Type	Dimensions (feet) ( <i>minimum dimensions; excludes access drives or aisles</i> )	Conditions / Exceptions
<b>Spaces abutting curbed overhangs</b>	9' x 18' (standard)	The parking space must abut an interior parking lot curbed area at least 6 feet wide (with landscaping or sidewalk). The overhang is measured from the face of the curb.

## 2. Parking Pods

Parking lots shall be divided into parking pods with landscape strips, peninsulas, or grade separations to reduce the visual impact of large expanses of paving, to direct vehicular traffic through the parking lot, and to provide a location for pedestrian walks. The maximum number of spaces within a parking pod is regulated by Chapter [18.15](#) (Composite Standards).

## 3. Entrance Drives

Landscape aisles shall be placed on both sides of entrance drives to create pleasing tree-lined entrances, to direct vehicles into and out of the site, and to provide adequate space for vehicular stacking at exits onto perimeter roadways.

## 4. Pedestrians

- a. Parking lots shall separate pedestrians from vehicles through protected pedestrian walkways which lead to store entrances, except for sites with unique conditions or terrain.
- b. Sidewalks and crosswalks shall connect sidewalks along adjacent roadways, trails in the City's greenway system and buildings within a development.
- c. Walkways shall be designed and buffered in a manner that encourages their use.
- d. Sidewalks and crosswalks shall be designed to keep pedestrians together where they can be seen by motorists, and where they can cross most safely with the flow of vehicular traffic.
- e. Crosswalks designated on the final site development plan shall comply with the general standards for crosswalks within the Manual of Uniform Traffic Control Devices (MUTCD). Crosswalks outside of the public right-of-way or in the D District may include:
  - (1) Brick pavers with concrete borders;
  - (2) Concrete with brick borders; or

(3) Stamped and colored concrete.

## **5. Reserved Parking Areas**

- a.** For purposes of this subsection, "reserved parking areas" including parking stalls for customer parking, employee parking, persons with disabilities, vehicles for sale, lease, rental, or display.
- b.** Reserved parking spaces shall be designated on all final site development plans and any other plans submitted for approval to the City.
- c.** Reserved parking spaces used for sale, lease, rental or display shall not be located within a required parking/paving setback area, shall not reduce the capacity of a parking lot below that required by this section unless otherwise approved by the Planning Commission, and shall not hinder the movement of vehicles in drive aisles.
- d.** All reserved parking spaces shall be striped, maintained, and specifically used for the related purpose as identified on the plans.
- e.** Areas designated for parking shall not be used for display of vehicles for sale, lease, rental, etc.

## **E. Parking Spaces for Persons with Disabilities**

Parking for persons with disabilities shall comply with the applicable requirements of the 2010 ADA Standards for Accessible Design (United States Department of Justice, September 15, 2010), as amended.

## **F. Parking and Paved Area Setbacks**

Parking areas and other paved areas such as drive-through aisles shall be set back as follows:

- 1.** In Districts AG, R-1, R-2, and for single-family and two-family dwellings in any other district, no parking area shall be located within two (2) feet of a lot line, excluding nonresidential uses.
- 2.** For multifamily dwellings not located in a planned district, no parking area shall be located within thirty (30) feet of a street right-of-way or in a required yard area.
- 3.** No parking area for a nonresidential use in any residential district shall be located within thirty (30) feet of any street right-of-way or in a required yard area.

[4. Parking areas are encouraged to be located internal to the development with buildings abutting the right-of-way. When this layout is not possible, parking areas located adjacent to any street right-of-way will be screened in accordance with this section 18.30.130.](#)



**54.** In mixed use, commercial, office, business park and industrial districts, no parking area shall be located within the applicable parking and paving setback requirements within that zoning district.

**65.** Parking area setbacks within planned zoning districts shall be approved with the final site development plan, and shall not occupy any portion of the required yard areas.

### **G. Parking Lot and Building Lighting**

See section [18.30.135](#).

### **H. Landscaping and Screening for Parking Areas**

- 1.** The interior of parking areas shall be landscaped in accordance with [this sSection 18.30.130](#) (Landscaping, Screening, and Buffers).
- 2.** As part of a rezoning, special use permit or site plan condition, the Approving Authority may require that any wall, fence or screen planting around a parking area shall be set back from a street if needed to prevent adverse effects upon the appropriate use of adjacent property or to prevent a traffic concern. This setback shall not exceed the front or side yard requirement applicable to the zoning district.

