

**HAYSVILLE PLANNING COMMISSION
& BOARD OF ZONING APPEALS**

Agenda

February 12, 2026

6:00 p.m., Municipal Building, 200 W. Grand

- I. Call to Order
- II. Roll Call
- III. Presentation and Approval of Minutes
 - A. Minutes of January 22, 2026
- IV. Public Forum
- V. Old Business
- VI. New Business
 - A. Review of a Zone Change from RR Rural Residential to SF-20 Single-Family Residential for property generally located at the northwest corner of East 84th Street South and South Hydraulic Avenue (1620 E 84th St, Area of Influence)
RECESS THE PLANNING COMMISSION AND CONVENE THE BOARD OF ZONING APPEALS
 - B. Review and Classification of “Online Auction Houses” as a Use
ADJOURN THE BOARD OF ZONING APPEALS AND RECONVENE THE PLANNING COMMISSION
 - C. Review of a Text Amendment to the Zoning Regulations: Changes to Article 4. Zoning Districts
- VII. Correspondence
 - A. Zoning for Mixed Uses
 - B. An Introduction to Design Guidelines
- VIII. Off Agenda
 - A. Next Meeting Date
- IX. Adjournment

HAYSVILLE PLANNING COMMISSION/BOARD OF ZONING APPEALS

Minutes

January 22, 2026

The regular Planning Commission meeting was called to order by Chairperson Tim Aziere at 6:00 p.m. in the Council Chambers at the Haysville Municipal Building, 200 W. Grand Ave., Haysville, KS 67060.

The members present were Mark Williams, Brandon Trube, Debbie Coleman, Tim Aziere, Traci Sprayberry, Dan Rinke, and Jeff Blood. Also present were Planning and Zoning Administrator Kailyn Hogan and Deputy Administrative Officer Georgie Carter.

Chairperson Tim Aziere welcomed new planning commissioner, Traci Sprayberry, at the start of the meeting.

The first item of business was the minutes of December 11, 2025.

Motion by Trube, Second by Williams.

To approve the minutes as presented.

Williams aye, Trube aye, Coleman aye, Aziere aye, Rinke aye, Blood aye.

Sparyberry abstain.

Motion carried.

There was no one to speak under public forum.

There was no old business.

Under new business a One-Step Final Plat: 79th ESTATES ADDITION; generally located approximately 600 feet west of the intersection of East 79th Street South and South Hillside Avenue (Area of Influence).

Hogan presented the staff report. There were no questions or discussion.

Motion by Trube, Second by Rinke.

To approve the plat as presented.

Williams aye, Trube aye, Coleman aye, Aziere aye, Sprayberry aye, Rinke aye, Blood aye.

Motion carried.

Under new business a Review of a Text Amendment to the Zoning Regulations: Changes to Article 2. Interpretation, Construction and Definitions; Article 3. General Regulations; and Article 4. Zoning Districts.

Hogan presented the changes.

Aziere asked if the side setback would be maintained with the dimensional standard changes to the residential zoning districts. Hogan stated that the side setback would be reduced by one foot and become a five-foot setback.

Aziere asked if the building code or development process would require fire walls or other fire-proofing methods when residential structures are built without side setbacks. Hogan stated that there are some regulations built into the Zoning Regulations that require fire-rated materials of at least two hours and no windows or doors on the zero setback side, but other fire-proofing regulations are in the building code.

Aziere asked what the off-street and on-street parking regulations are for the residential uses. Hogan stated that the parking regulations require one off-street parking space per dwelling unit. A future amendment to the parking regulations may require on-street parking spaces as well, which can supplement the off-street parking spaces.

Blood stated that the state statute definition for microbreweries allows them to produce not less than 100 and not more than 30,000 barrels. This does not match the Zoning Regulation definition of a microbrewery. Blood also stated that tavern and drinking establishment is also defined or regulated by state statute.

Blood asked if the hard surface definition should be amended to be as descriptive as the all-weather surface definition. Aziere asked what the reasoning was for the two definitions. Hogan explained that the all-weather surface is a lesser regulation for off-street parking and other surface requirements, and a hard surface is a higher regulation. The hard surface requirement does not relate to sidewalk or street construction. Carter stated staff would discuss with Public Works before amending the definitions. Aziere asked if asphalt millings are allowed as an all-weather or hard surface. Hogan stated that millings are not explicitly allowed right now.

Under correspondence were three PAS QuickNotes:

Hogan stated that these were added as quick educational materials to supplement the reasoning behind some of the Zoning Regulation amendments. *Small-Lot Subdivision Design* covered the benefits of having smaller lot sizes. The section on allowing smaller lot sizes to conform to established residential districts is particularly relevant, considering the proposed amendments to the nonconforming regulations. By reducing the minimum lot sizes, the number of nonconforming lots may be reduced. *Zoning for Mixed Uses* aligned with the changes to the use chart and the amending of the MFA and LC zoning districts into mixed-use zoning districts. *Planning to Support Small Businesses* talked about the benefits of live-work spaces for entrepreneurs and allowing small-scale manufacturing in more zoning districts.

Under off agenda was the next meeting date: Thursday, February 26, 2026.

Motion by Trube, Second by Blood.

To adjourn tonight's meeting.

Williams aye, Trube aye, Coleman aye, Aziere aye, Sprayberry aye, Rinke aye, Blood aye.

Motion carried.

The meeting adjourned at 6:22 p.m.





STAFF REPORT
MAPC: February 12, 2026

AGENDA ITEM NO. _____

CASE NUMBER: ZON2025-00069 (County)

APPLICANT/AGENT: Brian W. and Gina M. Hall (Applicants)

REQUEST: SF-20 Single-Family Residential District

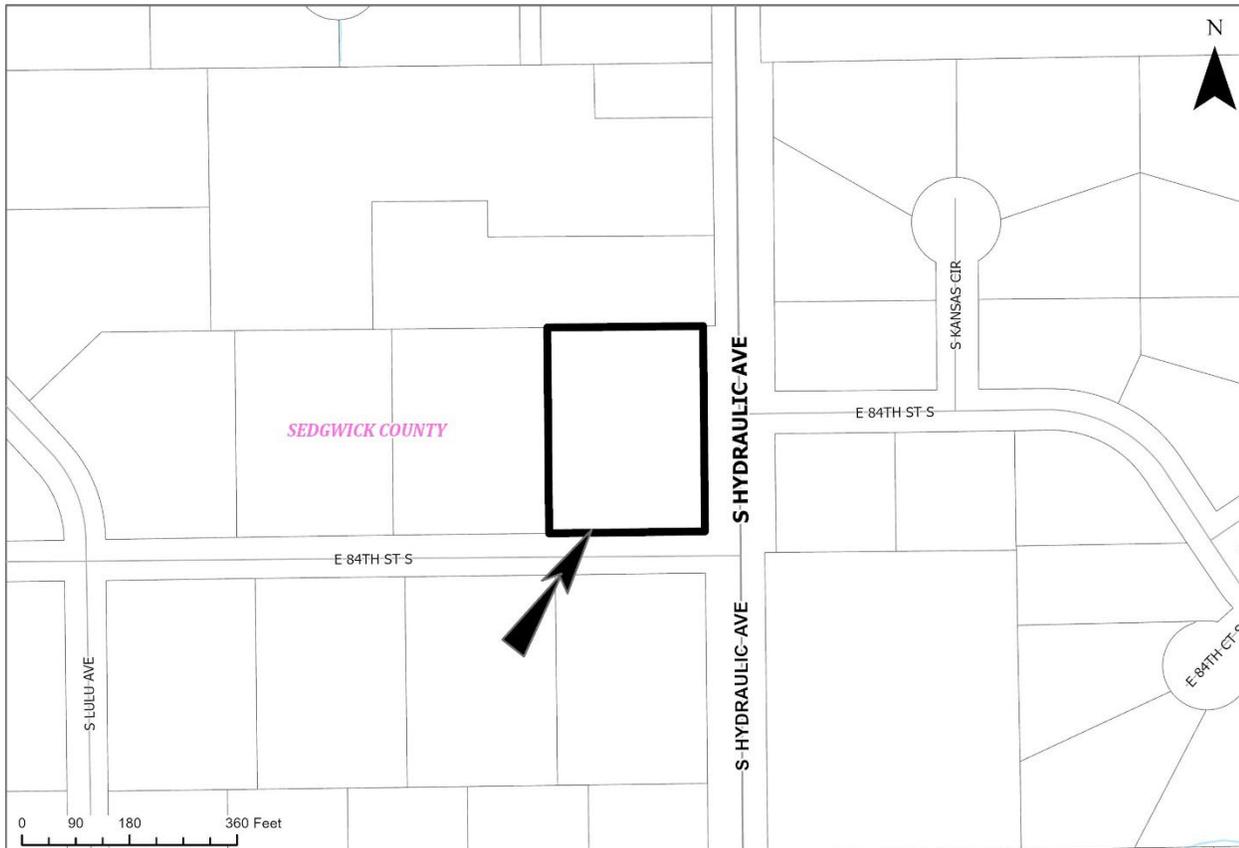
CURRENT ZONING: RR Rural Residential District

SITE SIZE: 2.06 acres

LOCATION: Generally located at the northwest corner of East 84th Street South and South Hydraulic Avenue (1620 East 84th Street South)

PROPOSED USE: To split the existing lot and build a home on the new lot

RECOMMENDATION: Approve



BACKGROUND: The applicant is requesting a zone change from RR Rural Residential District (RR) to SF-20 Single-Family Residential District (SF-20). The 2.06-acre property at 1620 East 84th Street South is generally located at the northwest corner of East 84th Street South and South Hydraulic Avenue. It is currently developed with a single-family dwelling.

The applicant is requesting a zone change in order to split the lot and build a home on the new lot. The current development standards set forth in the Wichita-Sedgwick County Unified Zoning Code (“UZC”) require a minimum of two acres in RR zoning to build a single-family dwelling. The requested SF-20 zoning requires a minimum of 20,000 square feet (0.46 acres) to build a single-family dwelling. A lot split would not be possible under RR zoning.

The applicant will be required to use an on-site septic system due to the three-acre minimum lot area required for uses served by sewage lagoons. Final minimum lot size for a lot in the SF-20 District will be determined based on on-site sewer requirements, which may require greater than 20,000 square feet. The UZC requires one off-street parking space per single-family dwelling.

Should the zone change request be approved to SF-20, the lot’s development standards will change, namely the front setback requirements, interior side setback requirements, minimum lot width, and minimum lot area. A table demonstrating the differences is below.

Development Standard	RR Rural Residential District	SF-20 Single-Family Residential District
Front setback	30 feet	25 feet
Rear setback	25 feet	25 feet
Interior side setback	20 feet	Ten feet
Street side setback	20 feet	20 feet
Maximum height	35 feet; 45 feet if located at least 25 feet from all lot lines; no maximum height limit for barns, silos and other similar farm buildings	35 feet; 45 feet if located at least 25 feet from all lot lines; no maximum height limit for barns, silos and other similar farm buildings
Minimum lot width	200 feet	100 feet
Minimum lot area	Two acres	0.46 acres

The character of the neighborhood is low-density residential. Properties to the north, south, and west are zoned RR and developed with single-family dwellings. Property to the east is zoned SF-20 and developed with single-family dwellings.

CASE HISTORY: The property was platted in 1979 as part of the Mahoney 2nd Addition. There are no zoning cases associated with this property.

ADJACENT ZONING AND LAND USE:

NORTH:	RR	Single-family dwelling
SOUTH:	RR	Single-family dwelling
EAST:	SF-20	Single-family dwelling
WEST:	RR	Single-family dwelling

PUBLIC SERVICES: The site is currently accessed by East 84th Street South, a gravel, local township roadway with open ditches on each side. There is no access to municipal or Rural Water District water. The property uses onsite septic and a water well.

CONFORMANCE TO PLANS/POLICIES: The requested zone change is in conformance with *The Community Investments Plan*. The *Community Investments Plan* (the Wichita-Sedgwick County Comprehensive Plan) includes the 2035 Wichita Future Growth Concept Map. The Map identifies the area in which the site is located to be appropriate for “Small City Urban Growth Area”, which the *Plan* defines as: “Generally located adjacent to existing municipal boundaries, these areas indicate the likely direction and magnitude of growth these communities can

expect to experience out to the year 2035. Growth direction and amount is based upon municipal political considerations, anticipated population growth, efficient patterns of growth, current infrastructure limitations, cost effective delivery of future municipal services, and environmental factors.”

With the subject site being in the Haysville Urban Growth Area, staff reviewed the Haysville Comprehensive Plan to identify the proposed future land use of the subject site. The attached Haysville Land Use Plan Map from the identifies the site as appropriate for residential development. At the time of the writing of this report, the City of Haysville has not responded to inquiries regarding their Planning Commission hearing the request.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the request be **APPROVED**.

