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RESOLUTION NO. 158-2021

A RESOLUTION CHANGING THE ZONING CLASSIFICATION FOR CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C AS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, DECEMBER 12, 1984 AND SUBSEQUENTLY AMENDED.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF  
SEDGWICK COUNTY, KANSAS

**SECTION I.** That after receiving a recommendation from the Wichita-Sedgwick County Metropolitan Area Planning Commission, and after said Planning Commission has given proper notice and held a public hearing as provided by law, and under authority granted by Section V-C of the Wichita Sedgwick County Unified Zoning Code, the zoning classification or district of the lands legally described hereby are changed as follows:

**Case No. ZON2020-00053**

Zone change request from RR Rural Residential to GC General Commercial on property described as:

Lot 3, Block A, Copper Fox Farms Addition, Sedgwick County, Kansas.

Subject to the following Protective Overlay #361 as follows:

1. Uses shall be limited to those as permitted by-right in RR Rural Residential in addition to Vehicle Storage as permitted in GC General Commercial.
2. The following conditions shall apply only if the property is developed with a Vehicle Storage Yard:
  - a. The Vehicle Storage Yard shall be limited to the storage of operable boats and recreational vehicles only, and in no case shall it be used for sales, repair work, dismantling, or mechanical servicing of any vehicles or equipment, or for storage of materials or supplies.
  - b. The storage area and all entrance/exit drives shall be surfaced with an all-weather surface that meets the approval of the Director of the Metropolitan Area Building and Construction Department (or other chief jurisdiction code enforcement officer) and shall be maintained in good condition and free of weeds, trash, and other debris.
  - c. A landscape buffer shall be provided along arterial street frontages. The landscape buffer shall employ landscaped earth berms a minimum of four to six feet above at-grade elevation of the abutting right-of-way. The landscaping shall consist a minimum of two trees per 40-linear feet. Trees can be shade or ornamental. Shrubs and/or

ornamental grasses shall be planted in-between tree spacing. The landscaping shall be irrigated and maintained. The following minimum standards shall apply for planting sizes:

- i. Shade Tree: 2-inch caliper
  - ii. Ornamental Tree: 1-inch caliper
  - iii. Conifer Tree: 5-foot height
  - iv. Shrubs: 2 gallon
- d. Visual screening of areas adjacent to residential zoning districts shall be provided to protect adjacent properties from light, debris, and noise, and to preserve adjacent property values. In no case shall screening be less than that required by Section IV-B.1-3 of the Unified Zoning Code, unless the applicant demonstrates adequate screening may be provided through alternative means, and the requirements imposed by Section IV-B.1-3 would be overly burdensome on the applicant.
- e. Outdoor lighting sources shall conform to Unified Zoning Code Section IV-B.4, which requires cut off luminaries to minimize light trespass and glare. All light poles within 200 feet of residentially zoned properties shall not exceed 15 feet in height.
- f. There shall be no off-site/billboard signs. Signage is restricted to one (1) pole sign and one (1) building sign per street frontage. The pole sign shall not exceed 25 feet in height and shall not exceed 150 square feet in area. The area of the building signs shall not exceed 20 percent of the building façade, and shall not exceed 200 square feet each. Electronic message boards are prohibited. All illumination of signs shall be internal or directed away from residentially zoned properties.
- g. A revised screening/landscape plan shall be submitted to the Planning Department for review and approval prior to the issuance of any building permits and/or applicable licenses.
- h. The site shall comply with all required compatibility requirements of Section IV-C of the Unified Zoning Code regarding setbacks, height, and noise. However, there shall be no outdoor speakers or sound amplification systems.

**SECTION II.** That upon the taking effect of this Resolution, the notation of such zone change shall be entered in the official zoning atlas on file in the Office of the County Zoning Administrator and in the Office of the Wichita-Sedgwick County Metropolitan Area Planning Department.

**SECTION III.** That this Resolution shall take effect and be in force from and after its adoption by the Governing Body and publication in the official county newspaper.

Commissioners present and voting were:

PETER F. MEITZNER  
SARAH LOPEZ  
DAVID T. DENNIS  
LACEY D. CRUSE  
JAMES M. HOWELL

Aye \_\_\_\_\_  
No \_\_\_\_\_  
Aye \_\_\_\_\_  
Aye \_\_\_\_\_  
Aye \_\_\_\_\_

Dated this 21 day of July, 2021.

BOARD OF COUNTY COMMISSIONERS  
OF SEDGWICK COUNTY, KANSAS

ATTEST:

*for Karen S. Baulo*  
KELLY B. ARNOLD, County Clerk



*Peter F. Meitzner*  
PETER F. MEITZNER, Chairman  
Commissioner, First District

*Lacey D. Cruse*  
LACEY D. CRUSE, Chair Pro Tem  
Commissioner, Fourth District

APPROVED AS TO FORM:

*Justin M. Waggoner*  
JUSTIN M. WAGGONER  
Assistant County Counselor

*Sarah Lopez*  
SARAH LOPEZ  
Commissioner, Second District

*David T. Dennis*  
DAVID T. DENNIS  
Commissioner, Third District

*James M. Howell*  
JAMES M. HOWELL  
Commissioner, Fifth District