### **I. Deferred Construction of Parking Spaces**

- 1.** A portion of the parking area required for office, business park or industrial development may remain unimproved until it must be improved to adequately serve the parking demand. Delayed construction of parking is permitted only if:
  - a.** The initial occupancy of the premises is adequately served by the lesser number of spaces,
  - b.** The final site development plan clearly indicates the location, pattern and circulation to and from the deferred parking spaces.
- 2.** The land area delineated for future parking shall be brought to finished grade and landscaped, and shall not be used for building, storage, loading or other purposes.

## **J. Parking Areas for Single- and Two-Family Dwellings**

- 1.** No driveway serving a single- or two-family dwelling shall be located within two (2) feet of an adjoining lot line except for a driveway serving two (2) properties.
- 2.** Parking is restricted to customary passenger vehicles and emergency vehicles up to a factory designated, one (1) ton, single axle, dual wheel size which is unloaded and immediately available for emergency response by an operator who is on duty or on call. However, emergency vehicles shall not be parked upon a driveway for more than twelve (12) hours during any twenty-four (24) hour period.
- 3.** All passenger cars shall be parked on paved driveways or parking areas relating to the garage or carport. In areas where there are no garages or carports, passenger cars and motor vehicles may be parked on paved driveways constructed perpendicular to the street.
- 4.** No parking is allowed in that portion of the street right-of-way not used for traffic movement, i.e., between the curb and the sidewalk, and between the curb and the front lot line.
- 5.** Parking passenger vehicles on driveway extensions that lead directly to the garage or carport is permitted, if the extension does not exceed more than one additional ten (10) foot drive beyond the capacity of the garage or carport, and is adjacent and connected to the existing driveway. If there is no garage or carport, a drive up to twenty-two (22) feet in width is permitted.
- 6.** No person shall stop, stand or park a commercial vehicle on any street, alley, or lot within any residential district, except when necessarily loading or unloading property or when in the performance of a service to or upon property in the block where the vehicle is parked. This section may not be avoided by a mere location change of a vehicle within the residential district. Residential district refers to any place or area where the property is zoned for residential occupancy including single-family, two-family and multifamily dwellings.

## **K. Off-Street Parking Schedule**

- 1.** The minimum number of parking stalls is as indicated in Table 18.30.160-2, below. Where the parking ratio indicates "sf," the ratio is based on gross floor area excluding attics, cellars, or similar uninhabitable space.
- 2.** The Planning Official shall determine the parking requirements for any use not listed above, based on the determination of similar uses as set out in the Use Matrix (Chapter [18.20](#)) and any documentation of parking generation for that type of use.



3. Where convention centers, conference centers, assembly halls, ballrooms or other similar facilities are built in conjunction with a hotel, office park or shopping center, the Planning Commission or Governing Body may permit up to a thirty-five (35) percent parking space reduction for each of the uses listed above when built in conjunction with the uses listed above, due to overlapping usage of a portion of the parking spaces. Request for such shared parking must be received as part of a preliminary development plan. The request shall outline the justification in reducing the number of parking spaces. In addition, a change in use to a use other than listed above shall conform to City parking standards.

4. Whenever a theater is located in a shopping center that has more than two hundred thousand (200,000) square feet of gross floor area, the number of parking spaces required for the theater may be reduced by twenty-five (25) percent; provided, that a joint parking agreement for the joint use of all parking within the shopping center is reviewed and approved by the City. The agreements shall be recorded with the Register of Deeds and a copy submitted with the application for a building permit.

5. The revised parking requirement for eating places (of all types) shall not apply to any preliminary site development plan approved in a planned district prior to August 1, 2005; provided, that a final site development plan is approved complying with the preexisting parking requirements and a building permit is issued prior to August 1, 2006.

6. The revised parking requirement for eating places (of all types) shall not apply to any final site development plan approved in a planned district prior to August 1, 2005 or to any site development plan approved in a conventional district prior to August 1, 2005; provided, that the approved plan complied with the preexisting parking requirement.