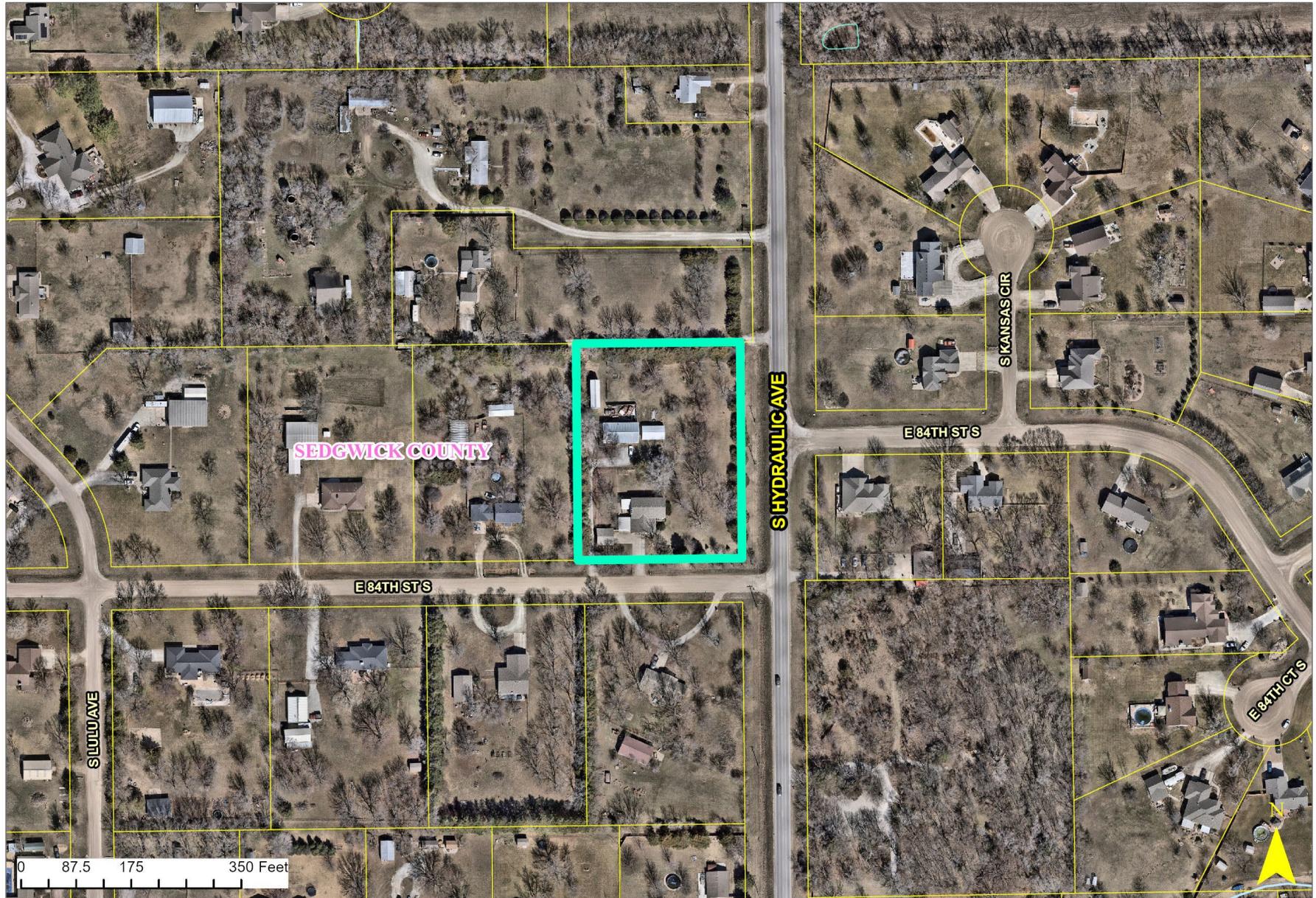
This recommendation is based on the following findings:

1. **The zoning, uses and character of the neighborhood:** The character of the neighborhood is low-density residential. Properties to the north, south, and west are zoned RR and developed with single-family dwellings. Property to the east is zoned SF-20 and developed with single-family dwellings.
2. **The suitability of the subject property for the uses to which it has been restricted:** The property is presently zoned RR, which is suitable for a limited number of residential, public, and civic uses, including single-family residences. The property’s lot size allows for one single-family residence in its current zoning, therefore a zone change is necessary for a lot split.
3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** Staff does not anticipate the requested zone change to have a significant impact on the immediate surroundings. The applicant is not introducing a new use to the area. The low-intensity nature of the development should not have a significant impact on community services or traffic.
4. **Length of time subject property has remained vacant as zoned:** The subject site is developed with a single-family dwelling, which was constructed in 1981.
5. **Relative gain to public health, safety, and welfare as compared to the loss in value or the hardship imposed upon the applicant:** It is not anticipated that the requested Zone Change will have an adverse effect on the public health, safety, or welfare. Denial may represent a loss of economic opportunity for the applicant.
6. **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The requested zoning would allow the property to be in conformance with the *Community Investments Plan*, as discussed in the staff report.
7. **Impact of the proposed development on community facilities:** Staff does not anticipate the requested zone change to have a significant impact on community facilities.
8. **Opposition or support of neighborhood residents:** At the time the staff report was prepared, staff has not received any comment on the requested zone change.

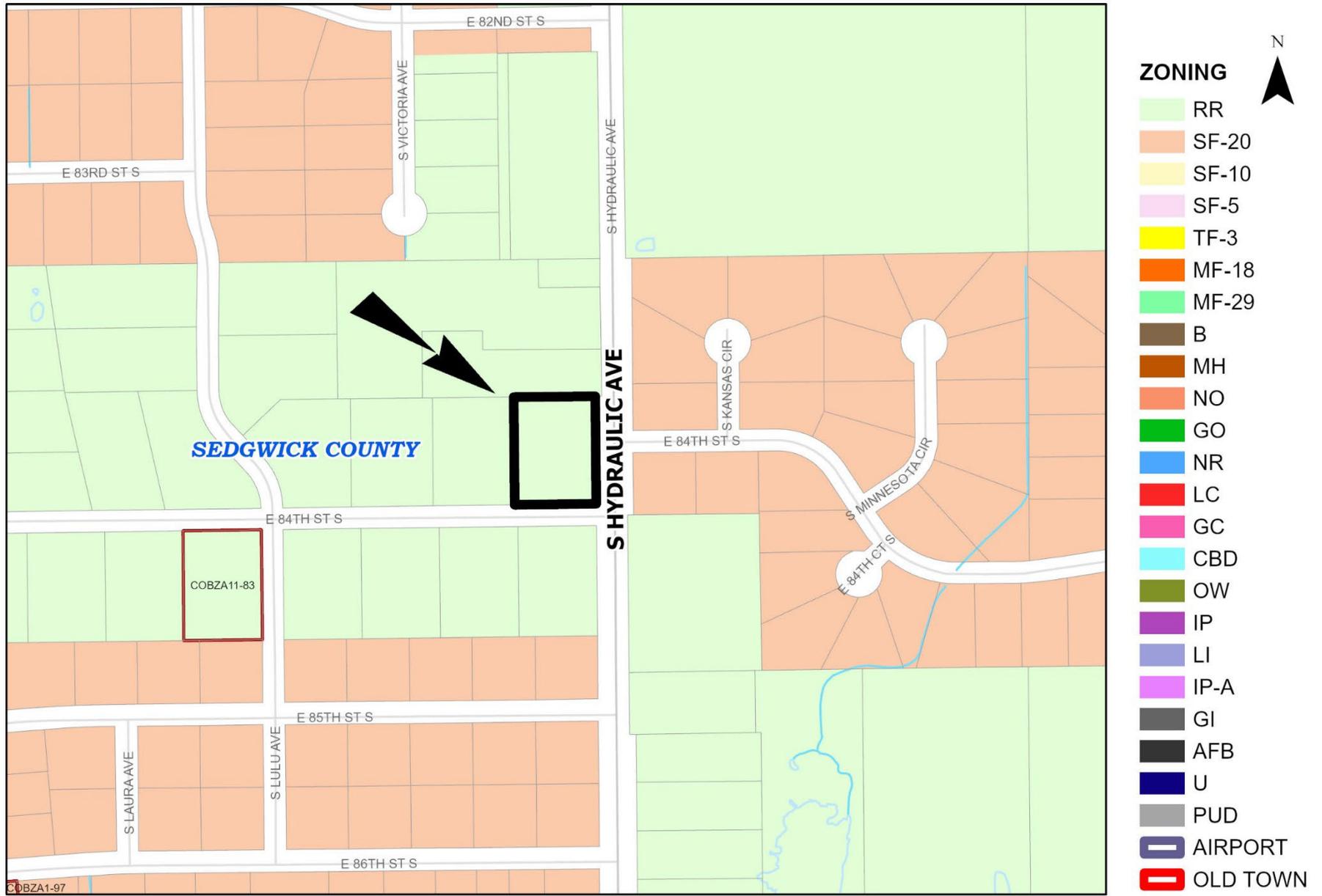
Staff Report Attachments:

1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Urban Growth Areas Map
5. Haysville Land Use Plan Map
6. Site Photos

Aerial Map



Zoning Map



Future Land Use Map

2035 Wichita Future Growth Concept Map

Legend

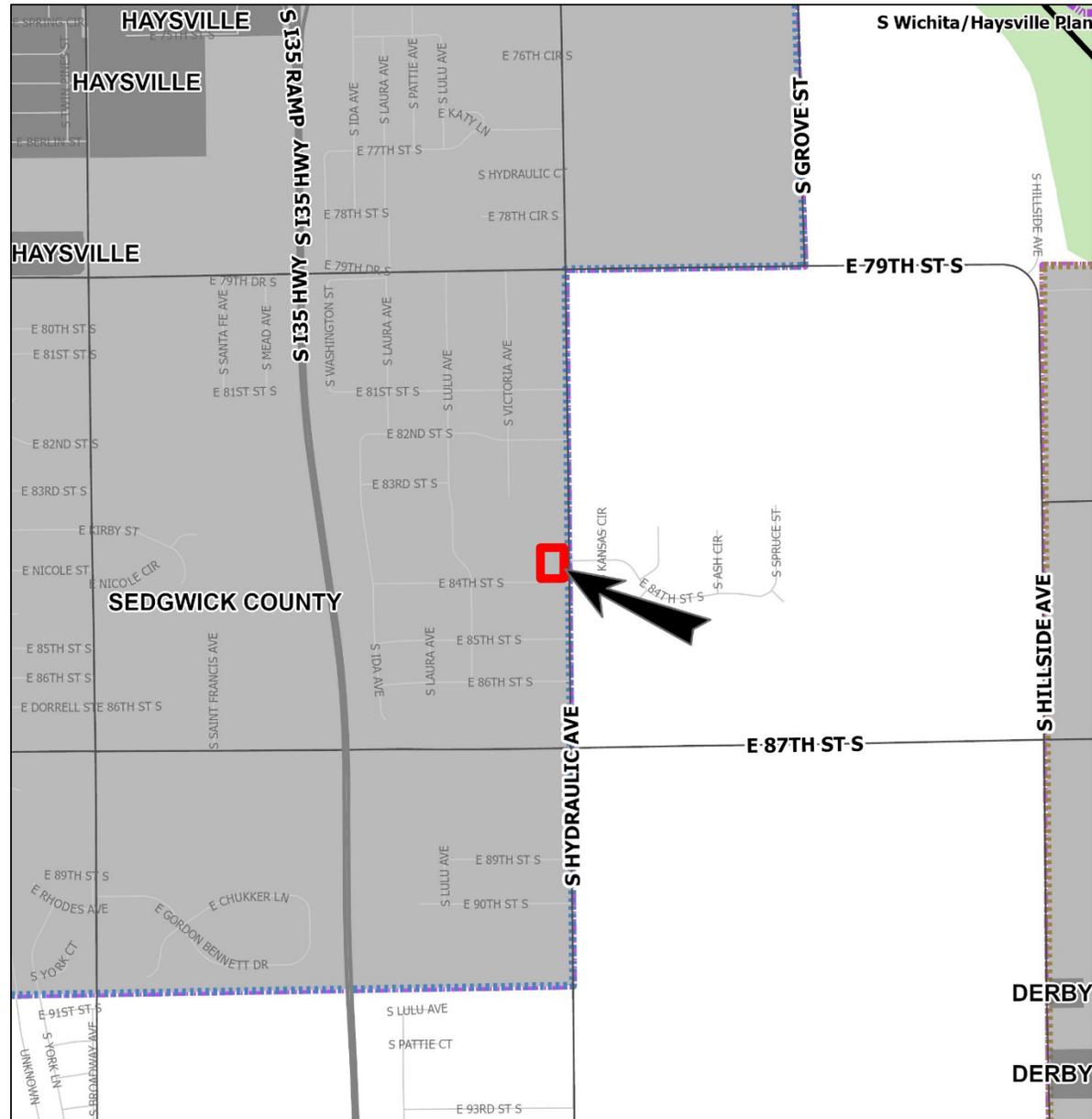
-  Application Area
 -  Established Central Area
 -  Residential and Employment Mix
 -  New Employment
 -  New Residential
 -  Wichita City Limits
 -  Other Cities
 -  Northwest Bypass Right-of-Way
 -  Other Urban Growth Areas 2014
 -  Other Urban Growth Areas 2014
 -  Rural Growth Areas 2014
 -  Major Institutional
 -  Neighborhood Area & Plans 2025
- LAND USE**
-  Residential
 -  Commercial
 -  Industrial
 -  Major Air Transportation & Military
 -  Parks and Open Space
 -  Agricultural or Vacant



Scale: 1:18,727



It is understood that while the City of Wichita Data Center Geographical Information Systems Department have no indication and reason to believe that there are inaccuracies in information incorporated in the base map, the Data Center/GIS personnel make no warranty or representation, either expressed or implied, with respect to the information, or data displayed.
Note: Public property represented on this map is not intended to be inclusive.



