

Article IX. Supplemental Regulations

The regulations set forth in this article qualify or supplement the zoning district regulations appearing elsewhere in these regulations. It is the intent of the supplemental regulations to provide overview and guidance for a range of development considerations which will affect the health, safety, welfare and living environment within the City's zoning jurisdiction.

Sec. 27-901 Home Occupations.

A. Intent.

Home occupations are activities accessory to legal residential uses. Special regulations apply to such activities to ensure that the residential character of the property shall be maintained. These regulations are intended to assure that the home occupation remains subordinate to the residential use and that the residential visual quality and environment of the neighborhood is maintained.

The intent of the regulations of this section is to establish performance standards for all home occupations rather than to limit uses and activities to a specific list. Home occupations that comply with the performance standards of this section are allowed by right unless otherwise expressly stated.

B. Exemptions.

The following uses shall be exempt from the regulations of this section.

1. Home Product Demonstrations:
Occasional home product demonstrations for guests (no more than two per week).
2. Accessory Retail Sales:
Retail sales of goods that are clearly subordinate and subsidiary to a service provided on site (such as hair care products sold to hair cutting clients).

C. Site-Related Standards.

1. Signs:
One non-animated, non-illuminated, accessory identification sign of no more than six square feet in area shall be permitted. The allowed sign shall be placed flat against a wall or door, or displayed in a window.
2. Alterations:
The home occupation shall be limited to the principal structure on the premises and shall not occupy more than 50 percent of the gross floor area of such structure.
3. Outdoor Activities:
There shall be no outdoor storage including but not limited to inventory, equipment and materials used in a home occupation.
4. Appearance:
The dwelling and site shall remain residential in appearance and characteristics. External changes that would make the dwelling appear less residential in character or function shall be prohibited. Examples of such

prohibited alterations include construction of parking lots, paving of required setbacks, or the addition of commercial-like exterior lighting.

D. Impact-Related Standards.

The following are additional regulations that shall apply to home occupations. Waivers or variances from the regulations in this section shall be prohibited.

1. Noise:
No equipment or process shall be in such home occupation which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses of a person off the lot if the occupation is conducted in a single family detached dwelling, or outside the individual dwelling unit if conducted in a structure other than a single family detached dwelling. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises or causes fluctuations in line voltage off the premises.
2. Traffic:
No traffic shall be generated by such home occupation in substantially greater volumes than would normally be expected in a residential neighborhood.
3. Nonresident Employees:
No more than one person other than the persons occupying such dwelling unit as their residence shall work as an employee. For the purpose of this section, the term "employee" includes an employee, business partner, co-owner, or other person affiliated with the home occupation who does not live at the site but who regularly visits the site as part of the home occupation.
4. Other Regulations:
Home occupations must comply with all other city, county, state and federal regulations.

E. Prohibited Uses.

The following uses shall not in any event be considered home occupations within this definition:

1. Wholesale or retail sales (online and catalog sales are permitted);
2. Any type of business activity involving the repair or assembly of vehicles or equipment with internal combustion engines (such as motor vehicles, motorcycles, scooters, snowmobiles, outboard marine engines, lawn mowers, chain saws and other small engines) or of large appliances (such as washing machines, dryers and refrigerators) or any other work related to vehicles and their parts;
3. Tourist accommodations including bed and breakfast establishments;
4. Funeral and interment services;
5. Stables, veterinary services or animal hospitals;
6. Restaurants and other on-site commercial food service or sales are not allowed as home occupations; Catering for off-premises consumption is not

prohibited so long as all applicable city, county and state regulations are met.;

7. Construction contractor's shop including the storage of materials, goods, equipment, and trailers except when such materials, goods, equipment and trailers are stored inside a completely enclosed building;
8. Grocery stores;
9. Liquor stores, bars and taverns;
10. Tattooing and body piercing facility;
11. Sale, manufacture or storage of explosives, including ammunition;
12. Adult entertainment; and
13. Industrial uses.

F. Home Occupation Permit.

1. Purpose.

Permits for home occupations shall, prior to their establishment, be obtained from the zoning administrator. The permit requirements are intended to ensure:

- a. That the applicant is aware of the provisions of the zoning regulations governing home occupations;
- b. That the city has all information necessary to evaluate whether the proposal initially meets, and continues to meet these regulations; and
- c. That the permit protects the interests of the home occupation and provides the zoning administrator with documentation to respond to inquiries in an informative and timely manner.

2. Procedure and Renewal Process.

Home occupations shall be required to register with the zoning administrator prior to their establishment. At the time of registration, the applicant shall provide an affidavit pledging compliance with the standards, conditions and the documentation of the home occupation. The permit is tied to the land occupied by the home occupation and is not transferable to other sites or to other operators.

The applicant shall complete the home occupation permit that describes the standards set forth in this section, the type of business activities to take place at the site, the hours of operation, and either the existence of a nonresident employee or the expected number of customers/clients on a daily basis. The zoning administrator may impose such conditions on a home occupation permit as is necessary to meet the purposes of these regulations and protect the public health, safety and welfare of adjacent and nearby uses.

3. Revocation.

- a. If a complaint has been signed and filed with the zoning administrator by the owners of 30 percent or more of the total land area within 200 feet of the boundaries of the parcel of the home occupation, the zoning administrator shall reconsider the permit and upon showing

of a violation may terminate the authority to operate the home occupation.

- b. When a home occupation permit has been terminated due to non-compliance with conditions of the existing permit on file, a new home occupation permit will not be issued to the applicant or other persons residing with the application for two years.

Sec. 27-902 Residential-Design Manufactured Home Requirements.

Specific requirements for residential-design manufactured homes shall include all of the following:

- A. The minimum width of a residential-design manufactured home shall be 22 feet.
- B. The roof shall be double-pitched and shall have a minimum vertical rise of two inches for each 12 inches of horizontal run.
- C. Roof covering shall be residential in appearance, including but not limited to, approved wood, asphalt composition or fiberglass shingles, but excluding corrugated aluminum, corrugated fiberglass, or metal roofing materials not approved by the City.
- D. The siding shall be of materials that are customarily used on site-built homes, but excluding materials such as smooth, ribbed or corrugated metal or plastic panels. The exterior covering material must extend to the ground, except that, when a solid concrete or masonry foundation is used, the exterior covering material need not extend below the top of the foundation;
- E. The manufactured home shall be installed in accordance with the recommended installation procedures of the manufacturer and/or standards set by the International Code Council. Foundation and tie down construction shall be pre-engineered by a structural engineer licensed in the State of Kansas.
- F. At each exit door there shall be a landing which is constructed to meet the requirements of the City Building Code.
- G. All manufactured home running gear, tongues, axles and wheels must be removed from the site at the time of installation of the home on the lot as required by the City Building Code.
- H. The finished floor of the residential-design manufactured home shall be a maximum of 18 inches above the exterior finished grade of the lot on which it is located.
- I. Any addition to a residential-design manufactured home shall comply with all construction requirements of the Building Code and all applicable standards