**Table 18.30.160-2. Parking Spaces Required**

<i>Use</i>	<b>Parking Spaces Required (<i>minimum</i>)</b>
<b><i>Residential Uses</i></b>	
Accessory dwellings (carriage houses, granny flats, echo homes)	1 per dwelling unit
Cluster or conservation subdivisions	1 per dwelling unit
Elderly housing, multifamily residences	1 per dwelling unit
Elderly housing, single-family residences	1 per dwelling unit
Residence, adaptive reuse	0.5 per dwelling unit
Residence, multifamily 3 units (triplex)	1.5 per dwelling unit

<i>Use</i>	<b>Parking Spaces Required (<i>minimum</i>)</b>
Residence, multifamily 4 units (quadraplex)	1.5 per dwelling unit
Residence, multifamily, more than 4 units	1.5 per dwelling unit
Residence, single-family attached	1.5 per dwelling unit
Residence, single-family detached	2 per dwelling unit
Residence, single-family modular	2 per dwelling unit
Residence, two-family (duplex)	1.5 per dwelling unit
Residence, zero lot line	1.5 per dwelling unit
Residential design manufactured home	2 per dwelling unit
Residential property manager	1 per dwelling unit
Townhouse	1.5 per dwelling unit
Watchmen/caretakers	1 per dwelling unit
<b><i>Accommodations and Group Living</i></b>	
Bed and breakfast	1 per guest room plus 1 per 800 sf of restaurant space
Boarding and lodging house	1 per guest room plus 1 per 800 sf of restaurant or public meeting space
Community living facility, mental health convalescent	1 per 400 sf
Community living facility, mental health/substance abuse, on-site staff	1 per 400 sf
Day care, adult day care	1 per guest room
Dormitories	1 per 400 sf
Group home	1 per 400 sf
Group residence, general (9-15), limited (0-8), children, elderly residential services	1 per 400 sf
Hotel, motel	1 per each 2 employees on the largest shift and 1 per each guest room or 2 guest beds
Sorority and fraternity housing	1 per guest room

<i>Use</i>	<b>Parking Spaces Required (minimum)</b>
<b>Commercial, Services and Mixed Use</b>	
Adaptive reuse of converted buildings	1 per 500 sf
Agricultural machinery and equipment sales area and service facility	1 per 500 sf (indoor sales/service area only)
Animal care services – Veterinary clinics, animal hospitals, boarding, grooming, sitting, and training, no outside kennel, no retail	1 per 1,500 sf
Antique shop	1 per 500 sf
Apparel and accessory stores	1 per 300 sf
Bail bonding	1 per 500 sf
Bait shop	1 per 500 sf
Bakery, without wholesale distribution facilities	1 per 300 sf
Bars, taverns and drinking establishments	1 per each employee and 1 per 2 seats
Financial institution (bank, credit union, or savings institution)	1 per 400 sf
Beer, wine, and liquor store	1 per 300 sf
Bicycle sales and service	1 per 500 sf
Boat/watercraft, marine supplies, and marine/boating equipment sales and service	1 per 1,000 sf (indoor sales/service areas only)
Book, magazine, or stationery store	1 per 300 sf
Building materials sales – Without lumberyard	1 per 300 sf
Building materials sales and storage	1 per 300 sf
Business service centers, including blueprinting, printing, photostatting and copying	1 per 300 sf
Cafeterias and snack bars to serve the employees of office building within which they are located	1 per 800 sf
Camera and film shop; photography studio; frame shop	1 per 300 sf
Candy or confectionary making, on premises and retail only	1 per 300 sf
Car wash, automobile laundries, or car care centers	1 per 1,500 sf
Catering establishments	1 per 300 sf

<i>Use</i>	<b>Parking Spaces Required (<i>minimum</i>)</b>
Commercial uses in multifamily developments (no direct entry from the use to the street)	1 per 300 sf
Commercial buildings not specifically listed	1 per 250 sf
Convenience stores, with gas sales	1 per 250 sf
Convenience stores, without gas sales	1 per 250 sf
Courier and messenger services	1 per 800 sf
Delicatessen	1 per 100 sf
Department stores	1 per 300 sf
Drive-in facilities (for retail, restaurant or financial institution)	Parking analysis
Elderly service center, nonresidential	1 per 500 sf
Entertainment establishments, such as lounges, nightclubs, private clubs, and music or dance establishments	1 per 200 sf
Executive suite space (nonretail, nonindustrial)	1 per 800 sf
Farm/landscape/garden supply sales	1 per 300 sf
Farm supplies – Wholesale trade	1 per 300 sf
Farmer's markets	Parking analysis required
Fertilizer sales and storage	1 per 300 sf
Flex space (office and warehouse building); may include call centers or mail order houses	1 per 800 sf
Florist or floral/gift shop	1 per 300 sf
Food service, accessory	1 per 300 sf
Gas station	1 per 1,000 sf
Grocery, meat, dairy product and bakery sales	1 per 300 sf
Gun shops and gunsmiths	1 per 300 sf
Hardware store	1 per 300 sf
Laundry, pick-up only and garment services	1 per 300 sf
Laundry, coin operated	1 per 300 sf
Leasing office for apartment complex	1 per 300 sf