Urban Growth Areas Map

2035 Urban Growth Areas Map

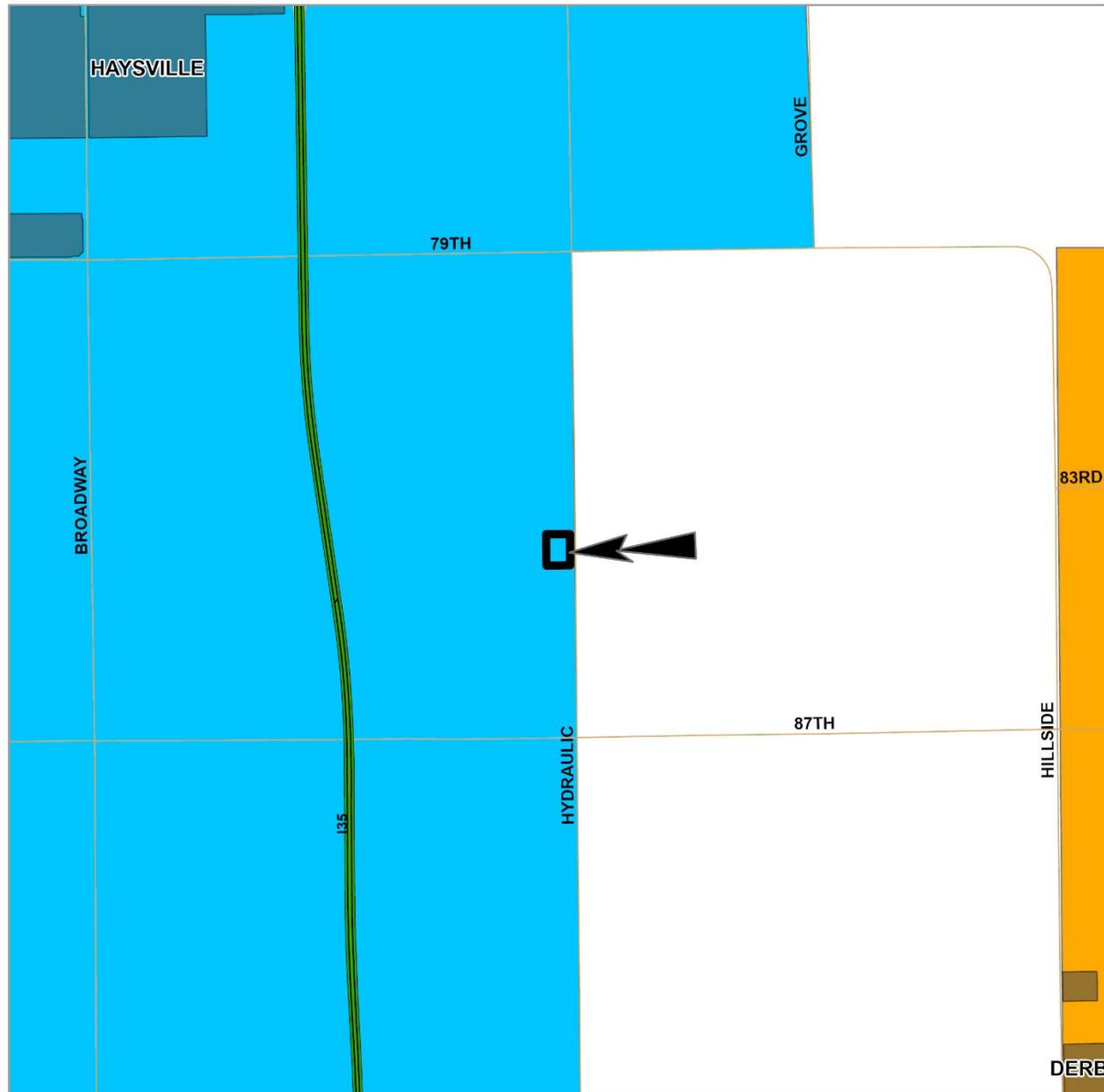
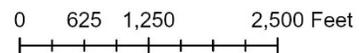
(This map is not reflective of the Zoning Areas of Influence in Sedgwick County)



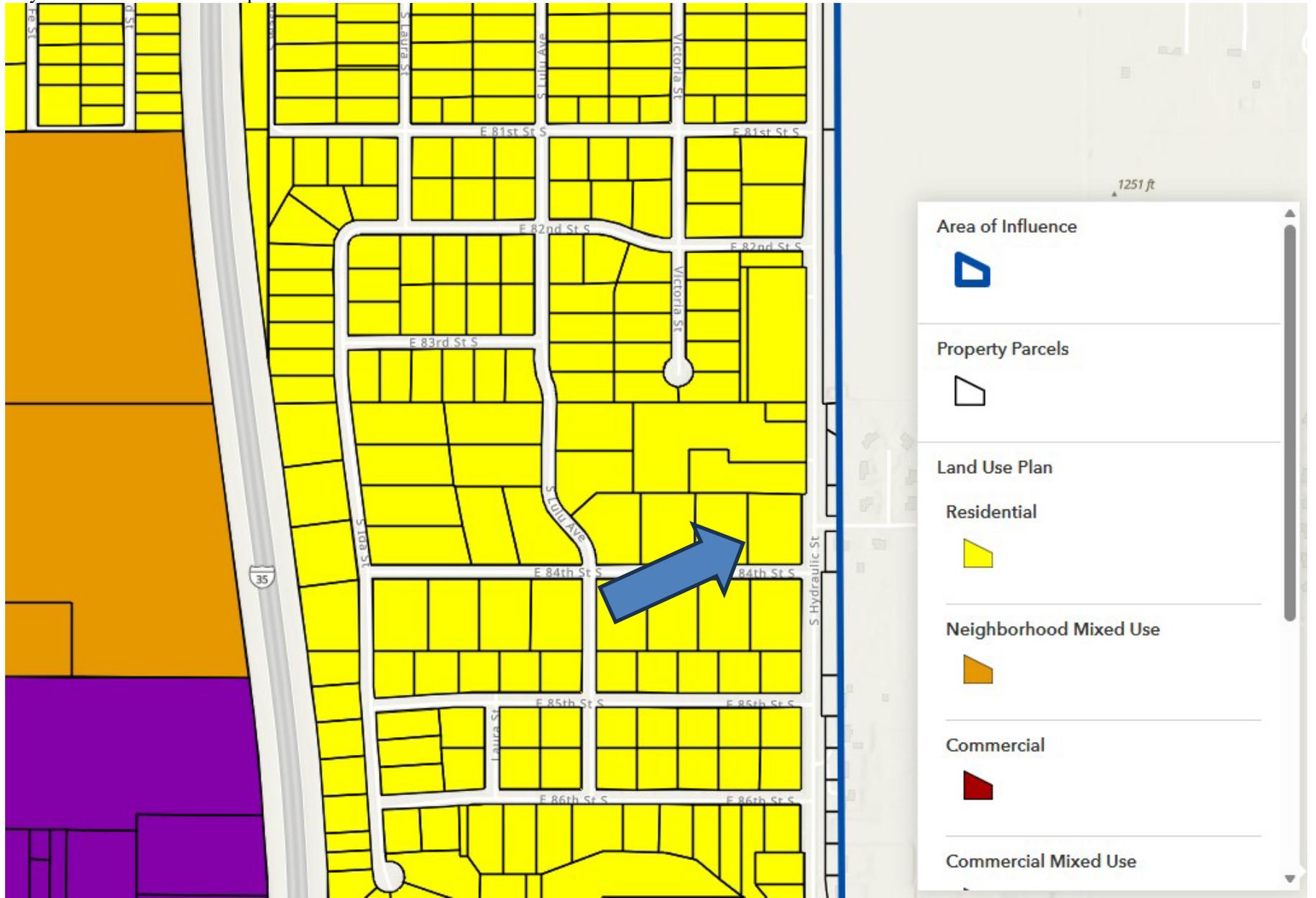
Legend

- Application Area
- Small City Limits
- K-96 Special Use Corridor
- SDA**
- Wichita Growth Area
- Small City Urban Growth Area
- Small City Urban Growth Area
- Small City Urban Growth Area
- Rural Area
- State Highway
- US Federal Highway
- Interstate
- Kansas Turnpike (TOLL)
- Arterial
- Ramp
- DISTRICT**
- Reece Road Improvement; Self-Suppd Municipal Improvement; Springdale County Club Improvement; Sunswep
- Highlands Improvement; Sunview Improvement; K-42 Estates Improvement; Crestview Country Club Improvement; Oaklawn Improvement
- St. Marks Improvement; Furley Improvement; Peck Improvement; Miles Village-Lake Waltanna
- <all other values>
- IndusDistr&SedgCoPark

Scale: 1:17,752



Haysville Land Use Plan Map



Looking north towards site



Looking northwest towards site



Looking west towards site



Looking west away from site



Looking south away from site



Looking north away from site



Looking east away from site





Haysville Planning Commission Staff Report

BZA 2026-001

CASE SUMMARY

Property Location: 549 E Grand Ave
Applicant: Michael Graham (business owner)
Request: Classification of “Online Auction House”
Reason for Request: To allow proposed use in the LC Light Commercial district

Prepared By: Kailyn Hogan, Planning and Zoning Administrator
Meeting Date: February 12, 2026
Public Hearing: Not required. Later public hearing schedule if an amendment to the Zoning Regulations is required, to be held by the Planning Commission

ANTICIPATED MEETING SCHEDULE

Body	Meeting Date	Action
Board of Zoning Appeals	February 12, 2026	Review the proposed use, classify and determine appropriate zoning districts, if any. If an amendment to the Zoning Regulations is required, such amendment will be combined with the current amendments.
Planning Commission	March 26, 2026	Hold public hearing for the proposed amendment to the Zoning Regulations, and make a recommendation for approval, approval with modifications, or denial of the amendment. This recommendation is forwarded to City Council.
City Council	April 13, 2026	Adopt the recommendation of the Planning Commission as presented, override the recommendation, or return the recommendation to the Planning Commission.

BACKGROUND

DESCRIPTION OF PROPOSED USE. This use classification is before the Board of Zoning Appeals because of a business license application for Monumental Auctions located at 549 E Grand Ave. Auctions are not explicitly allowed or prohibited in the City of Haysville Zoning Regulations. Typical auctions involve buildings with arenas to stage items and hold large crowds of people. Large amounts of parking are needed on scheduled auction days, and all transactions are done in person. Large areas may be required to store auction items, either enclosed in a building or outdoors.

According to the applicant, the auction sales at the property will be transacted electronically over the internet. There will be no scheduled in-person sales, and the business will only be open to the public during scheduled pick-up hours. These pick-up hours will not occur daily and are likely to only occur a couple of weekends a month. During these pick-up hours, some in-person retail activities may be transacted. The business may also be open to the general public around holidays.

SITE DESCRIPTION. The business application for Monumental Auctions was submitted for 549 E Grand Avenue. This property is developed with a commercial strip center with space for four businesses. The other businesses currently occupying the site include personal improvement services and general office space. The site has delineated 14 parking spaces, but the paved parking surface is large enough to accommodate more parking if needed.

ANALYSIS

FINDINGS. Since the pandemic, the commercial market has been trending towards e-commerce, or sales conducted electronically over the internet. Many retail stores in cities across the world have begun converting parts of their stores into mini warehouses to meet the growing demand from online orders. In some cities, entirely new businesses have been founded on the premise of online orders and quick delivery. The City of Haysville has at least two home-based businesses solely participating in e-commerce, and many others that partake in a combination of in-person and electronic sales.

Many people call these places “dark stores” because they are generally unlit and closed to customers. They have also been referred to as micro-fulfillment or quick service fulfillment centers and warehouses.

“A dark store is a retail store that sells goods, but operates on a completely different basis than a traditional brick-and-mortar retail store. In a dark store, consumers do not walk around the store to browse and purchase goods, so there are no facilities for displaying goods or spaces for customer convenience. Shapiro explains that dark stores are more of a logistics than commercial facility because they are only responsible for storing, packaging, and shipping goods. Nevertheless, dark stores are distinctly different from traditional logistics facilities in some ways. They rely on fast delivery as the key to their success. Unlike conventional online shopping, where it can take a day or more to receive an order, the time between ordering and receiving an item at a dark store is between 30 minutes and an hour. To make this possible, dark stores are located in urban centers, very close to consumers. Therefore, dark stores are perceived as something that has never been done before.” (Dark store provided by [Challenges of Dark Stores and Urban Planning: A Case Study of B-Mart, Seoul](#)).

