

ARTICLE 25

“I – P” INDUSTRIAL PARK DISTRICT

22-25.01 INTENT AND PURPOSE OF DISTRICT: It is the intent of the “I – P” Industrial Park District to allow certain industrial land uses in a park-like atmosphere and to control the type of use, setback, parking, loading, and unloading. It is also intended that this zone be compatible with adjoining dwelling and commercial land uses.

22-25.02 DISTRICT REGULATIONS: The regulations set forth in this Article, or set forth elsewhere in this Ordinance when referred to in this Article, are the regulations for “I – P” Industrial Park District. No building shall be used and no building or structure shall be erected, altered, or enlarged which is arranged, intended, or designed for other than one of the uses listed in §22-25.03 below.

22-25.03 USE REGULATIONS: The following uses may be permitted providing the entire operation is conducted within a building or an enclosed and landscaped yard. No portion of the property shall be used in such a manner so as to create a nuisance or safety hazard to adjacent sites, such as, but not limited to: vibration, sound, electromagnetic disturbance, radiation, air pollution, or dust emission of odorous, toxic, or noxious matter. All uses must comply with all City, State, and Federal regulations regarding protection of the environment and the surrounding properties. A commercial outlet for products manufactured on the property shall be allowed in the “I – P” District, provided that the commercial use is clearly subordinate to the principal use (manufacturing or wholesaling) and does not take up more than fifteen (15) percent of the gross floor area.

1. Uses primarily engaged in research activities, including but not limited to research laboratories and facilities, developmental laboratories and facilities, and compatible light manufacturing relating to the following examples: bio-chemical; chemical; development facilities for national welfare on land, sea or air; film and photography; medical and dental; metallurgy; pharmaceutical; x-ray.
2. Manufacture, research, assembly, testing, and repair of components, devices, equipment and systems, and parts and components, such as, but not limited to, the following examples: coils, tubes, and semi-conductors; communication, navigation control, transmission and reception equipment, and control equipment and systems; data processing equipment and systems; glass edging, beveling, and silvering; graphics and art equipment; metering instruments; optical devices, equipment, and systems; electronic equipment, audio units, telecommunications and television equipment; photographic equipment; radar, infra-red, and ultraviolet equipment and systems; scientific and mechanical instruments; testing equipment.
3. Other manufacturing to include, but not limited to, the following examples:
 - A. Manufacture, fabrication, and/or assembly of the following or similar products: aircraft and related components, automotive parts, boats, clocks and watches, coffins, ceramic products, concrete products, electrical appliances, farm equipment, heating and ventilating equipment, linoleum, machinery and machine tools, musical instruments, neon signs, novelties, optical goods, refrigeration, screw machine products, sheet metal products, shoes, silk screens, sporting goods, springs, stencils, toys.
 - B. The manufacture of products or products made from the following or similar materials: aluminum, bags, batteries, boxes, paper, brass, cans, copper, glass, grinding wheels, iron, linoleum, matches, mattresses, steel, tin, tools, wool, yarn.

- C. The manufacturing, compounding, processing, or treatment of the following or similar items: non-corrosive acids, candles, cigars and cigarettes, detergents, disinfectants, dye, food products, lubricating oil, pharmaceutical products, plastics, toiletries, vitamin products, waxes and polishes, wines.
 - D. Woodworking shops (provided that, if a planer, router, sticker, or molder is maintained, all doors and windows in the outside walls of the room in which said machinery is located shall be kept closed while said machine is in use), for manufacture of boxes, furniture, wood products, or similar items.
4. Distribution and warehousing plants.
 5. Administrative, professional, and business offices associated with and accessory to a permitted use.
 6. Regional or home offices of industries which are limited to a single use and accessory to any of the above industrial developments.
 7. Blue printing, Photostatting, photo engraving, printing, publishing, and bookbinding.
 8. Agriculture, as a continuation of the existing land use, and all necessary structures and appurtenances shall be permitted.
 9. General contractor and construction industries relating to the building industry, such as general contractors, electrical contractors, plumbing contractors, etc.

22-25.04 INTENSITY OF USE REGULATIONS:

1. A tract for an Industrial Park District shall not be less than ten (10) acres in area with no individual lot being less than one (1) acre in size.
2. Maximum building coverage of fifty (50) percent of a site is allowed. Parking structures shall not be calculated as building area; however, said structures shall be used only for the parking of company vehicles, employees' vehicles, or vehicles belonging to persons visiting the subject firm.

22-25.05 HEIGHT REGULATIONS:

1. When a building or structure is within one hundred fifty (150) feet of a residential district zone, said building or structure shall not exceed forty-five (45) feet in height.
2. When a building or structure is more than one hundred fifty (150) feet from a residential district zone, said building or structure shall not exceed seventy-five (75) feet in height.

22-25.06 YARD REGULATIONS:

1. Front Yard:
 - A. A front yard of fifty (50) feet shall be required for uses permitted in the "I – P" District, except that unsupported roofs or sun screens may project six (6) feet into the front yard area.
2. Side Yard Setback:

- A. A side yard of forty (40) feet shall be required for uses permitted in this district, except that if a single building is constructed on two or more lots, or if a site on which a single building was originally constructed is further subdivided into two or more lots in accordance with the provisions of SECTION 4, paragraph 2 of this Article, no side yard setback is required from interior lot lines; provided further, that, in any event, there shall be at least twenty (20) feet of open space between all buildings on the property which area shall be a side yard setback area. In the case of a corner lot, the street side setback shall be fifty (50) feet, except that unsupported roofs and sunscreens may project six (6) feet into the setback area. Interior lot lines for corner lots shall be considered side lot lines.

3. Rear Yard Setback:

- A. Rear yard setback shall be twenty (20) feet.

22-25.07 SPECIAL REQUIREMENTS:

- 1. The applicant shall prepare and submit a preliminary development plan for review and approval by the Planning Commission and the Governing Body which shall include:
 - A. A plot plan showing:
 - 1) Contours at intervals of one (1) foot.
 - 2) Setback lines or general building locations on the tract to conform with the yard requirements of this district.
 - 3) Points of ingress and egress.
 - 4) All streets adjoining subject property and the width of existing right-of-way.
 - 5) Designation of individual tracts or parcels if the area is to contain more than one building site.
 - 6) Landscaped buffer strips and screening walls.
 - B. Location map showing the development and zoning of the adjacent property, including the location and the type of buildings and structures thereon.
 - C. The full legal description of the boundaries of the properties to be included in the area to be zoned "I – P" District.
 - D. A map showing the general arrangement of streets within an area of two hundred (200) feet from the boundaries of the area to be zoned "I – P" District.
 - E. A map showing location of proposed sewers, water, and other utility lines.
- 2. Upon approval of the preliminary development plan by the Planning Commission, the applicant shall prepare and submit a final development plan, which shall incorporate any changes or alterations requested. The final development plan and the Planning Commission recommendation shall be forwarded to the Governing Body for review and final action.

3. Any substantial deviation, as determined by the Zoning Administrator, from the approved “I – P” plan shall constitute a violation of the building or zoning permit authorizing construction of the project. Changes in plans shall be resubmitted for reconsideration and approval by the Planning Commission and Governing Body prior to the issuance of a building or zoning permit.
4. Plans showing layout and design of all required off-street parking areas shall be submitted and approved by the Zoning Administrator, prior to issuing a zoning or building permit. Before approving the parking layout, the Zoning Administrator shall satisfy himself that the spaces provided are usable and meet standard design criteria. All required off-street parking areas, including access drives, shall be improved with asphalt, concrete, or similar dust-free surface, and all parking spaces shall be clearly marked.

22-25.08 SIGN REGULATIONS: See ARTICLE 26.

22-25.09 PARKING AND LOADING REGULATIONS: See ARTICLE 27.

22-25.10 LANDSCAPING REGULATIONS: See ARTICLE 30.