<i>Use</i>	<b>Parking Spaces Required (<i>minimum</i>)</b>
Leasing, commercial and industrial machinery and equipment	1 per 500 sf (indoor sales area only)
Leasing/rental – Accessory use, recreational goods (furniture, party supplies, sporting goods)	1 per 300 sf
Leasing/rental of trucks, trailers, RVs, boats, motorcycle	1 per 500 sf (indoor sales area only)
Leasing/rental, car and passenger vehicle	1 per 500 sf (indoor sales area only)
Light manufacturing accessory to retail use	1 per 1,500 sf
Live-work units	1 per dwelling unit
Management/services	1 per 800 sf
Medical equipment sales, rental or leasing	1 per 500 sf
Mixed use, commercial (includes offices units located over storefronts)	1 per 500 sf
Mixed use, vertical (includes residences located over storefronts)	1 per 500 sf
Monument dealers (tombstones and markers)	1 per 1,000 sf
Motor vehicle sales	2 per 1,000 sf of indoor sales area plus 1 per 4,500 sf of outdoor sales area
Motorcycles, ATVs, retail sales and repair	1 per 500 sf
Musical instrument and supplies stores	1 per 300 sf
Nonstore retail/commercial (mail order, catalog facility, electronic markets)	1 per 800 sf
Office supply and equipment store	1 per 300 sf
Offices for business, professional, industry and government	3.8 per 1,000 sf
Optical goods stores	1 per 300 sf
Outdoor display and storage	n/a
Packing, crating, and convention and trade show services	1 per 800 sf
Palmistry services, fortune tellers, astrologers	1 per 1,000 sf
Pawnshops and secondhand goods	1 per 300 sf

<i>Use</i>	<b>Parking Spaces Required (<i>minimum</i>)</b>
Payday loan business or title loan business (as defined in Section <a href="#">5.43.010</a> )	1 per 300 sf
Personal care service shops	1 per 300 sf
Pet care	1 per 1,500 sf
Pet store	1 per 1,500 sf
Pharmacy and drugstore	1 per 300 sf
Real estate, sales, rental and leasing	1 per 800 sf
Rental management/leasing facility (residential)	1 per 800 sf
Repair, restoration of vehicles, machinery and equipment	1 per 500 sf
Restaurant or snack bar, subordinate to an office or retail building with no direct outside entrance	1 per 3 seats
Restaurant service, carry out	1 per 3 seats
Restaurant, full service	1 per 3 seats
Retail sales, accessory	
Retail sales, generally (not otherwise listed)	1 per 300 sf
Sales and service, manufactured home, recreation vehicle, bus, truck, or similar large vehicles	1 per 500 sf
Sales, boats/marine, recreational vehicle, travel trailer, camper sales or leasing (including repair)	1 per 500 sf
Services to buildings and dwellings (extermination, janitorial, landscaping, carpet and upholstery cleaning, packing and crating, etc.)	1 per 800 sf
Snack or nonalcoholic bar	1 per 150 sf
Specialty food stores	1 per 300 sf
Sporting goods shop	1 per 300 sf
Tailor/shoe repair	1 per 1,000 sf
Tattoo parlor/tattoo studio and/or body piercing	1 per 500 sf
Temporary sales and events	1 per 300 sf
Travel agency	1 per 300 sf
Travel plaza/truck stop	1 per 300 sf