Because of the dramatic shift towards online orders during and after the pandemic, many cities have yet found a way to classify these businesses. While their activities are of dark stores are retail, their function is somewhere between commercial and industrial. The City’s definition of General Retail implies in-person retail activities, considering the typical nature of the businesses it comprises. The premise of any of these businesses conducting all of their activities electronically without in-person interactions is a new phenomenon.

Retail, General. Means the sale or rental of commonly used goods and merchandise for personal or household use, but excludes those classified more specifically in this section. Typical uses include grocery stores, department stores, furniture stores, clothing stores and establishments providing the following products or services: household electronic equipment, sporting goods,

bicycles, office supplies, home furnishings, household appliances, wallpaper, carpeting and floor-covering, art supplies, kitchen utensils, jewelry, drugs, cosmetics, books, notions, antiques or automotive parts and accessories.

Dark stores differ from General Retail in the following ways:

- (1) Less customer parking is needed since fewer, if any, customers will be coming and going;
- (2) More employee parking may be needed to meet the demand of online orders; and
- (3) There may be more heavy truck traffic, possibly both box trucks and tractor-trailers, depending on the products and volume sold.

It would be easy to classify this use as a warehouse and restrict it to only industrially zoned parts of the City, but that classification may be detrimental to the business model. In most instances, these businesses rely on being in close proximity to their customers to provide quick delivery services. Not allowing e-commerce in our commercial areas may cause an increase in vacant buildings as more retail businesses shift into “dark store” territory. If this shift is not allowed, retailers may struggle to compete with other businesses participating in e-commerce and be forced to close, resulting in a loss of commercial tax revenue for the City. These businesses provide new jobs, fill vacant storefronts, and provide services to the community.

On the other hand, these businesses can have the same effect on neighborhoods as vacant buildings with their desolate street fronts and typically boarded windows. They also tend to come with an increase in delivery vehicles, posing hazards for existing vehicular and pedestrian traffic; however, some research suggests that the impact on traffic is not as significant as imagined, but proper loading areas off the street must be provided when utilizing delivery vehicles.

RECOMMENDATION

Based on the provide information and research, planning staff recommends that the proposed use of an “Online Auction House” be defined as a “**Retail Fulfillment Center**”, classified as a **COMMERCIAL** use and permitted by right in the **LC, HMC, HC, LI, and HI** zoning districts..

Retail Fulfillment Center. Means a commercial use in which goods are stored, assembled, packaged, and fulfilled for direct delivery or customer pickup, where sales transactions primarily occur off-site through online, mobile, or telephone ordering platforms. Retail Fulfillment Centers are distinct from General Retail, Secondhand Stores, and Pawnshops in that sales transactions occur primarily off-site through e-commerce platforms. They are also distinct from Warehousing, Wholesale and Business Services, as well as Freight and/or Truck Terminals, in that all activities are direct to the consumer.

Retail Fulfillment Centers shall be subject to the following special use standards:

1. Existing window transparency shall be maintained up to 50%. No interior items, including solid shelving units, may be used to block visibility into the interior space; however, window film and posters may be utilized.
2. Permanent signage advertising the establishment shall be required. Such signage is required to avoid the appearance of building vacancy.
3. Where delivery vehicles are utilized, proper loading and unloading areas shall be provided on-site. No loading or unloading activities may occur off-site. Such loading and unloading areas shall not impede pedestrian or vehicle traffic.

4. Where some retail activities will be conducted in-person, the establishment shall comply with the off-street parking requirements for Business and Retail Establishments.
5. Where no in-person retail activities will be conducted, the establishment shall be required to provide one off-street parking space per employee.

ATTACHMENTS

1. Traditional Retail, Retail Fulfillment Center, and Warehouse Use Comparison Table

RESOURCES

1. [Land Based Classification Standards](#)
2. [Going Dark: Land Use Implications of Converting Retail Space to "Dark Stores" for Fulfilling Online Orders](#)
3. [Store or Warehouse? Zoning for Micro-Fulfillment Centers](#)
4. [Are Dark Stores Becoming a Real Estate Risk?](#)
5. [Gale Brewer and Bodega Advocates Blast Grocery Delivery App 'Dark Stores' as Unfair Competitors to Mom-and-Pop Shops](#)
6. [Challenges of Dark Stores and Urban Planning: A Case Study of B-Mart, Seoul](#)

Comparison of Traditional Retail, Retail Fulfillment Establishment, and Warehouse Uses

Characteristic	Traditional Retail	Retail Fulfillment Center	Warehouse / Distribution
Primary Function	In-person sales and customer browsing	Fulfilling orders placed off-site for delivery or pickup	Storage and distribution of goods to other businesses
Sales Transaction Location	On-site at point of sale	Off-site (online, mobile, or phone)	Off-site (business-to-business)
Customer Access	Open to walk-in customers	Limited; scheduled pickup	No customer access
Customer Floor Area	Majority of building	Minimal or incidental	None
Order Assembly	Minimal	Primary on-site activity	Primary on-site activity
Inventory Storage	Display-focused, limited back stock	Moderate short-term storage	Large-scale, long-term storage
Delivery Activity	Occasional (restocking)	Frequent last-mile deliveries	Frequent large-truck freight
Typical Vehicle Types	Passenger vehicles, occasional box trucks	Passenger vehicles, delivery vans, gig-economy drivers	Semi-trucks, freight vehicles
Peak Activity Times	Business hours	Extended or staggered hours	24-hour or shift-based
Loading Areas	Secondary, limited	Dedicated loading/staging areas	Multiple loading docks
Parking Demand	Customer-oriented	Employee and delivery-driver oriented	Employee and truck-oriented
Pedestrian Orientation	High	Low to moderate	None
Façade Transparency	High storefront visibility	Often limited or covered	Minimal or none
Noise & Activity Level	Moderate	Moderate to potentially high	High
Compatibility with Neighborhood Commercial	High	Conditional / Limited	Low
Compatibility with Industrial Areas	Low	Moderate	High





Haysville Planning Commission Staff Report

AMEND 2026-001 – Sections 407 through 412

CASE SUMMARY

Zoning Regulation Article/Section: Sections 407 through 412

Prepared By: Kailyn Hogan, Planning and Zoning Administrator

Meeting Date: February 12, 2026

ANTICIPATED MEETING SCHEDULE

Body	Meeting Date	Action
Planning Commission	February 12, 2026	Review the proposed amendment to the Zoning Regulations.
Planning Commission	March 26, 2026	Hold public hearing for the proposed amendment to the Zoning Regulations, and make a recommendation for approval, approval with modifications, or denial of the amendment. This recommendation is forwarded to City Council.
City Council	April 13, 2026	Adopt the recommendation of the Planning Commission as presented, override the recommendation, or return the recommendation to the Planning Commission.

SUMMARY OF CHANGES

The following major changes were made to Sections 407 through 412 of the Zoning Regulations. The reasoning behind such changes is explained in the Analysis section of this report.

- Creation of a new article in the Zoning Regulations titled “Commercial and Mixed Use Districts”;
- Removal of the OC Office Commercial district;
- Establishment of purposes for all districts and identification of how each district relates to the designations on the *Future Land Use Map*;
- Creation of new mixed use zoning districts from the existing MFA Multi-Family Apartment and LC Light Commercial zoning districts. MFA is intended to be primarily residential and LC primarily commercial;
- Establishment of dimensional standards based on use for the MFA and LC districts;
- Requirement that all vehicles stored overnight be stored inside enclosed buildings in the MFA and LC districts;
- Explicit allowance of outdoor dining and other semi-public uses that require incidental outdoor storage for all districts;
- Establishment of limits on driveway width for all districts; and

- Establishment of design standards prioritizing walkability for all districts.

Further changes are proposed to the commercial zoning districts that are not listed in this staff report. You may view those changes and the reasons for such in the red-lined version of this code. The red-lined and clean version of this code are attached to this staff report.

ANALYSIS

The City’s current zoning regulations reflect the ideals of traditional, Euclidean zoning. Euclidean zoning requires a separation of uses – all residential in one area, commercial in another, and industrial in a third. Euclidean zoning made sense when it was adopted, and hazardous industrial uses, like meat packing plants, were located near residential neighborhoods. However, the continued use of Euclidean zoning has created a ripple of negative effects, including:

- Eliminating the ability to walk to the store or work from your home;
- Creating car dependency, a more expensive form of transportation than walking or public transit that isn’t accessible to everyone, especially the most vulnerable of our populations (i.e., children and the elderly);
- Separating businesses from the customers who support them;
- Reducing rental sources for property owners to a single source, making rental prices more expensive; and
- Reducing the value of land that generates less property tax for the City.

Some of these negative effects are visible in Haysville, but it is not too late to make changes to reverse them. One of the first steps can be the adoption of mixed-use zoning districts. Staff has proposed amending the MFA Multi-Family Apartment and LC Light Commercial districts to create two new mixed-use zoning districts. These districts will allow a broad mix of uses, particularly retail, restaurants, and offices, mixed with residential. Mixed-use districts can help fix the negative effects listed above, and have the side effect of also being great for supporting small businesses, which is a goal of the Comprehensive Plan. The amendments to the MFA and LC districts do not require a mix of uses, but allow the mix and encourage it.

To make sure that future developments in the mixed-use zoning districts are aligned with the City’s vision, staff has considered the adoption of design standards. These can be adopted as guidelines, which are not obligatory and are implemented at the discretion of the Zoning Administrator, or standards that all development must follow. The design standards are recommended on the basis of the South Broadway and South Meridian Corridor Plans. The design standards are intended to create attractive, open, and inviting buildings and spaces with active street fronts that prioritize pedestrian accessibility.

Corridor Plan	Recommendation	Notes
South Broadway (page 78)	The New Urbanist mixed use development style was the general preference from community engagement activities. New Urbanist involves attractive, walkable places where parking is hidden and located behind buildings.	Design guidelines or standards can ensure places are built to be walkable in design, and the amending of MFA and LC allows for mixed use development. Requiring that parking be located behind buildings will require an additional code

		amendment to the Off-Street Parking Regulations.
South Broadway (page 82)	<p>Recommended design guidelines for areas of the <i>Future Land Use Map</i> designated as “Neighborhood Mixed Use”:</p> <ul style="list-style-type: none"> - Not metal sided buildings - Preferred siding materials are EIFS, stucco, fiber cement board or panel and masonry. Other siding materials of equal or higher quality may be used as well. - Minimum masonry coverage of building is 25%. Fiber cement board or panel is not considered an acceptable masonry siding product to be used towards the masonry coverage requirement. 	<p>The quality of metal sided buildings has increased in the last decade, and this design guideline is no longer relevant.</p> <p>Staff is considering keeping the masonry coverage recommendation but only as a guideline and not an obligatory standard.</p>
South Broadway (page 83)	<p>Recommended design guidelines for areas of the <i>Future Land Use Map</i> designated as “Commercial Use”:</p> <ul style="list-style-type: none"> - Apply only to lots with arterial street frontage - No metal sided buildings - Minimum masonry coverage of facade is 25%. Fiber cement board or panel is not considered an acceptable masonry siding product to be used towards the masonry coverage requirement. 	<p>The quality of metal sided buildings has increased in the last decade, and this design guideline is no longer relevant.</p> <p>Staff is considering keeping the masonry coverage recommendation but only as a guideline and not an obligatory standard.</p>
South Meridian (page 40)	Community engagement revealed that respondents support requiring parking lots to be shared and interconnected between lots.	Requiring shared parking will require an additional code amendment to the Off-Street Parking Regulations.
South Meridian (page 57)	Community engagement revealed that pedestrian safety was the top priority for respondents.	The design standard that limits the number and size of driveway access points for lots increases pedestrian safety by limiting sidewalk interruptions and conflict points with vehicles.
South Meridian (page 58)	Community engagement revealed that 57% of respondents supported mixed use zoning.	Both sides of the community support mixed use zoning.
South Meridian (page 59)	Community engagement revealed that respondents support requiring parking to be located in the rear of the building.	Requiring that parking be located behind buildings will require an additional code amendment to the Off-Street Parking Regulations.
South Meridian (page 60)	Community engagement revealed that 20% of respondents prioritized shade when it came to streetscape elements.	The design standard requiring entrances to be recessed or covered satisfies this priority.
South Meridian (page 60)	Community engagement revealed that respondents support requiring sidewalk connections from commercial shopping	This can be added to the Subdivision Regulations with a future code amendment.

	districts to adjacent residential neighborhoods.	The design standard requiring sidewalk connections to entrances and constructing sidewalks where there are none may also satisfy this recommendation.
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Staff reviewed the commercial and mixed-use zoning codes of surrounding cities, the international standard, and Strong Towns’ 2023 “Strongest Town” in the process of developing these amendments. Strong Towns is a non-profit urban planning movement focused on creating financially resilient, safe, livable, and inviting cities. For more information, visit their website at www.strongtowns.org.