ARTICLE 26

SIGN REGULATIONS

22-26.01 PURPOSE: The purpose of this division is to promote the public health, safety and welfare through a comprehensive system of reasonable, effective, consistent, content-neutral, and non-discriminatory sign standards and requirements.

The City of Lindsborg has a national and international reputation in fine arts and as a unique Swedish community. Toward this end, the City Council finds that the City depends on tourism as an important part of the economy. Signage has a significant impact on the visual character and quality of the City.

The proliferation of signs in the City would result in visual blight and unattractiveness and would convey an image that is inconsistent with a high quality environment. Effective sign control has preserved and enhanced the visual character of other communities in Kansas and other states. The City of Lindsborg must compete with many other Kansas, national, and international tourist communities for tourism opportunities.

In order to preserve the City of Lindsborg as a desirable community to live, vacation and conduct business, a pleasing, visually attractive environment is of foremost importance.

These sign regulations are intended to:

1. Preserve and maintain the City of Lindsborg as a pleasing, visually attractive environment.
2. Promote and accomplish the goals, policies and objectives of the Lindsborg Comprehensive Plan.
3. Address community needs, preserve the unique natural environment, preserve and enhance the quality human existence, retain the City's premier status in an increasingly competitive tourist market, preserve the historically and architecturally unique character of the City, foster the "Swedish" quality of the City, and preserve and enhance scenic views.
4. Enable the identification of places of residence and business.
5. Allow for the communication of information necessary for the conduct of commerce.
6. Permit signs that are compatible with their surroundings and aid orientation and preclude placement in a manner that conceals or obstructs adjacent land uses or signs.
7. Preclude signs from conflicting with the principal permitted use of the site or adjoining sites.
8. Curtail the size and number of signs and sign messages to the minimum reasonable necessary to identify a residential or business location and the nature of any such business.
9. Establish sign size in relationship to the scale of the lot's street frontage and building's street frontage along which the sign is to be placed.
10. Protect the public from the dangers of unsafe signs, and require signs to be constructed, installed and maintained in a safe and satisfactory manner.
11. Lessen hazardous situations, confusion and visual clutter caused by proliferation, improper placement, illumination, animation and excessive height, area and bulk of signs which compete for the attention of pedestrian and vehicular traffic.

12. Regulate signs in a manner so as to not interfere with, obstruct vision of, or distract motorists, bicyclists or pedestrians.
13. Avoid the creation of a “tourist trap” atmosphere which can result when business enterprises compete for attention through the use of commercial advertising signs.
14. Impose reasonable time, place and manner restrictions upon commercial signs while, at the same time, not unnecessarily or impermissibly interfering with the free exercise rights granted under the First Amendment of the United States Constitution and related areas of the Kansas Constitution.

22-26.02 DESIGN REVIEW BOARD:

A Design Review Board is hereby created. Such Board shall consist of five members, all of whom shall be taxpayers and residents of the City. They shall be appointed by the Mayor, with the consent of the City Council. Two members shall be owners or operators of currently active business concerns located within the City. One member of said Board shall be appointed to serve for a period of one year, two for a period of two years, and two for a period of three years. Thereafter, appointments shall be made for three years. Vacancies shall be filled by appointment, by the same authority, for the unexpired term only. Members of the Board shall serve without compensation.

1. The Board shall annually elect one of its members as Chairman, and shall appoint a Secretary who may be an officer or an employee of the City.
2. Meetings of the Board shall be held at the call of the Chairman and at such other times as the Board may require.
3. The Board shall keep minutes of its proceedings, showing evidence presented, findings of fact by the Board, decisions of the Board and voting upon each question. Records of all official actions of the Board shall be filed in its office and shall be a public record.
4. A majority of members of the Board shall constitute a quorum and a majority of those present shall be necessary for the approval of an item of business.

22-26.03 APPLICABILITY AND SCOPE: This division shall apply to all signs of whatever nature and wherever located within the City of Lindsborg. No sign shall be allowed except as permitted by this division.

22-26.04 PERMIT REQUIRED - PROCEDURE:

1. Permit Required. It shall be unlawful to erect, place, construct, reconstruct, or relocate any sign without first obtaining a sign permit.
2. Application. An application for a sign permit shall include the following information:
 - A. That information required on the form provided by the Design Review Board Official.
 - B. A letter of consent from the owner of the building, if the applicant is not the owner or a tenant.
 - C. Proposed location of the sign on the building or parcel.
 - D. A blueprint or drawing of the plans, specifications, and method of construction of the sign and its supports, showing proposed dimensions, materials, and colors and the type, intensity, and design of the sign’s illumination, if any.

- E. The dimensions, measurements, and calculations of building frontages and line frontages on streets and alleys; the dimensions of any other sign located on the property; and any other information needed to calculate permitted sign area, height, type, placement or other requirements of these regulations.
- F. Temporary signs shall be subject to the restrictions set forth in § 22-26.10.
- G. Permit Duration. Signs for which permits have been issued shall be erected within ninety (90) days of the issuance of the permit. Failure to complete placement of the sign within such period shall require the sign owner to obtain a new permit before such sign can be erected.
- H. Inspections for Permits. All signs for which a permit is required shall be subject to inspection by and approval of the Building Official.
 - 1) Footing inspections may be required for all signs having footings.
 - 2) All signs containing electrical wiring shall be subject to the provisions of the City's electrical code, and the electrical components used shall bear the label of an approved testing agency.
- 3. Application Compliance: After receiving the completed application and determining the application's compliance and consistency with the purposes, requirements and standards of this division, the Design Review Board shall approve, approve with conditions, or deny the application.
- 4. Exempt Signs. The following signs or sign activities shall be exempt from obtaining a sign permit. Exemptions shall not be construed as relieving the applicant and owner of the sign from the responsibility of complying with all applicable provisions of this Ordinance.
 - A. *Preventive maintenance*. The ordinary preventive maintenance of a lawfully existing sign.
 - B. *Repainting*. The repainting of a lawfully existing sign exactly as it was prior to such activity.
 - C. *Temporary Signs, Banners, Pennants, Streamers, and Balloons and other Gas-filled Figures*. Temporary signs, banners, pennants, streamers, and balloons or other gas-filled figures advertising a special campaign, drive, activity or event of a civic, philanthropic, educational, or religious organization for non-commercial purposes, subject to the following:
 - 1) Location. Any such temporary sign which extends over or onto a public right-of-way shall be erected and maintained in such a manner as to not interfere with or obstruct access, activity, or vision along any such public right-of-way, and shall be subject to the written approval of the City Administrator.
 - 2) Timing. Such temporary signs may be erected and maintained for a period not to exceed fourteen (14) days prior to the date of which the campaign, drive, activity, or event advertised is scheduled to occur and shall be removed within three (3) days of the termination of such campaign, drive, activity, or event.
 - 3) Dimensions. Temporary signs shall not exceed fifty (50) square feet in area.