<i>Use</i>	<b>Parking Spaces Required (minimum)</b>
Upholstery and furniture refinishing	1 per 300 sf
Vehicle repair and restoration, not including automotive wrecking or long-term disabled vehicle outdoor storage	1 per 500 sf
Video/audio sales and/or rental	1 per 300 sf
Woodworking shops, cabinetmaking shops, or wood crafting services	1 per 1,500 sf
<b>Industrial Uses</b>	
Automobile storage or towing (excluding wrecked and junked vehicles)	1 per 1,500 sf
Bottling works	1 per 1,500 sf
Building contractor	1 per 1,500 sf
Carpentry, floor, and tile contractor	1 per 1,500 sf
Computer and electronic product manufacturing	1 per 1,500 sf
Crematories	1 per 1,500 sf
Explosives manufacturing/storage	1 per 1,500 sf
Extractive industries	1 per 1,500 sf
Food and beverage manufacturing	1 per 1,500 sf
Fuel oil distribution	1 per 1,500 sf
Industrial uses not specifically listed	2.5 per 1,000 sf (buildings < 25,000 sf); 2.5 per 1,000 sf devoted to office uses plus 1 per 1,000 sf of other floor area (buildings > 25,000 sf)
Jewelry and silverware manufacturing	1 per 1,500 sf
Junk yards, salvage yards, and auto and scrap processing	1 per 1,500 sf
Laboratories – Research and testing	1 per 1,500 sf
Laboratories – Medical and diagnostic	1 per 1,500 sf
Landfill, demolition	1 per 1,500 sf
Landfill, land clearing and inert debris	1 per 1,500 sf
Landfill, sanitary	1 per 1,500 sf

<i>Use</i>	<b>Parking Spaces Required (minimum)</b>
Laundry, cleaning and garment services	1 per 1,500 sf
Limited manufacturing of products sold on the premises (up to 5,000 sf or 25% of the floor area of a principal retail use, whichever is less)	1 per 1,500 sf
Manufacturing, excluding other uses listed in this table	1 per 1,500 sf
Meat packing and poultry processing	1 per 1,500 sf
Medical equipment and supplies manufacturing	1 per 1,500 sf
Milling or canning of agricultural products, feed and flour mills	1 per 1,500 sf
Motor vehicle manufacturing	1 per 1,500 sf
Motor vehicle painting and body shops, exclusive of sales	1 per 1,500 sf
Office supply, inks, etc., manufacturing (except paper)	1 per 1,500 sf
Oil and gas well drilling	Parking analysis required
Paper manufacturing	1 per 1,500 sf
Petroleum and coal products manufacturing	1 per 1,500 sf
Printing/publishing	1 per 1,500 sf
Process plants (chemicals, and metals, machinery, and electronics manufacturing)	1 per 1,500 sf
Quarrying and stone cutting establishment	1 per 1,500 sf
Recycling centers	1 per 1,500 sf
Rendering and meat byproduct processing	1 per 1,500 sf
Research and development offices	1 per 1,500 sf
Sign makers	1 per 1,500 sf
Textiles	1 per 1,500 sf
Welding, tinsmithing and machine shop	1 per 1,500 sf
Wood or wood products manufacturing	1 per 1,500 sf
<b><i>Warehousing and Storage Uses</i></b>	
Construction equipment storage	n/a
Express and shipment facilities	1 per 1,500 sf
Mini-storage warehouse	3 spaces



<i>Use</i>	<b>Parking Spaces Required (minimum)</b>
Natural gas distribution, flammable liquid, petroleum, bulk stations and terminals and above-ground storage	n/a
Outdoor storage of construction equipment, generally	n/a
Refrigerated warehouse or cold storage	1 per 1,500 sf
Solar energy facility	1 per 1,500 sf
Warehousing, storage, wholesale, and distribution facilities	Parking analysis required
Wind energy conversion systems (WECS)	n/a
<b><i>Arts, Recreation &amp; Entertainment</i></b>	
Adult business establishments	1 per 200 sf
Amphitheater, outdoor stage, bandstand, or similar structure	n/a
Amusement parks	Parking analysis required
Amusement, indoor	1 per 300 sf
Aquarium or planetarium	1 per 400 sf
Art gallery	1 per 400 sf
Artist studio	1 per 800 sf
Club, membership	1 per 400 sf
Community center	1 per 400 sf
Conference center	1 per 150 sf
Fairgrounds	Parking analysis required
Golf courses and clubhouses	Parking analysis required
Golf driving ranges (see outdoor recreation)	1 per 1.5 tee boxes
Golf, miniature	Parking analysis required
Historical association or society	1 per 800 sf
Indoor athletic facility	1 per 650 sf
Indoor athletic facility located in an existing building	1 per 1,000 sf
Museum/art gallery/cultural facility	1 per 400 sf
Parks and open space	n/a