Code	Reason	Notes
Wichita-Sedgwick County Unified Zoning Code (2024 Edition)	This city is the largest nearby city to the City of Haysville and should be used as a source of inspiration considering its code is joint with Sedgwick County. It is common planning knowledge that city codes should attempt to match county, state and federal code.	<p>Wichita does not require design standards for their base commercial zoning districts.</p> <p>NR Neighborhood Retail caps commercial businesses at 8,000 square feet.</p> <p>Wichita’s most intense mixed-use district, CBD Central Business District, has very few regulations. The minimums for lot width, height, and all setbacks do not exist.</p> <p>The D-O Delano Neighborhood Overlay has substantial design guidelines.</p>
Zoning Regulations of the City of Goddard, Kansas (2025 Edition)	While smaller than the City of Haysville, this city is rapidly growing and demonstrates progressive zoning regulations.	R-4 Residential High Density recommends that development maximize the space first abutting the street frontage. This is a mixed use district.
Zoning Regulations of the City of Derby, Kansas (2025 Edition)	This city is the closest city in terms of size and location to the City of Haysville.	<p>B-1 Office Business District caps commercial and office spaces at 4,000 square feet.</p> <p>B-2 Neighborhood Business District caps business establishments at 8,000 square feet.</p> <p>B-2A Buckner Business District requires buildings to maintain the appearance of a single story residential structure.</p> <p>MU-1 Mixed Use District requires pedestrian connections to all streets and building entrances.</p>
International Zoning Code (2021 Edition)	This code establishes minimum requirements for zoning regulations.	No design standards are provided, which is expected considering the IZC establishes absolute minimums.
Zoning Regulations of the City of Battleboro, Vermont	Deemed Strong Towns’ “Strongest Town” in 2023.	Battleboro’s zoning districts include extensive design standards focused on creating a pleasant pedestrian experience.

	Battleboro has a population of about 12,000.	Such design standards influenced the design standards proposed by staff, including requiring priority pedestrian access, sidewalks, orientation of the primary entrance to the street, protected entryways, and storefront transparency.
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Further changes are proposed to the commercial zoning districts that are not listed in this staff report. You may view those changes and the reasons for such in the red-lined version of this code. The red-lined and clean version of this code are attached to this staff report.

OTHER RESOURCES

1. [Adopt Planning and Land Use Policies That Support Locally Owned Businesses](#)
2. [Loosen Up: How Mixed-Use Zoning Laws Make Communities Strong](#)
3. [Mixed Up Priorities for Mixed-Use Buildings](#)
4. [Leveraging Zoning for Economic Resilience](#)
5. [Local Policy Matters: How to Grow Independent Businesses in Your City](#)
6. [In Cities Around the Country, New Action on Commercial Affordability](#)
7. [We Regulate the Wrong Things](#)
8. [Objective Design and Development Standards: Empowering Planners to Enable Great Places](#)
9. [City of Los Angeles Department of City Planning: Walkability Checklist](#)

RECOMMENDATION

No motion or recommendation is needed at this time. This is just a review of a proposed amendment to the commercial zoning districts.

ATTACHMENTS

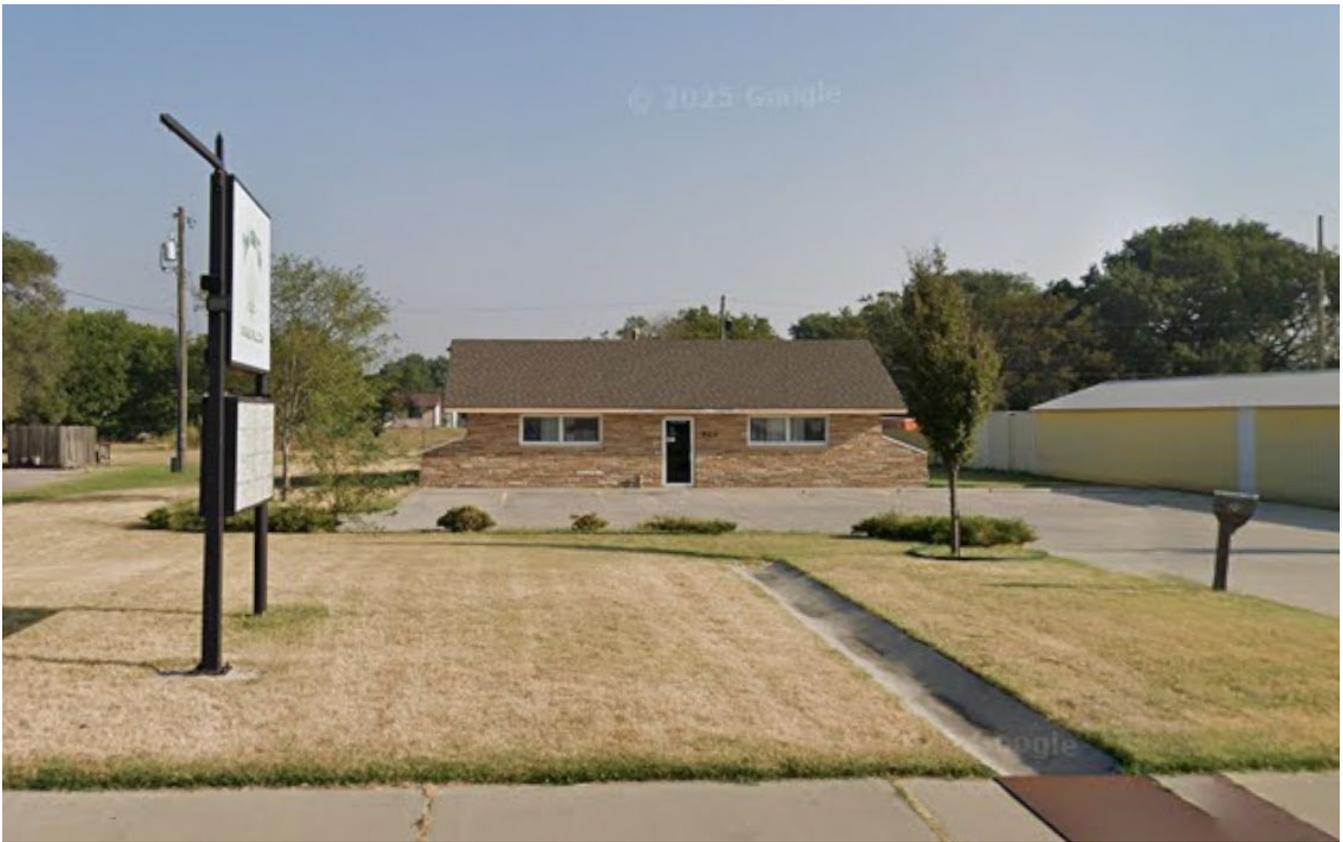
Attached are examples of existing commercial buildings and their building front transparency percentages. See Sections 601.G, 602.G and 603.G for the proposed transparency requirement. In the examples below, there is no correlation between transparency percentage and the age of the building. Development is not trending towards lower or higher transparency percentages.

The exact percentage the City wants to require is open for debate. Staff has proposed 50% transparency, but has seen other cities require between 60% (Battleboro, VT) and 75% (Los Angeles).

401 N Main St has a building front transparency of 16%. The building was constructed in 2006.



920 E Grand Ave has a building front transparency of 21%. The building was constructed in 1958.



220 N Main St has a building front transparency of 25%. The building was constructed in 2008.



243 N Main St has a building front transparency of 33%. The building was constructed in 1980.



349 N Main St has a building front transparency of 53%. The building was constructed in 2002.



7217 S Broadway Ave has a building front transparency of 72%. The building was constructed in 1972.



ARTICLE 6

COMMERCIAL AND MIXED USE ZONING DISTRICTS

SECTION 601. MFA MULTI-FAMILY APARTMENT DISTRICT REGULATIONS

601.A. PURPOSE. The purpose of this district is to accommodate and promote a vertical mix of higher density residential development and complimentary commercial development that serves the needs of the surrounding neighborhood. This district is generally compatible with the “Residential” and “Neighborhood Mixed Use” designations on the Official Land Use Map adopted in the *City of Haysville Comprehensive Plan*.

601.B. USE STANDARDS. The permitted and conditional uses allowed in this district are listed in [TABLE 404.D](#), in accordance with [SECTION 404](#).

601.C. DIMENSIONAL STANDARDS. The following standards shall apply to all principal structures in this district as listed in [TABLE 601.C](#), in accordance with [SECTION 405](#). See [SECTION 407](#) for the dimensional standards for accessory structures.

Table 601.C. MFA Dimensional Standards (in feet, unless otherwise noted).

Use	Minimum lot area (sq. ft.)	Minimum lot dimensions		Minimum setback requirements				Max building height	Min area of dwelling (sq. ft.)
		Width	Depth	Front yard	Side yard	Street yard	Rear yard		
Stacked Two-Family	4,500	45	80	15	5	10	10	55 ²	See 601.F.1
Side-by-Side Two-Family	6,050	55	80	15	5				
Triplex	5,175	45	80	15	5				
Fourplex	7,800	60	80	15	5				
Multiplex	10,000	80	80	15	5				
Apartment	14,175	105	80	10	0 ¹				
Live-Work	3,150	35	80	10	0 ¹				

1. When a side setback is provided, a minimum distance of 5 feet shall be required.
2. Heights for conditional uses shall be determined as part of the conditional use approval.

601.D. PARKING REGULATIONS. See [APPENDIX E, SECTION 500](#) for the full parking regulations.

1. For apartments, live-work, and non-residential developments, no more than 200 square feet of land within the minimum front yard setback may be paved for vehicular access. Shared access between lots is strongly encouraged and the paved areas within the minimum front yard setback

may be 300 square feet to accommodate a shared driveway. Corner lots may have one 200 square foot paved area within the minimum front yard setback along each street.

2. For apartments, live-work, and non-residential developments, access to parking is to be provided from a side street, wherever possible.

601.E. LANDSCAPING REGULATIONS. See [APPENDIX E, SECTION 501](#).

601.F. SPECIAL MFA DISTRICT REGULATIONS. The following special regulations shall apply to property in the MFA District.

1. The minimum area of dwelling, based on unit type, shall be:
 - a. Studio apartments-minimum livable area of 300 sq. feet.
 - b. One-bedroom apartments-minimum livable area of 400 sq. feet.
 - c. Two-bedroom apartments-minimum livable area of 600 sq. feet.
 - d. Three-bedroom apartments-minimum livable area of 800 sq. feet.
2. Non-residential uses are only permitted in conjunction with residential uses. Such permitted non-residential uses may only be located on the first and second stories of principal structures. Residential uses may be located above or on the same floor level as non-residential uses, including the ground floor.
3. No individual business shall occupy more than 5,000 square feet of floor area; provided, however, an exception to this limitation may be granted by the Board of Zoning Appeals pursuant to the Special Exception procedures in [SECTION 1006](#) and subject to the following conditions:
 - a. A basement area, not exceeding the area used for office or sales use, which is used only for storage, records, mechanical equipment or other non-person uses.
 - b. Such area shall be determined to be non-traffic generating and deemed to be exempt from all off-street parking requirements.
 - c. Any exception to the floor area granted by the Board of Zoning Appeals shall apply only to the use set forth in the application. Any change of occupancy will be subject to all limitations of these regulations.
4. Vehicles associated with non-residential uses stored or retained on the site overnight shall be stored within the principal structure, or an enclosed detached garage; provided, however, an exception to this regulation may be granted by the Board of Zoning Appeals pursuant to the Special Exception procedures in [SECTION 1006](#). Vehicles associated with residential uses shall be exempt from this regulation.
5. No non-residential use shall store any items, goods or equipment outside of an enclosed building, except:
 - a. Street furniture intended for outdoor gathering, seating, dining, or similar public and semi-public purposes. Such furniture is typically located in the front yard setback or the public right-of-way; and

- b. Items, goods and equipment that are for retail sale and placed immediately adjacent to the principal structure.
6. Exterior lighting fixtures shall be shaded so that direct light is directed away from adjacent residential property.

601.G. MFA DISTRICT DESIGN STANDARDS. The following standards shall apply to all properties in the MFA district and are used to evaluate the acceptability of a project's design. Where a standard uses the word "recommended" such standards shall be treated as guidelines. Guidelines are not obligatory requirements and can be waived and/or modified as needed to accommodate development.

1. It is recommended that the primary entrance to the principal structure face the street.
2. Pedestrian access must be provided from the public sidewalk or street to the primary entrance. If there are no or inadequate public sidewalks along the street, a minimum 5-foot sidewalk must be provided.
3. Entrances must be recessed into the face of the building or be sheltered by an architectural projection creating a protected entryway not less than 15 square feet in area.
4. It is recommended that buildings be built to the required front yard setback line to create a strong street wall.
5. The façade of ground floor non-residential space must be designed to encourage and complement pedestrian-oriented activity by the use of windows or doors arranged so that the interior spaces are visible and accessible from the street.
 - a. For retail space, at least 50% of the front ground-level façade must be public entrances and windows; provided, however, an exception to this limitation may be granted by the Board of Zoning Appeals pursuant to the Special Exception procedures in [SECTION 1006](#).
 - b. For all other non-residential space, windows shall be provided on all sides of the ground-level façade visible from the street.
6. A minimum masonry coverage of 25% of the building is recommended. Fiber cement board or panel is not considered an acceptable masonry siding product to be used towards the masonry coverage recommendation. Guidance for calculating the masonry coverage recommendation can be found in the [SOUTH BROADWAY CORRIDOR PLAN](#).