- D. *Construction Signs.* One (1) free standing on a street for a site under construction, not to exceed a total of one (1) sign per site, which does not exceed thirty-two (32) square feet in area, which is not illuminated, and which identify individuals or companies involved in designing, constructing, financing or developing a site under construction. Such signs may be erected and maintained only for a period not to exceed thirty (30) days prior to commencement of construction and shall be removed within fourteen (14) days of termination of construction.
- E. *Directional or instructional signs.* Signs, not exceeding six (6) inches by thirty (30) inches in area, which provide direction or instruction to guide persons to facilities intended to serve the public. Such signs include those identifying rest-rooms, public telephones, public walkways, public entrances, freight entrances, affiliation with motor clubs, acceptance of designated credit cards, and other similar signs providing direction or instruction to persons using a facility but not including those signs accessory to parking areas. Advertising material of any kind is strictly prohibited on directional and instructional signs.
- F. *Fine Art.* Works of fine art which in no way identify or advertise a person, product, service or business.
- G. *Flags.* Flags, emblems, banners and insignia of political or religious organizations providing such flags, emblems and insignia are displayed for non-commercial purposes.
- H. *Government signs.* Signs placed or erected by governmental agencies or non-profit civic associations for a public purpose in the public interest, for control of traffic and for other regulatory purposes street signs, warning signs, railroad crossing signs, signs of public service companies indicating danger, and aids to service and safety which are erected by, or for the order of government.
- I. *Historic designation.* Signs placed on an historic building identifying the structure as an historic landmark which sign shall be a wall sign not to exceed six (6) square feet in area.
- J. *Holiday decorations.* Non-commercial signs or other materials temporarily displayed on traditionally accepted civil, patriotic, and/or religious holidays, provided that such decorations are maintained in safe condition and do not constitute a fire hazard.
- K. *Incidental signs on vehicles.* Signs placed on or affixed to vehicles or trailers where the sign is incidental to the primary use of the vehicle or trailer. This is in no way intended to permit signs placed on or affixed to vehicles or trailers which are parked on a public right-of-way, public property, or private property so as to be visible from a public right-of-way where the apparent purpose is to advertise a product, service or activity, or direct people to a business or activity located on the same or nearby property.
- L. *Interior signs.* Signs which are fully located within the interior of any building, or within an enclosed lobby or court of any building, which are not visible from the public right-of-way, adjacent lots or areas outside the building, and signs not to exceed 30" x 42", located within the inner or outer lobby, court, or entrance of any theater which are intended solely for information relating to the interior operation of the building in which they are located.
- M. *Mail boxes,* including street address.

- N. *Memorial signs.* Memorial plaques or tablets, grave markers, statuary declaring names of buildings and date of erection when cut into any masonry surface or when constructed of bronze or other incombustible materials, or other remembrances of persons or events that are non-commercial in nature.
- O. *Menu signs.* One (1) sign per use, with an area not to exceed four (4) square feet, with a height not to exceed the eaves line or parapet wall of that portion of the principal building in which the use to which the sign applies is located, and which advertises and/or identifies a restaurant menu, drinks, or foods offered, or special activities incidental to drink and food service.
- P. *Public notices.* Official government notices and legal notices.
- Q. *Shielded light in architectural design.* Lights permanently affixed to a building and made an integral part of the building architecturally, designed for that building, directed only at and not away from the building, and shielded in such a manner that the light source is fixed and is not directly visible from any public right-of-way or any are outside the lot on which the building is located, provided such lights are not flashing lights.
- R. *Vending machine signs.* Permanent, non-flashing signs on vending machines, gasoline pumps, ice makers, or other similar machines indicating only the contents of such devices, the pricing of the contents contained within, directional or instructional information as to use, and other similar information.

22-26.05 PROHIBITED SIGNS: The following signs are expressly prohibited for erection, construction, repair, alteration, relocation or placement in the City of Lindsborg.

1. Billboards and other off-premise signs, except as a temporary sign as provided for in procedure for sign permit, § 4, Exempt Signs.
2. Flashing signs. Signs with lights or illuminations which flash, move, rotate, scintillate, blink, flicker, vary in intensity, vary in color, or use intermittent electrical pulsations.
3. Moving signs. Signs with visible moving, revolving, rotating parts, or visible mechanical movement of any description or other apparent visible movement achieved by electrical, electronic or mechanical means, including automatic electronically controlled copy changes pertaining to advertising.
4. Obsolete signs. A sign which identifies or advertises an activity, business, product, service or special event no longer produced, conducted, performed or sold on the premises upon which such sign is located. Such obsolete signs are hereby declared a nuisance and shall be taken down by the owner, agent or person having the beneficial use of such sign within ten (10) days after written notification from the City Administrator, and upon failure to comply with such notice within the time specified in such order, the City Administrator is hereby authorized to cause removal of such sign, and any expense incident thereto shall be paid by the owner of the property on which the sign was located. That an obsolete sign is non-conforming shall not modify any of the requirements of this paragraph. Signs of historical character shall not be subject to the provisions of this section. For the purpose of this section, historical signs are defined to be those signs erected prior to January 1, 1945.
5. Portable and wheeled signs.

6. Roof signs.
7. Search lights or beacons.
8. Signs causing direct glare. A sign or illumination that causes any direct glare into or upon any public right-of-way, adjacent lot, or building other than the building to which the sign may be accessory.
9. Signs containing untruthful or misleading information.
10. Signs creating optical illusion. Signs with optical illusion of movement by means of a design which presents a pattern capable of reversible perspective, giving the illusion of motion or changing of copy.
11. Signs obstructing egress. A sign which obstructs any window or door opening used as a means of egress, prevents free passage from one part of a roof to any other part, interferes with an opening required for legal ventilation, or is attached to or obstructs any standpipe, fire escape or fire hydrant.
12. Signs on parked vehicles. Signs placed on or affixed to vehicles and/or trailers which are parked on a public right-of-way, public property, or private property so as to be visible from a public right-of-way where the apparent purpose is to advertise a product, service or activity or direct people to a business or activity located on the same or nearby property. However, this is not in any way intended to prohibit signs placed on or affixed to vehicles and trailers, such as lettering on motor vehicles, where the sign is incidental to the primary use of the vehicle or trailer.
13. Strings of light and strip lighting. Strip lighting outlining commercial structures and used to attract attention for commercial purposes, except as may be otherwise allowed by the Governing Body.
14. Unsafe signs. Any sign which:
 - A. Is structurally unsafe.
 - B. Constitutes a hazard to safety or health by reason of inadequate maintenance of dilapidation.
 - C. Is not kept in good repair.
 - D. Is capable of causing electrical shocks to persons likely to come into contact with it.
 - E. In any other way obstructs the view of, may be confused with, or purports to be an official traffic sign, signal or device or any other official government regulatory or informational sign.
 - F. Uses any words, phrases, symbols or characters implying the existence of danger or the need for stopping or maneuvering of a motor vehicle, or creates, in any other way, an unsafe distraction for vehicle operators or pedestrians.
 - G. Obstructs the view of vehicle operators or pedestrians entering a public roadway from any parking area, service drive, public driveway, alley or other thoroughfare.
 - H. Is located on trees, rocks, light poles, or utility poles, except where required by law.

- I. Is located so as to conflict with the clear and open view of devices placed by a public agency for controlling traffic or which obstructs a motorist's clear view of an intersecting road, alley or major driveway.

22-26.06 SIGN MEASUREMENT:

1. The gross surface area, in square feet, on one side of any business sign on a lot shall not exceed three times the lineal feet of frontage of the building; each side of a lot which abuts upon a street shall be considered as a separate frontage, and the gross surface area of all signs located on each side of a structure shall not exceed three times the lineal feet in the separate frontage. The total surface area shall not exceed four hundred square feet for each face of the sign.
2. Individual letters, with no background, shall be measured by the minimum rectangular area necessary to encompass such letter or by a combination of rectangles as are necessary to encompass letters of irregular dimensions.

22-26.07 SIGN ILLUMINATION:

1. Prohibited illumination. No sign shall be illuminated through the use of internal illumination, rear illumination, or fluorescent illumination, except as follows:
 - A. When used for indirect illumination.
 - B. Within the "C - 3" Business District, limited to a maximum of 1 pole sign and 1 building sign.
 - C. Within the "C - 2" Retail District, limited to interior signs, and no more than 15% of the window surface may be covered.
2. Shielding illumination. Illumination of signs shall be designed, located, shielded and directed in such a manner that the light source is fixed and is not directly visible from, and does not cast glare or direct light from artificial illumination upon, any adjacent public right-of-way, surrounding property, residential property or motorist's vision.

22-26.08 GRAPHIC DESIGNS:

1. In reviewing the application the Design Review Board shall approve the proposed graphic design if it:
 - A. Harmonizes with the structure or structures on the parcel on which it is to be painted.
 - B. Is compatible with the other signs or graphic designs on the premises.
 - C. Is suitable and appropriate to the neighborhood.
 - D. Contributes to any special characteristics of the particular area of the City in which it is to be located.
 - E. Is well designed and pleasing in appearance.
 - F. Is desirable as an urban design characteristic.
 - G. Does not constitute a nuisance to the occupants of adjacent or contiguous property.