<i>Use</i>	<b>Parking Spaces Required (<i>minimum</i>)</b>
Recreational vehicle parks/campgrounds	1 per 4 recreational vehicle or camping spaces
Skating rink – Ice or roller skating	1 per 500 sf
Sports stadiums and arenas	Parking analysis required
Temporary carnivals, rides, ferris wheels	Parking analysis required
Theater, drive-in	n/a
Theater, movie	1 per 4 seats
Theaters, performing arts	1 per 4 seats
Youth retreat	n/a
<b><i>Education, Public Administration, Health Care, and Institutional</i></b>	
Cemetery	n/a
Civic assemblies, including churches/religious assemblies, clubs, lodges, meeting halls, recreation buildings, and community centers	1 per 4 seats or building capacity calculated by building standards
Community food and personal support services, nonresidential	1 per 800 sf
Community services, counseling and intervention	1 per 800 sf
Correctional institution facility	1 per 800 sf
Correctional office, parole/probation	1 per 800 sf
Cultural facilities	1 per 400 sf
Day care	1 per 800 sf
Day care facility (accessory to institution or business)	1 per 800 sf
Day care facility, accessory to dwelling	n/a
Funeral home or mortuary	1 per each 2 employees on the largest shift and 1 space per 4 seats
Government – Post office and postal substations	1 per 400 sf
Government – Public safety services	1 per 800 sf
Government facilities, other than offices	1 per 800 sf

<i>Use</i>	<b>Parking Spaces Required (minimum)</b>
Hospital	1 per 4 beds and 1 per each staff member (including visiting doctors)
Library	1 per 1,000 sf
Medical office or clinic	1 per 500 sf
Postal service receptacle pods designated on a plat or approved site plan	n/a
Schools, academic, continuance, alternative, adult, and technical, trade, and other specialty schools	1 per 500 sf
Schools, colleges and universities	1 per each staff member and 1 per 2 students
Schools, elementary or secondary	1 per 1,000 sf
Elementary and secondary schools	1 per each staff member
High schools	1 per each staff member and 1 per 4 students
Schools, nursery and preschool	1 per 500 sf
Social services	1 per 800 sf
<b><i>Transportation, Communication, Information, and Utilities</i></b>	
Airport landing strip (field or strip only)	1 per 800 sf
Airport terminal	n/a
Bus, taxi, train or light rail depots, stations or dispatch facilities	n/a
Bus/truck maintenance, including repair and storage	1 per 1,500 sf
Freight terminals and truck terminals	1 per 1,500 sf
Heliport	1 per 1,500 sf
Parking lots, surface, accessory to principal use*	n/a
Parking lots, surface, as principal use	n/a
Parking lots, pervious surface, as principal use	n/a
Parking lots, underground or structure, accessory to principal use	n/a
Parking lots, underground or structure, as principal use	n/a

<i>Use</i>	<b>Parking Spaces Required (minimum)</b>
Public transportation facility	n/a
Railroad facilities	1 per 1,500 sf
Stormwater management/flood control facilities	n/a
<b>Utility Uses &amp; Structures</b>	
Commercial incinerator	n/a
Cable networks and distribution	1 per 800 sf
Commercial radio, television, broadcasting and/or receiving towers	n/a
Communication or telecommunication equipment attached to a building	n/a
Communication towers	n/a
Communication towers – Architecturally integrated	n/a
Environmental monitoring stations	n/a
Gas or electric generation distribution facilities, compressor stations, or substations	n/a
Hazardous waste storage or treatment facility	1 per 1,500 sf
Power generation plants	Parking analysis required
Public utility storage and service yards	n/a
Radio and television broadcasting or recording studio	1 per 800 sf
Solid waste collection centers, solid waste transfer stations, recyclable materials, yard waste and similar items	n/a
Solid waste landfill	n/a
Utility facilities, principal use	n/a
Utility facilities, accessory to permitted use	n/a
Water supply facilities including pump stations, dams, levees, culverts, water tanks, wells, treatment plants, reservoirs, and other irrigation facilities	n/a
<b>Agriculture</b>	
Agriculture (including raising of crops and pasturing livestock)	n/a
Animal production and support services	n/a
Concentrated animal feeding operations (CAFOs)	n/a

