

ORDINANCE NO. 684

AN ORDINANCE AMENDING SECTIONS 6.03; 10.45; AND 10.48 OF THE ROSE HILL ZONING REGULATIONS (MAY 18, 2017 EDITION), AS ADOPTED BY REFERENCE IN CHAPTER 16 ARTICLE 2 OF THE ROSE HILL MUNICIPAL CODE BY ORDINANCE NO. 661 PERTAINING TO ACCESSORY USE AND STRUCTURES; REPEALING SECTION 10.48(C) RELATING TO RV, BOAT AND UTILITY TRAILER PARKING/STORAGE AND REPLACING WITH NEW SECTION 10.48(C) RELATING TO TEMPORARY PORTABLE STORAGE UNITS.

WHEREAS, under the authority of K.S.A. 12-741, et seq., the City of Rose Hill desires to adopt amendments to the Rose Hill Zoning Regulations pertaining to the regulation of accessory use and structures; and

WHEREAS, the Rose Hill Planning Commission made a recommendation regarding the amendments on July 15, 2020, after notice and hearing as provided by law under the authority granted by K.S.A. 12-741, et seq.;

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ROSE HILL, KANSAS:

SECTION 1. Section 6.03(D)(2)(c) of the Rose Hill Municipal Code is hereby amended to read as follows:

6.03.D. Bulk Regulations

1. Maximum Structure Height: Thirty-five (35) feet, except as these regulations allow for taller structures by: (A) exemption; (B) conditional use adjustment; (C) specific use standard (Article 10).
2. Minimum Yard Requirements:
 - a. Front Yards: Thirty (30) feet, except that on corner lots one (1) front yard may be reduced to fifteen (15) feet, provided that the minimum driveway length is twenty (20) feet from a lot line.
 - b. Side Yards:
 - i. Residential Primary Uses: Six (6) feet
 - ii. Non-Residential Primary Uses: Ten (10) feet
 - c. Rear Yards: Twenty-five (25) feet, except twenty (20) feet abutting a platted common area.
 - i. Accessory structure: Five (5) feet or back of the easement, whichever is greater.
 - ii. Garage with entrance off Alley: Twenty (20) feet

SECTION 2. Section 10.45 of the Rose Hill Zoning Regulations is hereby amended to read as follows:

10.45. Storage Sheds

In addition to other applicable requirements, the following provisions shall apply.

- A. Shall meet applicable provisions of the building code. *Sheds less than 400 square feet do not need footings.*
- B. Shall be of compatible appearance to the principal structure.
- C. Shall not exceed:
 1. Two-hundred (200) square feet gross floor area for lots under one-half($\frac{1}{2}$) acre with single-family residential primary uses, which may be adjusted up to four-hundred (400) square feet by conditional use.
 2. Four-hundred (400) square feet gross floor area for lots one-half($\frac{1}{2}$) acre or more with single-family residential primary uses, which may be adjusted up to five-hundred (500) square feet by conditional use.
 3. Two separate structures having a combined gross floor area consistent with the above-listed maximums.
- D. May be allowed on lots with non-residential primary uses only by conditional use, except in the I-1 zoning district.
- E. Shipping containers, semi-trailers, rail cars, non-operational trucks, or any similar portable units/ vehicles, shall not be utilized as storage sheds or count as such for the purposes of these regulations; except as approved on a temporary basis while moving, remodeling, or similar event when items cannot occupy the principal structure.
- F. Shall not be utilized on a permanent or temporary basis as sleeping or living quarters.
- G. Shall not be allowed if the structure would cause the lot to exceed maximum coverage requirements.

SECTION 3. Section 10.48(C) of the Rose Hill Zoning Regulations is hereby repealed and replaced with the following:

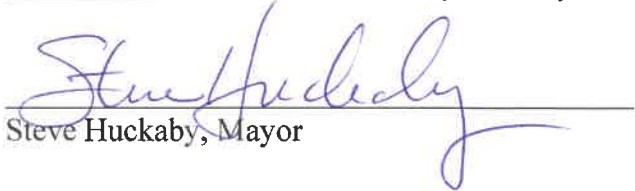
C. Temporary Portable Storage Units

Portable Storage Units may be placed in the front yard of any lot on which a single-family dwelling or duplex has been constructed. Any portable storage unit must be placed on a concrete, asphalt or rock surface in front of the dwelling, but no closer than 10 feet from the front lot line. No more than one portable storage unit shall be placed on any property. Placement of portable storage units shall require a zoning permit to be obtained from the City. Should any portable storage unit be placed on the property prior to obtaining the permit, a penalty shall be assessed in addition to the permit fee. Portable storage unit permits shall be valid for no longer than 60 days; provided, however, that the permit, period may be extended for up to an additional 14 days by the Zoning Administrator, for good cause shown. No property owner shall be allowed more than one portable storage unit permit during any 12-month period. For purposes of this section, portable storage unit means any container designed for the storage of personal property of a non-hazardous nature which is typically rented to owners or occupants of property for their temporary use and which is delivered and removed by truck.

SECTION 4. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

PASSED by the City Council this 3rd day of August, 2020 and **SIGNED** by the Mayor.




Steve Huckaby, Mayor

ATTEST:


Kelly Mendoza, City Clerk

Approved as to form:


Richard A. Samaniego, City Attorney