- H. Is not detrimental to property values.
 - I. Does not constitute a traffic and safety hazard because it is distracting, or is not considered obscene, lewd, indecent or otherwise offensive to public morals.
2. The Design Review Board may attach to its approval of the application, any conditions which in its judgment are necessary to carry out the purposes and intent of the review standards. The Design Review Board may also require annual maintenance inspections of the design by the Building Inspector, and revoke any permit issued if a graphic design is not maintained.

22-26.09 STRUCTURAL CHARACTERISTICS: The following limitations shall apply to all free-standing, projecting, wall signs, and window signs.

- 1. Free Standing Signs.
 - A. Free-standing pole signs shall not be higher than sixteen (16) feet in the “C – 1” Neighborhood Shopping Area and “C – 2” Business District and not higher than twenty-five (25) feet in the “C – S” Highway Service District and the “C – 3” General Business District. Free-standing signs shall be a minimum of seven (7) feet above ground when located adjacent to a pedestrian way. Any free-standing sign, other than those placed in a sidewalk, shall be landscaped at the base, a minimum of four (4) feet around the pole base. Each free-standing pole sign that is located in a sidewalk shall be placed a minimum of three (3) feet from the curb and must be attached permanently to the sidewalk. Free-standing sign supports shall not be more than eight (8) inches in width.
 - B. Free-standing sidewalk signs shall not exceed forty-eight (48) inches in width and height must be permanently affixed to the sidewalk, a minimum of three (3) feet from the curb.
- 2. Projecting Signs.
 - A. Projecting signs shall not be higher than the eve line or parapet wall of the top of the principal building, shall be a minimum of eight (8) feet above grade when located adjacent to or projecting over a pedestrian way and shall not extend more than four (4) feet from the building wall to which they are attached, except where such sign is an integral part of an approved canopy or awning.
- 3. Wall Signs.
 - A. Wall signs shall not be higher than the eve line or parapet wall of the top of the principal building, and no sign part, including cut-out letters, shall project more than six (6) inches from the building wall.
- 4. Window Signs.
 - A. Window signs are painted on, applied or attached to a window and exclude merchandise included in a window display. Window signs shall not exceed 15% of the total window surface area.

22-26.10 SIGNS ON PUBLIC RIGHT-OF-WAY: It shall be unlawful to erect or maintain any sign in, on, over or above any land or right-of-way or on any property, including utility poles, belonging to the City of Lindsborg without the permission of the City Council.

1. This section shall not be deemed to apply to signs posted by any duly constituted public authorities in the performance of their duties, or to specific circumstances otherwise provided for in this division.
2. Off-premise Directional Signs. Such non-advertising directional signs shall be used to indicate retail businesses or attractions which are not located on the main thoroughfares of Harrison/Cole, Lincoln, or Main Streets. Such signs are not allowed for home occupations. Written permission must be obtained from the property owner. Only businesses and attractions located within the city limits are allowed to have off premises signs.
 - A. Size: A standard sign is provided by the city for this use. No other design will be allowed.
 - B. Number: Each business or attraction will be allowed to use one directional sign only and businesses located in close proximity shall use the same sign.
 - C. Location: Such sign shall be placed in the right-of-way, along the main thoroughfares, as decided by the City.
 - D. The sign shall be non-illuminated.
 - E. The business or attraction will be required to enter into a lease agreement with the City of Lindsborg that will cover the cost to make and maintain the sign.
3. Temporary Signs: Temporary signs shall only be used for commercial uses and in commercial zone districts. The following temporary signs are permitted, in addition to the signs permitted under the code, and then only if accessory and incidental to a permitted or conditional use. No other temporary signs shall be allowed.
 - A. Temporary sale signs: Temporary sale signs, announcing special sales of products and services, shall be subject to the following:
 - 1) Type
 - a. Window. The temporary sale sign (s) shall be placed in the window or windows of the business holding the sale.
 - b. Banners, pennants, streamers, or balloons. Banners, pennants, streamers and balloons advertising a special sale shall be subject to the following:
 - I. Location: Any such temporary sign which extends over or into a public right-of-way shall be erected and maintained in such a manner as to not interfere with or obstruct access, activity, or vision along any such public right-of-way, and shall be subject to the approval of the City Administrator.
 - 2) Number
 - a. Window: The number of window signs shall not be limited, but must not cover more than 75% of any one window. An open space must be maintained around all temporary window signs.
 - b. Banners: The number of banners shall be limited to one per side of the structure, with a maximum of two banners total.

- B. Timing: Such temporary signs may be erected and maintained for the life of the sale not to exceed 30 days. Banners shall be allowed for up to six such periods in one year.
- C. Dimensions: Banners shall not exceed fifty (50) square feet in area.
- D. Maintenance: Such temporary sign, banner, pennant, streamers, or balloons shall be securely anchored to the commercial property at all times. Should such temporary sign, banner, pennant, streamer or balloons become damaged, it shall be repaired or removed immediately.

22-26.11 HOME OCCUPATION SIGNS: Signs under this section are used in residential zone districts for the purpose of identifying a home occupation. Any such sign shall be subject to the following:

- 1. Shall be attached to the building, not to project from the building, and not exceed the outer roof line.
- 2. Printed on one side only.
- 3. Shall be non-illuminated.
- 4. Maximum dimensions shall not exceed 288 square inches or 3 feet in any direction.
- 5. Yard signs are prohibited.
- 6. The number of signs shall be limited to one.

22-26.12 OTHER TEMPORARY SIGNS:

- 1. Residential uses and residential zone districts. For all residential uses and residential zone districts, only the following temporary signs are permitted, in addition to the signs permitted under the code, and then only if accessory and incidental to a permitted or conditional use.
 - A. Real estate for sale or rent sign: Temporary real estate signs advertising the sale or rental of the property shall be located on private property, subject to the following:
 - 1) Type: The temporary real estate for sale or rent sign shall be a free-standing or wall sign.
 - 2) Number: There shall be no more than one (1) temporary real estate sign for sale or rent per lot.
 - 3) Area: The area of the temporary sign shall not exceed three (3) square feet.
 - 4) Height: The height of the temporary sign shall not exceed five (5) feet as measured from the grade at the base of the sign.
 - 5) Special conditions: The temporary sign shall be removed within seven (7) days of the sale or rental of the real estate upon which the sign is located.
 - B. Temporary political signs: Temporary political signs announcing political candidates seeking public office, political parties, or political and public issues shall be subject to the following:
 - 1) Type: The temporary political sign shall be a wall sign, free-standing or banner.

- 2) Number:
 - a. Private property: There shall not be more than one (1) temporary political sign for each use.
 - b. Public right-of-way: There shall be no temporary political signs permitted on or located in the public right-of-way or on public property.
 - C. Area: The area of temporary political signs shall not exceed six (6) square feet.
 - D. Height: Temporary political signs shall not project higher than the eave line or parapet wall of that portion of the principal building in which the applicant who applied for the sign is located, if it is a wall sign.
 - E. Duration: Temporary political signs may be erected or maintained for a period not to exceed thirty (30) days prior to the date of the election to which such signs are applicable, and shall be removed within seven (7) days following such election. Temporary political signs concerning issues of candidates which are not on a ballot may be maintained for a period not to exceed thirty (30) days.
2. Commercial uses and commercial zone districts: Temporary signs shall only be used for commercial uses and in commercial zone districts. The following temporary signs are permitted, in addition to the signs permitted under the code, and then only if accessory and incidental to a permitted or conditional use. No other temporary signs shall be allowed.
 - A. Temporary sale signs: Temporary sale signs, announcing special sales or products and services, shall be subject to the following:
 - 1) Type:
 - a. Window: The temporary sale sign (s) shall be placed in the window or windows of the business holding the sale.
 - b. Banners, pennants, streamers, or balloons: Banners, pennants, streamers and balloons advertising a special sale shall be subject to the following:
 - I. Location: Any such temporary sign which extends over or into a public right-of-way shall be erected and maintained in such a manner as to not interfere with or obstruct access, activity, or vision along any such public right-of-way, and shall be subject to the approval of the City Administrator.
 - 2) Number:
 - a. Window: The number of window signs shall not be limited, but must not cover more than 75% of any one window. An open space must be maintained around all temporary window signs.
 - b. Banners: The number of banners shall be limited to one per side of the structure, with a maximum of two banners total.
 - 3) Timing: Such temporary signs may be erected and maintained for the life of the sale, not to exceed 30 days. Banners shall be allowed for up to six (6) such sale periods in one year.