SECTION 602. LC LIGHT COMMERCIAL DISTRICT REGULATIONS

602.A. PURPOSE. The purpose of this district is to accommodate and promote a horizontal and vertical mix of residential and commercial development. This district is generally compatible with the “Neighborhood Mixed Use” and “Commercial” designations on the Official Land Use Map adopted in the *City of Haysville Comprehensive Plan*.

602.B. USE STANDARDS. The permitted and conditional uses allowed in this district are listed in [TABLE 404.D](#), in accordance with [SECTION 404](#).

602.C. DIMENSIONAL STANDARDS. The following standards shall apply to all principal structures in this district as listed in [TABLE 602.C](#), in accordance with [SECTION 405](#). See [SECTION 407](#) for the dimensional standards for accessory structures.

Table 602.C. LC Dimensional Standards (in feet, unless otherwise noted).

Use	Minimum lot area (sq. ft.)	Minimum lot dimensions		Minimum setback requirements				Max building height	Min area of dwelling (sq. ft.)
		Width	Depth	Front yard	Side yard	Street yard	Rear yard		
Non-Residential	3,150	35	80	10	0 ¹	10	10	55 ²	See 601.F.1
Triplex	5,175	45	80	15	5				
Fourplex	7,800	60	80	15	5				
Multiplex	10,000	80	80	15	5				
Apartment	14,175	105	80	10	0 ¹				
Live-Work	3,150	35	80	10	0 ¹				

1. When a side setback is provided, a minimum distance of 5 feet shall be required.
2. Heights for conditional uses shall be determined as part of the conditional use approval.

602.D. PARKING REGULATIONS. See [APPENDIX E, SECTION 501](#) for the full parking regulations.

1. For apartments, live-work, and non-residential developments, no more than 200 square feet of land within the minimum front yard setback may be paved for vehicular access. Shared access between lots is strongly encouraged and the paved areas within the minimum front yard setback may be 300 square feet to accommodate a shared driveway. Corner lots may have one 200 square foot paved area within the minimum front yard setback along each street.
2. For apartments, live-work, and non-residential developments, access to parking is to be provided from a side street, wherever possible.

602.E. LANDSCAPING REGULATIONS. See [APPENDIX E, SECTION 501](#).

602.F. SPECIAL LC DISTRICT REGULATIONS. The following special regulations shall apply to property in the LC District.

1. Residential uses may be located above or on the same floor level as non-residential uses, including the ground floor; provided, however, residential uses may not be located in front of or below a non-residential use.
2. No existing non-residential units shall be demolished or converted to be reused as three- and four-family or multi-family residential units except as approved by the Planning Commission following the Conditional Use procedures in [SECTION 1002](#).
3. Vehicles associated with non-residential uses stored or retained on the site overnight shall be stored within the principal structure, or an enclosed detached garage; provided, however, an exception to this limitation may be granted by the Board of Zoning Appeals pursuant to the Special Exception procedures in [SECTION 1006](#). Vehicles associated with residential uses shall be exempt from this regulation.
4. No items, goods or equipment shall be stored outside of an enclosed building, except:
 - a. Street furniture intended for outdoor gathering, seating, dining, or similar public and semi-public purposes. Such furniture is typically located in the front yard setback or the public right-of-way; and
 - b. Items, goods and equipment that are for retail sale and placed immediately adjacent to the principal structure.
5. Exterior lighting fixtures shall be shaded so that direct light is directed away from adjacent residential property.

602.G. LC DISTRICT DESIGN STANDARDS. The following standards shall apply to all properties in the LC district and are used to evaluate the acceptability of a project's design. Where a standard uses the word "recommended" such standards shall be treated as guidelines. Guidelines are not obligatory requirements and can be waived and/or modified as needed to accommodate development.

1. It is recommended that the primary entrance to the principal structure face the street.
2. Pedestrian access must be provided from the public sidewalk or street to the primary entrance. If there are no or inadequate public sidewalks along the street, a minimum 5-foot sidewalk must be provided.
3. Entrances must be recessed into the face of the building or be sheltered by an architectural projection creating a protected entryway not less than 15 square feet in area.
4. It is recommended that buildings be built to the required front yard setback line to create a strong street wall.
5. The façade of ground floor non-residential space must be designed to encourage and complement pedestrian-oriented activity by the use of windows or doors arranged so that the interior spaces are visible and accessible from the street.

- a. For retail space, at least 50% of the front ground-level façade must be public entrances and windows; provided, however, an exception to this limitation may be granted by the Board of Zoning Appeals pursuant to the Special Exception procedures in [SECTION 1006](#).
 - b. For all other non-residential space, windows shall be provided on all sides of the ground-level façade visible from the street.
6. A minimum masonry coverage of 25% of the facade is recommended. Fiber cement board or panel is not considered an acceptable masonry siding product to be used towards the masonry coverage recommendation. Guidance for calculating the masonry coverage recommendation can be found in the [SOUTH BROADWAY CORRIDOR PLAN](#).

SECTION 603. HMC HOTEL AND MOTEL COMMERCIAL DISTRICT REGULATIONS

603.A. PURPOSE. The purpose of this district is to accommodate for large-lot development tailored towards transient guests including, but not limited to, hotels, motels, event centers, indoor entertainment and other complimentary land uses. This district is generally compatible with the “Commercial” designations on the Official Land Use Map adopted in the *City of Haysville Comprehensive Plan*.

603.B. Use Standards. The permitted and conditional uses allowed in this district are listed in [TABLE 404.D](#), in accordance with [SECTION 404](#).

603.C. Dimensional Standards. The dimensional standards shall apply to all principal structures in this district as listed in [TABLE 603.C](#), in accordance with [SECTION 405](#). See [SECTION 407](#) for the dimensional standards for accessory structures.

Table 603.C. HMC Dimensional Standards (in feet, unless otherwise noted).

Minimum lot area (sq. ft.)	Minimum lot dimensions		Minimum setback requirements				Maximum building height
	Width	Depth	Front yard	Side yard	Street yard	Rear yard	
10,000	80	80	20	5	20	20	55 ¹

1. Heights for conditional uses shall be determined as part of the conditional use approval.

603.D. PARKING REGULATIONS. See [APPENDIX E, SECTION 500](#) for the full parking regulations.

1. In addition to any required off-street parking, an off-street area must be provided for guests to load and unload private and public vehicles (cars, vans, buses, etc.).
2. No more than 800 square feet of land within the minimum front yard setback may be paved for vehicular access. Shared access between lots is strongly encouraged. Corner lots may have one 800 square foot paved area within the minimum front yard setback along each street.
3. Access to parking is to be provided from a side street, wherever possible.

603.E. LANDSCAPING REGULATIONS. See [APPENDIX E, SECTION 501](#).

603.F. Special HMC District Regulations. The following special regulations shall apply to property in the HMC District.

1. **Dwelling unit regulations:**
 - a. Each dwelling unit shall contain a primary room with a minimum of 150 square feet of floor area.
 - b. Other habitable rooms in each dwelling unit shall contain not less than 70 square feet each.
 - c. Each dwelling unit shall contain a separate bathroom containing a water closet, lavatory and tub or shower.
 - d. When housekeeping units are included, the primary room shall contain a minimum of

220 square feet of floor area.

- e. At a minimum, the kitchen area will be of sufficient size to accommodate a cupboard, countertop and provide a sink, cooking appliance, refrigerator and clear working area of 30 inches.
 - f. No habitable room shall have less than a seven-foot length or width dimension.
2. **Zone change requirements.** An approved screening plan will be required before final approval of any zone change to the HMC District. Such plan shall contain:
- a. A detailed plan to screen the site from adjacent, lesser zoned property.
 - b. Type and kind of screening material. If living screen (trees and/or shrubs) is to be used, not only the type and location of planting, but also the anticipated growth time to maturity is to be included. A maintenance plan for the screening will be required.
 - c. The effectiveness of such planned visual and/or sound barriers.
 - d. The schedule for completion of the screening plan.
3. **Outdoor storage.** No non-residential use shall store any items, goods or equipment outside of an enclosed building, except:
- a. Street furniture intended for outdoor gathering, seating, dining, or similar public and semi-public purposes. Such furniture is typically located in the front yard setback or the public right-of-way; and
 - b. Items, goods and equipment that are for retail sale and placed immediately adjacent to the principal structure.
 - c. Vehicles stored or retained on the site overnight and associated with said non-residential use. This includes the overnight storage of transient guests' vehicles.

603.G. HMC DISTRICT DESIGN STANDARDS. The following standards shall apply to all properties in the HMC district and are used to evaluate the acceptability of a project's design. Where a standard uses the word "recommended" such standards shall be treated as guidelines. Guidelines are not obligatory requirements and can be waived and/or modified as needed to accommodate development.

1. It is recommended that the primary entrance to the principal structure face the street.
2. Pedestrian access must be provided from the public sidewalk or street to the primary entrance. If there are no or inadequate public sidewalks along the street, a minimum 5-foot sidewalk must be provided.
3. Entrances must be recessed into the face of the building or be sheltered by an architectural projection creating a protected entryway not less than 15 square feet in area.
4. It is recommended that buildings be built to the required front yard setback line to create a strong street wall.
5. The façade of ground floor non-residential space must be designed to encourage and complement pedestrian-oriented activity by the use of windows or doors arranged so that the interior spaces are visible and accessible from the street.

- a. For retail space, at least 50% of the front ground-level façade must be public entrances and transparent windows; provided, however, an exception to this limitation may be granted by the Board of Zoning Appeals pursuant to the Special Exception procedures in [SECTION 1006](#).
 - b. For all other non-residential space, windows shall be provided on all sides of the ground-level façade visible from the street.
6. A minimum masonry coverage of 25% of the facade is recommended. Fiber cement board or panel is not considered an acceptable masonry siding product to be used towards the masonry coverage recommendation. Guidance for calculating the masonry coverage recommendation can be found in the [SOUTH BROADWAY CORRIDOR PLAN](#).

SECTION 604. HC HEAVY COMMERCIAL DISTRICT REGULATIONS

604.A. PURPOSE. The purpose of this district is to accommodate commercial development that is oriented towards and may draw more motor vehicle traffic and requires larger lots than other commercial development. This district is generally compatible with the “Commercial” and “Commercial Mixed Use” designations on the Official Land Use Map adopted in the *City of Haysville Comprehensive Plan*.

604.B. USE STANDARDS. The permitted and conditional uses allowed in this district are listed in [TABLE 404.D](#), in accordance with [SECTION 404](#).

604.C. DIMENSIONAL STANDARDS. The following standards shall apply to all principal structures in this district as listed in [TABLE 604.C](#), in accordance with [SECTION 405](#). See [SECTION 407](#) for the dimensional standards for accessory structures.

604.C. HC Dimensional Standards (in feet, unless otherwise noted).

Minimum lot area (sq. ft.)	Minimum lot dimensions		Minimum setback requirements				Maximum building height
	Width	Depth	Front yard	Side yard	Street yard	Rear yard	
6,000	50	80	20	10	20	20	55 ¹

1. Heights for conditional uses shall be determined as part of the conditional use approval.

604.D. PARKING REGULATIONS. See [APPENDIX E, SECTION 500](#) for the full parking regulations.

1. No more than 800 square feet of land within the front yard setback may be paved for vehicular access. Shared access between lots is strongly encouraged. Corner lots may have one 800 square foot paved area within the minimum front yard setback along each street.
2. Access to parking is to be provided from a side street, wherever possible.

604.E. LANDSCAPING REGULATIONS. See [APPENDIX E, SECTION 501](#).

604.F. SPECIAL HC DISTRICT REGULATIONS. The following special regulations shall apply to all property in the HC district.

1. No outdoor operations, display or storage is permitted within the front yard setback, except:
 - a. Street furniture intended for outdoor gathering, seating, dining, or similar public and semi-public purposes. Such furniture is typically located in the front yard setback or the public right-of-way; and
 - b. Items, goods and equipment that are for retail sale and placed immediately adjacent to the principal structure.
 - c. Required and accessory customer and employee vehicle parking and parking for vehicles used in conjunction with the business occupying the zoning lot is permitted in the front yard setback.

- d. If the principal use of the lot is the sales or rental of vehicles or equipment, the display of such vehicles or equipment may be located on hard surface areas within the front yard setback.
2. All items stored outdoors, including vehicles, must be kept on a hard or all-weather surface.
3. All outdoor operations and storage shall occur within solid screened areas and shall not be visible from any adjacent non-elevated street nor from ground level view in any adjacent lot that is a lesser zoning district.
4. Operations or products must not be objectionable due to odor, dust, smoke, noise, vibration, or other similar causes.
5. Any illumination shall be so arranged as to reflect the light away from adjoining premises.