<i>Use</i>	<b>Parking Spaces Required (minimum)</b>
Farm product raw materials – Wholesale trade	n/a
Forestry, commercial	n/a
Noncommercial forestry or raising of vegetation/community garden	n/a
Grain or agricultural storage facility	n/a
Greenhouse or nursery	1 per 300 sf
Greenhouse, accessory to florist shop	n/a
Hatcheries and poultry houses	n/a
Livestock sales, and markets	n/a
Riding academies and/or stables (commercial)	1 per 1,500 sf
Stable, accessory to dwelling	n/a
Support functions for agriculture	n/a
<b>Miscellaneous</b>	
Accessory uses	n/a
Signs	n/a
Telecommunication tower facilities, antennae locations, repeater stations, and distribution centers.	n/a

#### **L. Off-Street Loading Schedule**

1. For purposes of this section there shall be considered to be two (2) sizes of off-street loading spaces. Each large space shall have an overhead clearance of at least fifteen (15) feet, shall be at least twelve (12) feet wide and shall be at least fifty (50) feet long, exclusive of access or maneuvering area, platform and other appurtenances. Each small space shall have an overhead clearance of at least twelve (12) feet, shall be at least twelve (12) feet wide and shall be at least thirty (30) feet long, exclusive of access or maneuvering area, platform and other appurtenances.
2. Off-street loading facilities shall be located on the same building site on which the structure for which they are provided is located. Access, maneuvering area, ramps and other appurtenances shall be furnished off the street right-of-way and so arranged that vehicles are not permitted to back from the property into the street. The number of required loading spaces

which are adequate to serve the uses or categories of uses proposed shall be in accordance with Figure 18.30.160-3.

3. Off-street loading facilities shall be constructed, maintained and operated in accordance with City standards and shall be surfaced with concrete, asphaltic concrete or asphalt maintained in good condition, free of weeds, dust, trash and debris.
4. Where access and drives to off-street loading facilities occur in conjunction with off-street parking facilities that provide parking at street level for more than six hundred (600) cars, provisions shall be made to maintain separate circulation routes within such facilities.
5. Any off-street loading facility shall not be used to satisfy the space requirements for any off-street parking facilities or portions thereof.
6. For the purpose of determining the amount of off-street loading, or if the number of berths to be provided by such use is not readily determinable, the number of loading areas shall be fixed by the Planning Commission.

**Table 18.30.160-3. Loading Spaces Required**

<b>Loading Category</b>	<b>Gross Floor Area in Square Feet</b>	<b>Required Number</b>
<b>Institutional Uses</b>		
Schools	10,000 to 100,000	1
Health/Medical, Recreational, Civic, Social, Religious	For each additional 200,000 or fraction thereof	1 – Additional
<b>Business Uses</b>		
<b>Retail</b>	5,000 to 25,000	1
	25,001 to 200,000	2
	For each additional 200,000	1 – Additional
<b>Retail Services</b>	5,000 to 10,000	1
	10,000 to 100,000	2
	For each additional 100,000 or fraction thereof.	1 – Additional

Loading Category	Gross Floor Area in Square Feet	Required Number
Service/ Trade	10,000 to 200,000	1
	For each additional 200,000 or fraction thereof	1
Service/Miscellaneous	5,000 to 25,000	1
	25,001 to 200,000	2
	200,001 to 400,000	3
	For each additional 100,000 over 400,000 or fraction thereof	1
<b>Industrial Uses</b>		
	5,000 to 10,000	1
	10,001 to 40,000	2
	40,001 to 100,000	3
	For each additional 100,000 or fraction thereof.	1 – Additional

**M. Drive-in and Drive-through Stacking Distance Requirements**

See Chapter [18.50](#) (drive-up/drive-through).

**N. Parking Lot Permit**

1. No person shall initiate construction of a new parking lot or expansion of an existing parking lot without first obtaining a permit from the Public Works Department and reviewed by the Planning Division.
2. A parking lot permit is not required for the resurfacing or re-striping (painting) of an existing parking lot consistent with the current striping.
3. Application for a parking lot permit shall be made on a form provided by the Public Works Department and shall be accompanied by a site plan depicting:
  - a. The parking lot layout, including proposed striping;