- 4) Dimensions: Banners shall not exceed fifty (50) square feet in area.
- 5) Maintenance: Such temporary sign, banner, pennant, streamer, or balloons shall be securely anchored to the commercial property at all times. Should such temporary sign, banner, pennant, streamer or balloons become damaged, it shall be repaired or removed immediately.

22-26.13 NON-CONFORMING SIGNS: In the event a business with a grandfathered non-conforming sign changes ownership, the non-conforming sign shall continue to be grandfathered. Said signs may be amended to reflect new ownership, but may not be enlarged or the lighting intensity increased.

ARTICLE 27

PARKING AND LOADING REGULATIONS

22-27.01 Except as otherwise provided in this ordinance, when any building or structure is hereafter erected or structurally altered to the extent of increasing the floor area by fifty percent or more, accessory off-street parking spaces shall be provided as required in this Article.

1. Use, Off-street Parking Spaces Required:
 - A. Single-family dwellings - One space for each dwelling unit.
 - B. Two-family dwellings - One space for each dwelling unit in a two-family dwelling.
 - C. Multiple-family dwellings - One space for each dwelling unit.
 - D. Home occupation - Two spaces in addition to those required for dwelling purposes.
 - E. Churches, auditoriums and other places of public assembly - One space for each five seats or bench spaces in the main auditorium or assembly hall.
 - F. Manufactured home - One space for each manufactured home in an approved manufactured home park which conforms to the provisions of ordinance.
 - G. Schools: Elementary schools, Junior High schools, High schools respectively: two spaces for each class room, four spaces for each class room, eight spaces for each class room. College auditoriums, Stadiums or gymnasiums - one space for each five seats or bench spaces.
 - H. Dormitory - One space for each three sleeping accommodations provided.
 - I. Private clubs, fraternities, sororities and lodges with sleeping accommodations - One space for each three active members.
 - J. Hospitals and nursing or convalescent home - One space for each five beds.
 - K. Automobile sales and service garages - One space for each four hundred square feet of floor area.
 - L. Banks, post offices, business and professional offices - One space for each two hundred square feet of floor area.
 - M. Bowling alleys - five spaces for each alley.
 - N. Dance halls and assembly halls without fixed seats, exhibition hall, except church assembly room in conjunction with auditorium - One space for each one hundred square feet used for assembly or dancing.
 - O. Funeral homes, mortuaries - One space for each fifty square feet of floor area.
 - P. Furniture and appliance stores, household equipment or furniture repair shops - One space for each two hundred square feet of floor area.
 - Q. Medical, dental and health clinics - One space for each fifty square feet.

- R. Hotels and Motels - One space for each living or sleeping unit.
- S. Personal service establishments, including barbershops, beauty shops, shoeshine and shoe repair shops, cleaning laundry establishments.
- T. Restaurants - One space for each two and one-half seats.
- U. Retail stores and shops - One space for each two hundred square feet of floor area.
- V. Tavern - One space for each two and one-half seats.
- W. Wholesale establishments - One space for each two employees on maximum shift.
- X. Industrial establishments - As required in **ARTICLES 23 AND 24**.

22-27.02 MULTIPLE USES: In the case of multiple uses associated with a site, the Building Official may calculate the parking requirement as the accumulative requirement of the separate uses unless it is determined that the uses generate overlapping parking demand.

22-27.03 LOADING AND UNLOADING REGULATIONS: Loading and unloading space shall be provided off-street and on the same premises with every building, structure or part thereof, hereafter erected, established or enlarged and occupied for goods display, retail operation, department store, market, hotel, mortuary, laundry, dry cleaning, or other uses, involving the receipt or distribution of materials or merchandise by motor vehicle. The loading and unloading space or spaces shall be so located as to avoid undue interference with public use of streets, alleys, and walkways. Such space shall be scaled to delivery vehicles expected to be used and shall be accessible to such vehicles when required off-street parking spaces are filled. Number of spaces shall be provided as follows:

<u>Number of Spaces</u>	<u>Gross Floor Area in Square Feet</u>
1	3,000 to 20,000
2	20,000 to 40,000
3	40,000 to 60,000
4	60,000 to 80,000
5	80,000 to 100,000
6	100,000 to 150,000

One additional space shall be provided for each fifty thousand square feet above one hundred fifty thousand square feet.

22-27.04 LAYOUT AND DESIGN REQUIREMENTS:

1. Area: A required off-street parking or loading space shall be at least nine (9) feet in width and at least twenty (20) feet in length, exclusive of access drives or aisles, ramps, and columns.
2. Access: Each required off-street parking or loading space shall open directly upon an aisle or driveway of such width and design as to provide safe and efficient means of vehicular access to such parking space.
3. Design: Off-street parking and loading spaces shall comply with generally accepted design standards relating to curb length, stall depth, driveway width, island width, barriers, and ingress and egress.
4. Lighting: Any lighting used to illuminate off-street parking and loading areas shall be directed away from residential properties in such a way as not to interfere with the residential use.

22-27.05 CONSTRUCTION REQUIREMENTS:

1. Parking lots for other than single-family dwellings that are two thousand (2,000) square feet in area or smaller may be constructed of gravel to a depth of four (4) inches as a minimum standard.
2. Parking lots for other than single-family dwellings that are larger than two thousand (2,000) square feet in area shall be all-weather, dust-free and constructed of the following materials or combinations thereof:
 - A. Concrete
 - B. Asphalt
 - C. Prime and seal

22-27.06 PLANS AND APPROVAL REQUIRED: In Districts “S-1”, “C-S”, “C-3”, “I-1” and “I-2” plans showing layout and design of all required off-street parking areas shall be submitted to and approved by the Building Official prior to issuing a building permit.

22-27.07 MAINTENANCE: All parking lot surfaces shall be maintained with a smooth, dust-free surface.

22-27.08 PERFORMANCE: In lieu of construction of the required parking and/or loading spaces, the Governing Body of the City may accept a corporate surety bond, cashier’s check, escrow account, or other security of a type and in an amount approved by the Governing Body. Such security shall be conditioned upon the actual completion of such work or improvement within the specified time, and shall be enforceable by the Governing Body by all equitable means.

22-27.09 APPLICATION: This Article shall not apply to uses existing as of the date of adoption of this Ordinance.

ARTICLE 28

TRAFFIC REGULATIONS

22-28.01 MINIMUM REQUIREMENTS FOR BUSINESS PROPERTIES: All business properties hereinafter improved shall include provision for vehicular access in accordance with the following:

1. Plans for the erection or structural alteration of any business use dependent on vehicles entering onto the business site or parking lot shall be approved by the Building Official, who may require such changes therein in relation to yards, location of curb cuts, width of drives, location of signs and accessory uses, and buildings and construction of buildings as it may deem best suited to insure safety, to minimize traffic difficulties, and to safeguard adjacent properties.

22-28.02 CURB CUTS: Curb cuts for access to any parking and loading and unloading areas in any zoning district shall be first approved by the City. In making application for such curb cuts, the applicant shall present his proposal in writing and shall provide the City with sufficient plans showing locations, width and type surface proposed across the public right-of-way.