604.G. HC DISTRICT DESIGN STANDARDS. The following standards shall apply to all properties in the HC district and are used to evaluate the acceptability of a project's design. Where a standard uses the word "recommended" such standards shall be treated as guidelines. Guidelines are not obligatory requirements and can be waived and/or modified as needed to accommodate development.

1. It is recommended that the primary entrance to the principal structure face the street.
2. Pedestrian access must be provided from the public sidewalk or street to the primary entrance. If there are no or inadequate public sidewalks along the street, a minimum 5-foot sidewalk must be provided.
3. It is recommended that buildings be built to the required front yard setback line to create a strong street wall.
4. A minimum masonry coverage of 25% of the facade is recommended. Fiber cement board or panel is not considered an acceptable masonry siding product to be used towards the masonry coverage recommendation. Guidance for calculating the masonry coverage recommendation can be found in the [SOUTH BROADWAY CORRIDOR PLAN](#).

ARTICLE 6
COMMERCIAL AND MIXED USE ZONING DISTRICTS

SECTION 601. MFA MULTI-FAMILY APARTMENT DISTRICT REGULATIONS

601.A. PURPOSE. The purpose of this district is to accommodate and promote a vertical mix of higher density residential development and complimentary commercial development that serves the needs of the surrounding neighborhood. This district is generally compatible with the “Residential” and “Neighborhood Mixed Use” designations on the Official Land Use Map adopted in the City of Haysville Comprehensive Plan.

Commented [KH1]: Mixed-use zoning districts were a recommendation of the South Broadway and South Meridian Corridor Plans. 57% of respondents supported mixed use zoning in the South Meridian Corridor Plan (page 58).

601.B. USE STANDARDS. The permitted and conditional uses allowed in this district are listed in TABLE 404.D, in accordance with SECTION 404.

601.C. DIMENSIONAL STANDARDS. The following standards shall apply to all principal structures in this district as listed in TABLE 601.C, in accordance with SECTION 405. See SECTION 407 for the dimensional standards for accessory structures.

Table 601.C. MFA Dimensional Standards (in feet, unless otherwise noted).

Use	Minimum lot area (sq. ft.)	Minimum lot dimensions		Minimum setback requirements				Max building height	Min area of dwelling (sq. ft.)
		Width	Depth	Front yard	Side yard	Street yard	Rear yard		
Stacked Two-Family	4,500	45	80	15	5	105	120	55 ²	See 601.F.1
Side-by-Side Two-Family	6,050	55	80	15	5				
Triplex	5,175	45	80	15	5				
Fourplex	7,800	60	80	15	5				
Multiplex	10,000 ^{6,000}	80 ⁵⁰	80 ⁹⁰	125	56				
Apartment	14,175	105	80	10	0 ¹				
Live-Work	3,150	35	80	10	0 ¹				

1. When a side setback is provided, a minimum distance of 5 feet shall be required.
 —Heights for conditional uses shall be determined as part of the conditional use approval.
2. _____

601.DE. PARKING REGULATIONS. See Appendix APPENDIX E, SECTION 500 for the full parking regulations.

For apartments, live-work, and non-residential developments, no more than 200 square feet of land within the minimum front yard setback may be paved for vehicular access. Shared access between lots is strongly encouraged and the paved areas within the minimum front yard setback may be 300 square feet to accommodate a shared driveway. Corner lots may have one 200 square foot paved area within the minimum front yard setback along each street.

1.

2. For apartments, live-work, and non-residential developments, access to parking is to be provided from a side street, wherever possible.

601.E. LANDSCAPING REGULATIONS. See ~~Appendix~~ APPENDIX E, SECTION 501.

601.F. SPECIAL MFA DISTRICT REGULATIONS. The following special regulations shall apply to property in the MFA District.

1. The minimum area of dwelling, based on unit type, shall be: ~~Minimum areas of each dwelling,~~

- a. Studio apartments-minimum livable area of 300 sq. feet.
- b. One-bedroom apartments-minimum livable area of 400 sq. feet.
- c. Two-bedroom apartments-minimum livable area of 600 sq. feet.
- d. Three-bedroom apartments-minimum livable area of 800 sq. feet.

2. Non-residential uses are only permitted in conjunction with residential uses. Such permitted non-residential uses may only be located on the first and second stories of principal structures. Residential uses may be located above or on the same floor level as non-residential uses, including the ground floor.

3. No individual business shall occupy more than 5,000 square feet of floor area; provided, however, an exception to this limitation may be granted by the Board of Zoning Appeals pursuant to the Special Exception procedures in SECTION 1006 and subject to the following conditions:

- a. A basement area, not exceeding the area used for office or sales use, which is used only for storage, records, mechanical equipment or other non-person uses.
- b. Such area shall be determined to be non-traffic generating and deemed to be exempt from all off-street parking requirements.
- c. Any exception to the floor area granted by the Board of Zoning Appeals shall apply only to the use set forth in the application. Any change of occupancy will be subject to all limitations of these regulations.

4. Vehicles associated with non-residential uses stored or retained on the site overnight shall be stored within the principal structure, or an enclosed detached garage; provided, however, an exception to this regulation may be granted by the Board of Zoning Appeals pursuant to the Special Exception procedures in SECTION 1006. Vehicles associated with residential uses shall be exempt from this regulation.

5. No non-residential use shall store any items, goods or equipment outside of an enclosed

Commented [KH2]: Strong Towns believes that the most important things to regulate when it comes to development design relate to pedestrian comfort. Limiting sidewalk interruptions is a way to increase pedestrian comfort. This regulation allows for a 20-foot driveway for individual lots and a 30-foot driveway when shared. This also incentivizes shared parking, a recommendation of the South Meridian Corridor Plan (page 40).

Commented [KH3]: Part of the recommendation for an access management policy from the South Meridian Corridor Plan.

Commented [KH4]: Adopted from the OC district regulations. This will help ensure commercial uses in this mixed use zoning districts are smaller and generally compatible with associated residential uses.

building, except:

- a. Street furniture intended for outdoor gathering, seating, dining, or similar public and semi-public purposes. Such furniture is typically located in the front yard setback or the public right-of-way; and
 - b. Items, goods and equipment that are for retail sale and placed immediately adjacent to the principal structure.
6. Exterior lighting fixtures shall be shaded so that direct light is directed away from adjacent residential property.

601.G. MFA DISTRICT DESIGN STANDARDS. The following standards shall apply to all properties in the MFA district and are used to evaluate the acceptability of a project's design. Where a standard uses the word "recommended" such standards shall be treated as guidelines. Guidelines are not obligatory requirements and can be waived and/or modified as needed to accommodate development.

1. It is recommended that the primary entrance to the principal structure face the street.
2. Pedestrian access must be provided from the public sidewalk or street to the primary entrance. If there are no or inadequate public sidewalks along the street, a minimum 5-foot sidewalk must be provided.
3. Entrances must be recessed into the face of the building or be sheltered by an architectural projection creating a protected entryway not less than 15 square feet in area.
4. It is recommended that buildings be built to the required front yard setback line to create a strong street wall.
5. The façade of ground floor non-residential space must be designed to encourage and complement pedestrian-oriented activity by the use of windows or doors arranged so that the interior spaces are visible and accessible from the street.
 - a. For retail space, at least 50% of the front ground-level façade must be public entrances and windows; provided, however, an exception to this limitation may be granted by the Board of Zoning Appeals pursuant to the Special Exception procedures in SECTION 1006.
 - b. For all other non-residential space, windows shall be provided on all sides of the ground-level façade visible from the street.
6. A minimum masonry coverage of 25% of the building is recommended. Fiber cement board or panel is not considered an acceptable masonry siding product to be used towards the masonry coverage recommendation. Guidance for calculating the masonry coverage recommendation can be found in the SOUTH BROADWAY CORRIDOR PLAN.

Commented [KH5]: Strong Towns believes that the most important things to regulate when it comes to development design relate to pedestrian comfort. Direct access to buildings from sidewalks makes it safe and convenient to be a pedestrian. 5 feet is the minimum standard for sidewalks in the City.

Commented [KH6]: Respondents prioritized shade in pedestrian areas in the South Meridian Corridor Plan (page 60).

Commented [KH7]: This was a recommendation of the South Broadway Plan (page 82)

SECTION 602. LC LIGHT COMMERCIAL DISTRICT REGULATIONS

602.A. PURPOSE. The purpose of this district is to accommodate and promote a horizontal and vertical mix of residential and commercial development. This district is generally compatible with the “Neighborhood Mixed Use” and “Commercial” designations on the Official Land Use Map adopted in the *City of Haysville Comprehensive Plan*.

602.B. USE STANDARDS. The permitted and conditional uses allowed in this district are listed in TABLE 404.D, in accordance with SECTION 404.

602.C. DIMENSIONAL STANDARDS. The following standards shall apply to all principal structures in this district as listed in TABLE 602.C, in accordance with SECTION 405. See SECTION 407 for the dimensional standards for accessory structures.

Table 602.C. LC Dimensional Standards (in feet, unless otherwise noted).

Use	Minimum lot area (sq. ft.)	Minimum lot dimensions		Minimum setback requirements				Maximum building height	Min area of dwelling (sq. ft.)
		Width	Depth	Front yard	Side yard	Street yard	Rear yard		
Non-Residential	6,000, 3,150	3550	890	10	0 ¹ 6	10	10	545 ²	See 601.F.1
Triplex	5,175	45	80	15	5				
Fourplex	7,800	60	80	15	5				
Multiplex	10,000	80	80	15	5				
Apartment	14,175	105	80	10	0 ¹				
Live-Work	3,150	35	80	10	0 ¹				

1. When a side setback is provided, a minimum distance of 5 feet shall be required.
2. Heights for conditional uses shall be determined as part of the conditional use approval.

602.D. PARKING REGULATIONS. See Appendix APPENDIX E, SECTION 501 for the full parking regulations.

1. For apartments, live-work, and non-residential developments, no more than 200 square feet of land within the minimum front yard setback may be paved for vehicular access. Shared access between lots is strongly encouraged and the paved areas within the minimum front yard setback may be 300 square feet to accommodate a shared driveway. Corner lots may have one 200 square foot paved area within the minimum front yard setback along each street.
2. For apartments, live-work, and non-residential developments, access to parking is to be provided from a side street, wherever possible.

602.E. LANDSCAPING REGULATIONS. See Appendix APPENDIX E, SECTION 501.

Commented [KH8]: Moving to before HMC in heirarchy. HMC is for larger lot development than LC.

Commented [KH9]: Mixed-use zoning districts were a recommendation of the South Broadway and South Meridian Corridor Plans. 57% of respondents supported mixed use zoning in the South Meridian Corridor Plan (page 58).

Commented [KH10]: Strong Towns believes that the most important things to regulate when it comes to development design relate to pedestrian comfort. Limiting sidewalk interruptions is a way to increase pedestrian comfort. This regulation allows for a 20-foot driveway for individual lots and a 30-foot driveway when shared. This also incentives shared parking, a recommendation of the South Meridian Corridor Plan (page 40).

Commented [KH11]: Part of the recommendation for an access management policy from the South Meridian Corridor Plan.

602.F. SPECIAL LC DISTRICT REGULATIONS. The following special regulations shall apply to property in the LC District.

1. Residential uses may be located above or on the same floor level as non-residential uses, including the ground floor; provided, however, residential uses may not be located in front of or below a non-residential use.
2. No existing non-residential units shall be demolished or converted to be reused as three- and four-family or multi-family residential units except as approved by the Planning Commission following the Conditional Use procedures in SECTION 1002.
3. Vehicles associated with non-residential uses stored or retained on the site overnight shall be stored within the principal structure, or an enclosed detached garage; provided, however, an exception to this limitation may be granted by the Board of Zoning Appeals pursuant to the Special Exception procedures in SECTION 1006. Vehicles associated with residential uses shall be exempt from this regulation.
4. No items, goods or equipment shall be stored outside of an enclosed building, except:
 - a. Street furniture intended for outdoor gathering, seating, dining, or similar public and semi-public purposes. Such furniture is typically located in the front yard setback or the public right-of-way; and
 - b. Items, goods and equipment that are for retail sale and placed immediately adjacent to the principal structure.
5. Exterior lighting fixtures shall be shaded so that direct light is directed away from adjacent residential property.

602.G. LC DISTRICT DESIGN STANDARDS. The following standards shall apply to all properties in the LC district and are used to evaluate the acceptability of a project's design. Where a standard uses the word "recommended" such standards shall be treated as guidelines. Guidelines are not obligatory requirements and can be waived and/or modified as needed to accommodate development.

1. It is recommended that the primary entrance to the principal structure face the street.
2. Pedestrian access must be provided from the public sidewalk or street to the primary entrance. If there are no or inadequate public sidewalks along the street, a minimum 5-foot sidewalk must be provided.
3. Entrances must be recessed into the face of the building or be sheltered by an architectural projection creating a protected entryway not less than 15 square feet in area.
4. It is recommended that buildings be built to the required front yard setback line to create a strong street wall.
5. The façade of ground floor non-residential space must be designed to encourage and complement pedestrian-oriented activity by the use of windows or doors arranged so that the interior spaces are visible and accessible from the street.