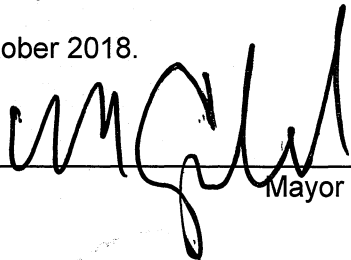
- b. Number and location of parking spaces, including handicapped spaces;
- c. Structures on the same property;
- d. Structures and parking areas on adjacent property;
- e. Ingress and egress for the property;
- f. Existing and proposed landscaping;
- g. Grading, drainage and erosion and sedimentation control;
- h. Parking lot lighting; and
- i. All other information required by the Public Works Department and/or Development Services Department. (*Ord. 17-52 §§ 11, 41, 2017; Ord. 15-16 § 3, 2015; Ord. 09-37 §§ 1, 3, 7, 10—12, 2009; Ord. 09-22 § 9, 2009; Ord. 08-105 § 2, 2008; Ord. 05-101 § 2, 2005; Ord. 02-54 § 2, 2002*) "

**SECTION SIX:** Existing sections 18.01.020, 18.15.010, 18.20.500, 18.30.130, and 18.30.160, are hereby specifically repealed.


**SECTION SEVEN:** This Ordinance shall take effect from and after its publication as provided by law.

**PASSED** by the Governing Body this 16<sup>th</sup> day of October 2018.

**SIGNED** by the Mayor this 16<sup>th</sup> day of October 2018.

  
 \_\_\_\_\_  
 Mayor

ATTEST:

  
 \_\_\_\_\_  
 City Clerk

(Seal)

APPROVED AS TO FORM:

  
 \_\_\_\_\_  
 City Attorney





STATE OF KANSAS  
JOHNSON COUNTY, SS

Brandon Humble, being first duly sworn, deposes and says: That he is the editor of  
**THE GARDNER NEWS** A weekly newspaper printed in the State of Kansas, and published in  
and of general circulation in Johnson County, Kansas and that said newspaper is a bi-  
weekly published at least weekly, 52 times a year; has been published continuously and  
uninterruptedly in said county and state for a period of more than five years prior to the first  
publication of said notice; and has been admitted at the post office in Gardner, Kansas in said  
county as second class matter.

That the attached notice is a true copy there of and was published in the regular and entire issue  
of said newspaper for 1 consecutive weeks(s),

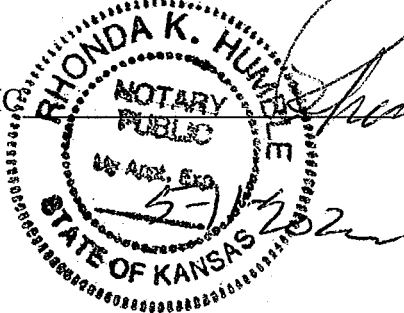
The first publication there of being made as aforesaid on October 24, 2018

Publications being made on the following:

EDITOR *Brandon Humble*

SUBSCRIBED AND SWORN TO ME THIS 10/24/2018

NOTARY PUBLIC



MY COMMISSION EXPIRES \_\_\_\_\_

COST-----

ADDITIONAL COPIES-----

IN THE DISTRICT COURT OF JOHNSON, COUNTY KANSAS-----

The within Proof Of Publication approved

-----JUDGE

## Public Notice

First published in *The Gardner News* Wednesday, Oct. 24, 2018

**PUBLICATION SUMMARY OF ORDINANCE NO. 18-48, PASSED BY THE GOVERNING BODY OF THE CITY OF OLATHE, KANSAS ON THE 16th DAY OF OCTOBER 2018.**

### **SUMMARY**

On October 16, 2018, the Governing Body of the City of Olathe, Kansas passed Ordinance No. 18-48 amending certain sections of Title 18 of the Olathe Municipal Code pertaining to the Unified Development Ordinance and repealing the same existing sections. Sections 18.15.010 and 18.15.020.B were amended to provide an architecture purpose statement and clarify process for use of alternative architectural materials. Section 18.20.500 was amended to provide a homeless shelter definition to the use matrix. Sections 18.30.130.F, 18.30.130.I.6 and 18.30.130.M were amended to remove the planting schedule, strengthen the screening require-

ments for utility structures and improve parking area screening standards. Section 18.30.160.F was amended to encourage site layouts which provide parking locations to be interior to the development instead of along public rights-of-way.

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, <http://www.olatheks.org/government/city-clerk/public-notices>, 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 17th day of October 2018.

/s/ Rachelle R. Breckenridge  
Rachelle R. Breckenridge  
Assistant City Attorney