ARTICLE 29

BUILDINGS AND USES AFFECTED

22-29.01 MINIMUM BUILDING REQUIREMENTS: No building or structure shall be erected, enlarged, reconstructed, or moved into the planning area with less than the following:

1. Dwelling Units:

- A. All dwelling units shall provide a minimum floor area, exclusive of porches, breezeways, and garages, as follows:

TYPE OF DWELLING UNIT	MINIMUM AREA
Single-Family	600 Square feet
Two-Family	600 Square feet per unit
Multiple-Family	480 Square feet per unit

- B. Every dwelling unit shall be provided with at least one (1) water closet, which water closet shall be located within the dwelling and in a room which affords privacy.
- C. Every dwelling unit shall contain a kitchen sink which is connected to running water and an approved sewer system.
- D. Every dwelling unit shall be enclosed with an exterior wall surface, other than tar paper or corrugated metal.
- E. No basement or cellar shall be occupied for residential purposes until the main portion, aboveground, is completed.

2. Motels:

- A. The number of motel units permitted on a tract of land shall not exceed the number obtained by dividing the total square feet of area of the site by one thousand five hundred (1,500).
- B. Motels shall be served with an approved public water supply and approved public sanitary sewer system.
- C. Each motel unit shall contain not less than two hundred (200) square feet of floor area.

3. Tents:

- A. No tent, except play tents for children, shall be used for any purpose except those authorized by the Governing Body.

22-29.02 BUILDINGS AND STRUCTURES MOVED IN: Buildings and structures may be moved into various districts providing:

- 1. The proposed use conforms with the district zoning regulations of the district into which it is to be moved.
- 2. The building or structure meets building, fire, safety, and health regulations.

3. The Board of Zoning Appeals finds that the building or structure will not devalue properties in the area where the structure is proposed to be moved.

22-29.03 ELEVATION: Unless otherwise directed by the City Building Official, the first floor elevation of a building or group of buildings shall be at least eighteen (18) inches above the grade of the center of the street or roadway.

ARTICLE 30

ADDITIONAL HEIGHT AREA AND USE REGULATIONS

22 30.01 QUALIFICATIONS AND SUPPLEMENTATIONS TO DISTRICT REGULATIONS: The regulations hereinafter set forth in this section qualify or supplement, as the case may be, the district regulations appearing elsewhere in this Ordinance.

1. In districts where public buildings, semi-public buildings, public service buildings, hospitals, institutional buildings, schools, and churches and similar places of worship are permitted, two feet of additional height will be permitted for each one foot of additional building set back provided.
2. Chimneys, cooling towers, elevator headhouses, fire towers, grain elevators, monuments, stacks, stage towers or scenery lofts, tanks, water towers, ornamental towers, and spires, church steeples, radio and television towers or necessary mechanical appurtenances may be erected to a height not to exceed one hundred fifty feet.
3. Accessory buildings may be built in a rear yard but such accessory buildings shall not be nearer than the main building to any side lot line, except that when a garage is entered from an alley it shall not be located closer than ten feet from the alley line.
4. No accessory building shall be constructed upon a lot until the construction of the main building has been actually commenced, and no accessory building shall be used for dwelling purposes.
5. The set back line shall be determined by measuring the horizontal distance from the property line to the nearest architectural projection of the building. (Porches and stoops included)
6. Open or lattice-enclosed fire escapes, fireproof outside stairways and balconies opening upon fire towers, and the ordinary projections of chimneys and flues into the rear yard may be permitted by the Building Official for a distance of not more than three and one-half feet and where the same are so placed as not to obstruct light and ventilation.
7. For the purpose of the side yard regulations, a two-family dwelling, or a multiple dwelling shall be considered as one building occupying one lot.
8. Temporary buildings and temporary construction signs that are used in conjunction with construction work may be permitted in any district during the period that the building is being constructed, but such temporary buildings and or signs shall be removed upon completion of the construction work.
9. In addition to construction related buildings and signs, the following temporary uses are also permitted:
 - A. Christmas Tree Sales: Christmas tree sales in any business or industrial district for a period not to exceed 60 days. Display of Christmas trees need not comply with the yard and setback requirements of these regulations provided that no trees shall be displayed which would obstruct intersection sight distance requirements.
 - B. Carnivals and Circuses: A carnival or circus, but only in a "C-S", "C-1", "C-3", "I-1" or "I-2" District, and then only for a period that does not exceed one (1) week. Such use need not comply with the front yard requirements, provided that structures or equipment which might block the view of operators of motor vehicles on the public streets shall conform to the requirements for the street intersection sight distance as defined by these regulations.

- C. Seasonal farm markets: A seasonal or farmers produce market may be permitted in any of the commercial or industrial zones provided such market conforms to all setback, sight distances and other applicable zoning and traffic regulations. Such markets shall be further subject to any administrative regulations of the City.
 - D. Sales booths for festival events: Specific festival event sales booth may be permitted in any zone subject to the detailed regulations of the City.
 - E. Permit required: All temporary uses allowed in A. through D. above are required to have a written permit from the City and shall be subject to the specified terms and conditions of the permit approval.
 - 1) Persons seeking approval for a temporary use shall make application to the Zoning Administrator at least ten (10) days in advance of the time desired for usage. Such application shall include a site plan showing existing and proposed usage. The Zoning Administrator may issue a Certificate of Temporary use upon finding:
 - a) The temporary use will not impair the normal, safe and effective operation of any permanent use on the same or adjoining site.
 - b) The temporary use will not affect the public health, safety, or convenience and will not create traffic hazards or congestion or otherwise interrupt or interfere with the normal conduct of use and activities in the vicinity.
 - c) That adequate off-street parking is available for the temporary use and any permanent use on the site.
 - 2) The following conditions for a temporary use shall apply:
 - a) Each site used by an authorized temporary use shall be left free of debris, litter and all evidence of such use.
 - b) Such use when conducted upon a parking lot of another business shall not occupy more than twenty percent (20%) of the required parking spaces of such uses.
 - c) Any sign used in conjunction with the temporary use shall comply with all requirements of the sign regulations for temporary signs, including the obtaining of a sign permit.
10. In any district, more than one structure housing a permitted or permissible principal use may be erected on a single lot, provided that yard and other requirements of this Ordinance shall be met for each structure as though it were on an individual lot.
11. No side yards are required where dwelling units are erected above commercial structures, and front, side, and rear yard requirements shall not apply to the interior walls of dwelling units established under the Kansas Apartment Ownership Act or under the Kansas Townhouse Ownership Act.
12. Radio and television towers shall be permitted in Districts "I", "C-1", "C-3", "I-1", and "I-2" providing the height of said radio or television tower does not conflict with any other City ordinance.

13. No yard or lot existing at the time of passage of this ordinance shall be reduced in dimension or area below the minimum requirements set forth herein. Yard or lots created after the effective date of this Ordinance shall meet at least the minimum requirements established by this Ordinance.
14. No building or structure fabricated elsewhere than on a lot in the City of Lindsborg, Kansas, shall be moved into any zoning district unless its intended use is to be in conformity with a use allowed in that district. Any building or structure shall first conform to the building, plumbing, electrical, health, and other codes and ordinances of the City before being permitted within any zoning district.
15. At the intersection of streets, nothing shall be erected, placed, planted, or allowed to grow in such a manner as to materially impede vision between a height of two and one-half (2.5) feet and ten (10) feet above the grades of the bottom of the curb of the intersecting streets, measured from the point of intersection of the centerline of the streets, ninety (90) feet in each direction along the centerline of the streets. At the intersection of major or arterial streets, the ninety (90) foot distance shall be increased to one hundred twenty (120) feet.

22-30.02 FENCES: Except as otherwise specifically provided elsewhere in these regulations or other codes and regulations, the following restrictions shall apply to the construction of all fences.

1. Location and Heights of Fences:

- A. Front Yard: Fences may be erected adjacent to or within a required front yard providing such fence shall be no more than forty-eight (48) inches in height following the natural contour of the ground, except no fence over twenty-four (24) inches in height shall be erected within a sight triangle.
- B. Side Yard or Rear Yard: Fences may be erected adjacent to or within a side or rear yard provided such fence shall be no more than six feet six inches (6'6") in height following the natural grade of the ground.
- C. Buildable Areas: Fences located in any area of the lot on which a main building may be built may be built to a height of six (6) feet.
- D. Exception to Heights: The Building Official may authorize a higher fence at Public or Private Schools, Parks, Playgrounds, or Commercial or Industrial Areas where needed for security and when such fence will promote the safety, health or general welfare of the public.

2. Prohibited Fences:

- A. No barbed wire or other sharp fence and no electrically charged fence of any type shall be erected or maintained. Any barbed fence existing at the time of adoption of these regulations shall be removed within thirty (30) days of the effective date thereof. Any electrically charged fence existing at the time of adoption of these regulations shall be removed immediately. PROVIDED, the Building Official may, when he deems necessary for security around commercial, industrial or public properties, authorize the placing of barbed wire on top of a fence no less than six (6) feet in height. The Building Official shall determine the direction that such barbed wire must be installed.
- B. Retaining Walls: Retaining walls may be erected at locations and heights of fences, providing the maximum height of such retaining wall shall be measured from the low side of the wall.

- C. Adverse Affect: No person shall erect or maintain any fence which will materially damage the adjacent property by obstructing the view, shutting out the sunlight or hindering ventilation or which fence shall adversely affect the public health, safety and welfare.

- D. Removal: Any fence or wall maintained in violation of these regulations is hereby declared a nuisance and shall be removed within five (5) days after receipt of notice of the Building Official.
- E. Permit Required: No person shall erect any fence without first having obtained a written permit to do so from the Building Official.
- F. All fences shall conform to the construction standards of the building code of the City of Lindsborg.

22-30.03 BUILDING SETBACK LINES: Building setback lines are hereby established for all arterial and collector streets, as shown on the approved major street plan. The setback lines as established in this section shall be held to the minimum for the purpose of promoting the public health, safety, morals, order, convenience and economy the process of development in the City and shall conform to the following requirements.

- 1. Arterial Streets: No building or structure which fronts or sides on an arterial street shall be located nearer to the centerline of the arterial street than the sum of the required front or side yard (in feet) plus forty (40) feet.
- 2. Collector Streets: No building or structure which fronts or sides on a collector street shall be located nearer to the centerline of the collector street than the sum of the required front or side yard (in feet) plus thirty-five feet.

22-30.04 LOTS OF RECORD: A lot or group of lots which were platted and recorded in the office of the Register of Deeds prior to the effective date of this Ordinance may be used for any purpose permitted in the district in which it is located; provided, however, that no residential building permit shall be issued for construction of a residential structure on a lot or group of lots that do not provide for the minimum area requirements unless specifically authorized by the Board of Zoning Appeals.

22-30.05 CANOPY AND MARQUEE: A canopy or marquee may be permitted to “overhang a publicway” in District “C-2” providing:

- 1. The canopy or marquee is constructed and maintained in accordance with the City Building Code and other codes and ordinances.
- 2. No portion of the canopy or marquee shall be less than eight (8) feet above the level of the sidewalk or other public way.
- 3. The canopy or marquee shall not extend beyond a point two feet inside the curb line of a public street.

22-30.06 CONVERSION OF TWO-FAMILY OR MULTIPLE-FAMILY STRUCTURES: Conversion of a two-family or multiple-family structure to individually owned single-family dwelling units may be permitted subject to the requirements of the Subdivision Regulations, and to the following:

- 1. An application for such unit conversion shall be filed for review and comment by City staff and the Planning Commission and approval by the Governing Body. Such application shall be accompanied by the following information as a minimum:
 - A. A plot plan showing site and structure arrangements and proposed re-platting.
 - B. A full legal description of the subject property, including legal descriptions of proposed individual properties after re-platting.

- C. A description of proposed structural and utility alterations to provide for individual services and maintenance.
- D. A description of proposed public access patterns, both vehicular and pedestrian.
- E. A copy of protective covenants which shall be written to run with the land in which shall be specified methods for providing for maintenance of shared property and/or easements, responsibilities for shared expenses, and continued use of the property for specified purposes. Such covenants shall be written to provide for the long-term maintenance and use of the premises for residential purposes only, within the overall context of neighborhood development.
- F. Any other supplementary information as may be required to assess short- and long-term neighborhood impacts associated with the proposed conversion.
- G. The applicant for unit conversion shall submit with his application a consent agreement signed by seventy-five (75) percent of all owners of property within two hundred (200) feet of the premises whereon the unit conversion is proposed.
- H. Where a two-family or multiple-family structure is converted to individually owned, single-family dwelling units, a separation of utility service lines is required from each individually owned, single-family dwelling unit to a public utility line or to a utility line, private well, septic system, or lagoon which is located in an area of a lot or building that is owned by or accessible to a party legally responsible for maintenance of utility lines or systems on behalf of the owners of each converted single-family dwelling unit.
- I. The Planning Commission and Governing Body shall not approve an application for conversion from a two-family or multiple-family structure to individually-owned, single-family dwelling units where it is determined that an existing or proposed utility service line, private well, septic system, or lagoon exists or is proposed to exist in an area where the maintenance of said utility line would require entry into an individually-owned dwelling unit.
- J. All conversions of two-family or multiple-family structures to individually-owned, single-family dwelling units are subject to all applicable City codes, including building permit application and inspection procedures.
- K. The above procedures and regulations are applicable even where the conversion does not require new construction.
- L. After reviewing a conversion application against all applicable City codes, the Building Official/Code Enforcement Officer shall report to the Planning Commission and Governing Body all details of non-compliance with City codes.

22-30.07 ZERO LOT LINE:

- 1. Zero lot line concept is where a one (1) or two (2) family dwelling has one (1) exterior wall on or within one (1) foot of a side property line and the remaining side yard is double the normal side yard required by district regulations. Zero Lot Line Developments may be built under the following conditions:
 - A. When submitted as part of a new subdivision plat or an amendment to an existing subdivision and each lot to be developed using the zero lot line concept is so designated showing which lot line is the zero lot line.

- B. On an existing lot in a partially developed subdivision when submitted to and approved by the Lindsborg Board of Zoning Appeals as a variance under **ARTICLE 33** of the Zoning Regulations.
2. On any lot approved for the zero lot line concept by platting, re-platting or approval of the Appeals Board, the following stipulations shall apply:
 - A. A maintenance easement of at least four (4) feet in width shall be provided and recorded on the property adjoining the designated zero lot line.
 - B. There shall be no door or window openings on the side of the house which is built on the zero lot line.
 - C. No portion of a roof, gutter or other part of the structure shall project past the zero lot line and all roof drainage will be installed so as to keep all run-off water off of the adjoining property.

22-30.08 WIND ENERGY CONVERSION SYSTEMS (WECS): Wind energy conversion systems (WECS) may be permitted subject to the following requirements.

1. The minimum distance from any lot line to any tower, pole or other support structure of the wind energy conversion system shall be established by the following minimum standards:

Rotor Diameter (feet)	Setback Distance (feet)
5	100
10	165
15	220
20	270
25	310
30	340
35	365
40	385

Intermediate rotor size distances shall be interpolated from the above values.

2. The WECS shall not be located in any required yard.
3. The WECS shall not cause interference to microwave communications or radio and television reception in the area. Noise levels measured at the lot line shall not exceed sixty (60) dBA in a residential zone.
4. To limit climbing access to WECS tower, or other support structure, a six (6) foot high fence with locking portal shall be placed around the WECS support or if a tower is utilized, the tower climbing apparatus shall be limited to no lower than twelve (12) feet from the ground or the WECS support may be mounted on a rooftop.
5. All blades of a WECS shall be constructed of non-metallic substances. If the applicant can prove, in written form, that no electromagnetic interference will result, a metal content of up to twenty-five (25) percent will be acceptable.
6. The WECS shall be located in compliance with the guidelines of the federal aviation regulations with regard to airport approach and clearance around VOR and DVOR stations.

7. Height of the WECS shall not exceed the maximum height restriction in the zone where it is located by more than twenty (20) feet. The heights of the WECS shall be measured at the center of the blade diameter.
8. Data pertaining to the WECS' safety and structural integrity shall be certified by a licensed engineer and filed with the building permit application. The tower or support and top adapter shall meet the restrictions specified by the City's building code.
9. The WECS, if interconnected to a utility system, shall meet the requirements for interconnection and operation as set forth in the electric utility's current service regulation applicable to WECS.
10. A plot plan shall be submitted with the application for building permit showing the proposed location and height of the WECS, fencing and all existing buildings within two hundred (200) feet of the exterior lot lines.
11. The owner/operator shall provide covenants, easements or similar documentation to assure sufficient wind to operate the WECS unless adequate accessibility to the wind is provided by the site.
12. The owner/operator shall certify that the WECS does not violate any covenants of record.
13. The applicant shall provide a certificate of liability insurance. Annually the owner/operator shall present evidence to the Building Official that the liability insurance is still in effect.

22-30.09 WIRELESS COMMUNICATIONS TOWERS: Cellular and other wireless telecommunications towers may be permitted subject to the following requirements.

- A. The minimum distance from any lot or property line to any tower, pole or other support structure shall be the total maximum height of the tower, pole or other support structure plus attached antennas.
- B. Anchors, guy wires, and other accessory structures may not be located in any required yard.
- C. The tower, pole or other support structure shall not exceed the maximum height restriction in the zone where it is located by more than thirty (30) feet, unless technical data indicating a greater requirement for adequate reception is provided.
- D. Unauthorized access to the tower, pole, or other support structure, including anchors and guy wires, shall be limited by provision of an immediately surrounding six (6) foot high fence with locking portal. Tower climbing apparatus shall be limited to no lower than twelve (12) feet from the ground.
- E. Telecommunications towers shall be located and lighted in compliance with the guidelines of the Federal Aviation Regulations with regard to airport approach and clearance around VOR and DVOR stations.
- F. The tower or other support structure shall be designed to permit addition of antenna array for at least two additional service providers so as to limit the number of permitted structures in the zoning jurisdiction.
- G. Information certifying safety and structural integrity of the tower or other support structures shall be certified by a licensed engineer and filed with the permit application.
- H. When located within one thousand (1,000) feet of a residential district, the tract shall be appropriately landscaped to produce a visually pleasing appearance.

- I. An application for a permit to site a wireless telecommunications facility shall be accompanied by the following:
 - (1) A site development plan, including landscape provisions and topographic information.
 - (2) A technical description of the tower and the reasons for its design and location.
 - (3) An explanation of need for a separate tower as opposed to an existing facility.
 - (4) Information establishing structural integrity and capacity for additional antenna array.
 - (5) Proof of ownership or authorization to use the proposed site.
 - (6) Copies of any necessary easements.
 - (7) A certificate of liability insurance.
 - (8) An affidavit certifying that space on the proposed tower will be made available to future users when technically feasible.
- J. The applicant shall also provide such other additional support information as may be determined by the City.

22-30.10 HOME OCCUPATIONS: Home occupations shall be subject to the following restrictions and limitations:

1. Restrictions and Limitations:
 - A. The home occupation shall be conducted entirely within the principal residential building or ;
2) garage or an accessory structure not exceeding 400 square feet in gross floor area, unless the use of such garage or accessory building in excess of 400 square feet has been approved by the Board of Zoning Appeals.
 - B. No exterior alteration of the principal residential building shall be made which changes the character thereof as a dwelling or causes goods to be displayed visibly from the dwelling or on the grounds.
 - C. No more than 24 percent of the area of the dwelling shall be devoted to the home occupation.
 - D. No goods or stock for wholesale or retail purposes shall be publicly displayed.
 - E. Goods or stock for sale on or off the premises must be stored in enclosed areas.
 - F. There shall be no outdoor storage of equipment or materials used in the home occupation.
 - G. No equipment or process shall be used which shall create undue noise, smoke or particulate matter emission, or odors which are detectable to the normal senses off the lot. In case of electrical interference, no equipment or process shall be used which creates visual or audible interference off the premises in any radio or television receiver or transmitter or causes fluctuation in the voltage.
 - H. No more than one person other than a member of the immediate family occupying such dwelling shall be employed.

- I. No sign shall be permitted other than one non-illuminated nameplate. The nameplate shall be attached to the building and shall not exceed one square foot in area.
 - J. No traffic shall be generated by such home occupation in substantially greater volumes than would normally be expected in a residential neighborhood.
2. Power of Zoning Official: The Zoning Official is hereby authorized to exercise such powers as may be necessary or convenient to carry out and effectuate the purposes and provisions of this Article including, in addition to others herein granted, the power to:
- A. Investigate any home occupation or alleged home occupation, to determine whether or not such is in compliance with the provision of this article.
 - B. Enter upon premises for the purpose of making examinations; provided, that such entries shall be made in such manner as to cause the least possible inconvenience to the persons in possession, and obtain an order for this purpose from a court of competent jurisdiction in the event entry is denied or resisted.
 - C. Delegate any of his functions and powers under this Article to such officer, agents and employees as the Zoning Official may designate.
3. Home Occupations Permitted: Home occupations primarily of a service nature similar to, but not limited to, the following:
- A. Artists, sculptors, and writers.
 - B. Custom dressmaking, tailoring, sewer of fabrics for custom apparel.
 - C. Giving of lessons of any type, provided that the provisions of items I and J, subsection #1, above, are complied with.
 - D. Professional office for architects, engineers, planners, lawyers, accountants, bookkeepers, realtors, insurance agents, brokers, sales representatives and contractors, and similar professional offices.
 - E. Fabrication and/or assembly of handicraft or hobby articles.
4. Home Occupations Prohibited: Permitted home occupations shall not in any event include the following:
- A. Antiques - retail or wholesale.
 - B. Funeral homes or services.
 - C. Child care centers.
 - D. Retail sale or rental of goods or products.
 - E. Tourist homes or apartment rental.
 - F. Equipment rental.
 - G. Automotive sales, repair or service of any types.
 - H. Appliance repairs.

22-30.11 MINIMUM LANDSCAPE REQUIREMENTS: All property within the zoning jurisdiction of the City of Lindsborg shall hereinafter be subject to the following minimum requirements:

1. The open, unpaved areas of each property shall be graded to provide for the adequate drainage of all stormwater and shall be free of hazards, nuisances or unsanitary conditions.
2. Open, unpaved areas shall be appropriately landscaped to provide an attractive appearance to enhance the character of the neighborhood.
3. No vegetation shall overhang a public street or sidewalk below a height of fifteen (15) feet, or obstruct views of pedestrian and vehicular movements.
4. Parking lots abutting public walkways or streets shall be appropriately separated by a landscaped area or a decorative architectural screen. The landscaped area or architectural screen shall not exceed three (3) feet in height.
5. Whenever a commercial or industrial zoned tract adjacent to a residential zoning district is developed, screening to protect the residential land from the affect of the commercial or industrial use shall be required as noted below:
 - A. All required screening shall consist of a wall, fence or evergreen plantings of six (6) feet in height having a visual density of at least ninety (90) percent. Screens adjacent to the front yard of a residential zone shall not exceed forty-eight (48) inches in height.
 - B. All required screening shall be located within three (3) feet of the property line adjacent to the residential zone.
 - C. Evergreen plantings shall be planted at a height of at least thirty-six (36) inches and shall reach the required height and effective screening within eighteen (18) months.
 - D. All required screens shall be permanently maintained in good and effective condition, and whenever necessary, repaired or replaced.
 - E. Whenever screening is required, it shall be installed before occupancy of the commercial or industrial use is allowed. Where plantings are being used to accomplish the required screening and the season is unsuitable for planting, the owner shall submit a written verification, satisfactory to the Zoning Official, of when the required screening shall be planted.