Commented [KH12]: Strong Towns believes that the most important things to regulate when it comes to development design relate to pedestrian comfort. Direct access to buildings from sidewalks makes it safe and convenient to be a pedestrian. 5 feet is the minimum standard for sidewalks in the City.

Commented [KH13]: Respondents prioritized shade in pedestrian areas in the South Meridian Corridor Plan (page 60).

- a. For retail space, at least 50% of the front ground-level façade must be public entrances and windows; provided, however, an exception to this limitation may be granted by the Board of Zoning Appeals pursuant to the Special Exception procedures in SECTION 1006.
 - b. For all other non-residential space, windows shall be provided on all sides of the ground-level façade visible from the street.
6. A minimum masonry coverage of 25% of the facade is recommended. Fiber cement board or panel is not considered an acceptable masonry siding product to be used towards the masonry coverage recommendation. Guidance for calculating the masonry coverage recommendation can be found in the SOUTH BROADWAY CORRIDOR PLAN.

Commented [KH14]: This was a recommendation of the South Broadway Corridor Plan (page 82).

SECTION 603. HMC HOTEL AND MOTEL COMMERCIAL DISTRICT REGULATIONS

603.A. PURPOSE. The purpose of this district is to accommodate for large-lot development tailored towards transient guests including, but not limited to, hotels, motels, event centers, indoor entertainment and other complimentary land uses. This district is generally compatible with the “Commercial” designations on the Official Land Use Map adopted in the *City of Haysville Comprehensive Plan*.

603.B. Use Standards. The permitted and conditional uses allowed in this district are listed in TABLE 404.D, in accordance with SECTION 404.

603.C. Dimensional Standards. The dimensional standards shall apply to all principal structures in this district as listed in TABLE 603.C, in accordance with SECTION 405. See SECTION 407 for the dimensional standards for accessory structures.

Table 603.C. HMC Dimensional Standards (in feet, unless otherwise noted).

Minimum lot area (sq. ft.)	Minimum lot dimensions		Minimum setback requirements				Maximum building height
	Width	Depth	Front yard	Side yard	Street yard	Rear yard	
10,000	80	8100	2035	56 [±]	2035	20	None ⁵⁵¹

1. ~~If zero lot line development is allowed, or any portion of the building is more than 150 feet from a public street, dedicated fire lanes shall be provided on at least two sides of the building. Heights for conditional uses shall be determined as part of the conditional use approval.~~

603.DE. ——— PARKING REGULATIONS. See APPENDIX E, SECTION 500 for the full parking regulations.

1. In addition to ~~the any~~ required off-street parking, an off-street area must be provided for guests to load and unload private and public vehicles (cars, vans, buses, etc...).
2. ~~No more than 800 square feet of land within the minimum front yard setback may be paved for vehicular access. Shared access between lots is strongly encouraged. Corner lots may have one 800 square foot paved area within the minimum front yard setback along each street.~~
3. Access to parking is to be provided from a side street, wherever possible.

603.E. LANDSCAPING REGULATIONS. See APPENDIX E, SECTION 501.

603.F. Special HMC District Regulations. The following special regulations shall apply to property in the HMC District.

Commented [KH15]: Strong Towns believes that the most important things to regulate when it comes to development design relate to pedestrian comfort. Limiting sidewalk interruptions is a way to increase pedestrian comfort. This regulation allows for a 40-foot drive. This also encourages shared parking, a recommendation of the South Meridian Corridor Plan (page 40).

1. **Dwelling unit regulations:**

- a. Each dwelling unit shall contain a primary room with a minimum of 150 square feet of floor area.
- b. Other habitable rooms in each dwelling unit shall contain not less than 70 square feet each.
- c. Each dwelling unit shall contain a separate bathroom containing a water closet, lavatory and tub or shower.
- ~~d.~~—When housekeeping units are included, ~~the~~ the primary room shall contain a minimum of 220 square feet of floor area.
- ~~e.~~ f. At a minimum, the kitchen area will be of sufficient size to accommodate a cupboard, countertop and provide a sink, cooking appliance, refrigerator and clear working area of 30 inches.
- ~~f.~~ g. No habitable room shall have less than a seven-foot length or width dimension.

2. **Zone change requirements.** An approved screening plan will be required before final approval of any zone change to the HMC District. Such plan shall contain:

- a. A detailed plan to screen the site from adjacent, lesser zoned property.
- b. Type and kind of screening material. If living screen (trees and/or shrubs) is to be used, not only the type and location of planting, but also the anticipated growth time to maturity is to be included. A maintenance plan for the screening will be required.
- c. The effectiveness of such planned visual and/or sound barriers.
- d. The schedule for completion of the screening plan.

3. **Outdoor storage. No non-residential use shall store any items, goods or equipment outside of an enclosed building, except:**

- a. Street furniture intended for outdoor gathering, seating, dining, or similar public and semi-public purposes. Such furniture is typically located in the front yard setback or the public right-of-way; and
- b. Items, goods and equipment that are for retail sale and placed immediately adjacent to the principal structure.
- c. Vehicles stored or retained on the site overnight and associated with said non-residential use. This includes the overnight storage of transient guests' vehicles.

603.G. HMC DISTRICT DESIGN STANDARDS. The following standards shall apply to all properties in the HMC district and are used to evaluate the acceptability of a project's design. Where a standard uses the word "recommended" such standards shall be treated as guidelines. Guidelines are not obligatory requirements and can be waived and/or modified as needed to accommodate development.

- 1. It is recommended that the primary entrance to the principal structure face the street.

2. Pedestrian access must be provided from the public sidewalk or street to the primary entrance. If there are no or inadequate public sidewalks along the street, a minimum 5-foot sidewalk must be provided.
3. Entrances must be recessed into the face of the building or be sheltered by an architectural projection creating a protected entryway not less than 15 square feet in area.
4. It is recommended that buildings be built to the required front yard setback line to create a strong street wall.
5. The façade of ground floor non-residential space must be designed to encourage and complement pedestrian-oriented activity by the use of windows or doors arranged so that the interior spaces are visible and accessible from the street.
 - a. For retail space, at least 50% of the front ground-level façade must be public entrances and transparent windows; provided, however, an exception to this limitation may be granted by the Board of Zoning Appeals pursuant to the Special Exception procedures in SECTION 1006.
 - b. For all other non-residential space, windows shall be provided on all sides of the ground-level façade visible from the street.
6. A minimum masonry coverage of 25% of the façade is recommended. Fiber cement board or panel is not considered an acceptable masonry siding product to be used towards the masonry coverage recommendation. Guidance for calculating the masonry coverage recommendation can be found in the SOUTH BROADWAY CORRIDOR PLAN.

Commented [KH16]: Strong Towns believes that the most important things to regulate when it comes to development design relate to pedestrian comfort. Direct access to buildings from sidewalks makes it safe and convenient to be a pedestrian. 5 feet is the minimum standard for sidewalks in the City.

Commented [KH17]: Strong Towns believes that the most important things to regulate when it comes to development design relate to pedestrian comfort. Storefronts are also some of the most valuable space in a store and should be used to its full advantage. Transparent storefronts welcome customers inside, discourage crime with “eyes on the street” and enhances curb appeal.

401. ~~COMMERCIAL; "OC" OFFICE COMMERCIAL DISTRICT REGULATIONS~~

~~The intent and purpose of this section is to establish a use district that is limited to offices and limited retail and service uses which are considered to be compatible when adjacent to or near residential areas and which uses are also compatible one to another within the district itself.~~

A. ~~Principal Uses. As allowed by right and permitted by conditional use per Section 400.~~

B. ~~Accessory Uses and Structures. See Section 304.~~

C. ~~Lot Size Requirements~~

- ~~1. Minimum Lot Size: 12,500~~
- ~~2. Minimum Lot Width: 60 feet~~
- ~~3. Minimum Lot Depth: 90 feet~~

D. ~~Bulk Regulations.~~

- ~~1. Front Yard Setback: 20 feet~~
- ~~2. Side Yard Setback: 6 feet~~
- ~~3. Rear Setback yard: 10 feet~~
- ~~4. Height limit: 35 feet~~
- ~~5. Rear Yard Accessory Setback: 3 feet~~

E. ~~All uses listed as permitted uses below shall be permitted in the "OC" Office Commercial District provided they comply with the following limitations:~~

- ~~1. No individual business shall occupy more than 5,000 square feet of floor area; provided, however, an exception to this limitation may be granted by the Haysville governing body subject to the following conditions:
 - ~~a. A basement area, not exceeding the area used for office or sales use, which is used only for storage, records, mechanical equipment or other non-person uses.~~
 - ~~b. Such area shall be determined to be non-traffic generating and deemed to be exempt from all off-street parking requirements.~~
 - ~~c. Required off street parking shall be determined to be not less than that required by the floor area used for office and sales purposes.~~
 - ~~d. Any exception to the floor area granted by the governing body shall apply only to the use set forth in the application. Any change of occupancy will be subject to all limitations of these regulations.~~~~
- ~~2. All business establishments, other than office, shall be retail or service establishments dealing directly with the consumer.~~
- ~~3. Service establishments shall be the type that deal primarily with~~

Commented [KH18]: This was a recommendation of the South Broadway Corridor Plan (page 82).

~~services for persons or businesses, or limited retail sale that do not require the use of vehicles and heavy equipment in the operation of the business other than for the delivery of goods or services to the home; e.g. florist truck, etc. Vehicles stored or retained on the site overnight shall be stored within the main structure, or an enclosed detached garage as approved by the Planning Commission.~~

~~4. No business shall display or store goods or equipment outside of an enclosed building.~~

~~5. No business establishments shall offer goods or services by way of drive up windows or directly to customers' parked motor vehicles.~~

~~6. Motor vehicles or heavy equipment parts, service or fuels shall not be displayed in this district.~~

~~7. Exterior lighting fixtures shall be shaded so that direct light is directed away from adjacent residential property.~~

~~8. The use is limited to offices and limited retail and service uses which are considered to be compatible with and not unduly burdensome upon adjacent residential properties or residential areas located nearby.~~

~~9. The use is compatible to other businesses located nearby within the district itself.~~

~~10. The nature of any use located within the district shall be smaller, less intense uses.~~

~~11. Any business within the zone shall not generate more traffic per day upon its abutting streets than may be accommodated within its permitted parking areas.~~

~~F. Parking and loading regulations: Parking space and loading space to be provided equal to two spaces per employee.~~

SECTION 604. HC HEAVY COMMERCIAL DISTRICT REGULATIONS

604.A. PURPOSE. The purpose of this district is to accommodate commercial development that is oriented towards and may draw more motor vehicle traffic and requires larger lots than other commercial development. This district is generally compatible with the “Commercial” and “Commercial Mixed Use” designations on the Official Land Use Map adopted in the *City of Haysville Comprehensive Plan*.

604.B. USE STANDARDS. The permitted and conditional uses allowed in this district are listed in TABLE 404.D, in accordance with SECTION 404.

604.C. DIMENSIONAL STANDARDS. The following standards shall apply to all principal structures in this district as listed in TABLE 604.C, in accordance with SECTION 405. See SECTION 407 for the dimensional standards for accessory structures.

604.C. HC Dimensional Standards (in feet, unless otherwise noted).

Minimum lot area (sq. ft.)	Minimum lot dimensions		Minimum setback requirements				Maximum building height
	Width	Depth	Front yard	Side yard	Street yard	Rear yard	
6,000	50	890	2035	10 [±]	2035	20	55 ¹

~~— If zero lot line development is allowed, or any portion of the building is more than 150 feet from a street, dedicated fire lanes shall be provided on the rear yard of at least two sides of the building.~~

~~1. Heights for conditional uses shall be determined as part of the conditional use approval.~~

604.D. PARKING REGULATIONS. See APPENDIX E, SECTION 500 for the full parking regulations.

~~1. No more than 800 square feet of land within the front yard setback may be paved for vehicular access. Shared access between lots is strongly encouraged. Corner lots may have one 800 square foot paved area within the minimum front yard setback along each street.~~

~~1. _____~~

~~2. Access to parking is to be provided from a side street, wherever possible.~~

604.E. LANDSCAPING REGULATIONS. See APPENDIX E, SECTION 501.

604.F. SPECIAL HC DISTRICT REGULATIONS. The following special regulations shall apply to all property in the HC district.

~~1. No outdoor storage is permitted, except for display of goods for sale as temporary use (no more than 45 days) except as otherwise allowed or approved in accordance with these regulations or approved by written permission from the Zoning Administrator for one year.~~

~~1. No outdoor operations, display and/or storage are prohibited permitted within the front yard setback, except:~~

~~a. Street furniture intended for outdoor gathering, seating, dining, or similar public and~~

Commented [KH19]: The OC district has gone largely unutilized since its adoption in the Zoning Regulations. Previous amendments have made the difference between the OC and LC districts negligible.

Commented [KH20]: Strong Towns believes that the most important things to regulate when it comes to development design relate to pedestrian comfort. Limiting sidewalk interruptions is a way to increase pedestrian comfort. This regulation allows for a 40-foot drive. This also encourages shared parking, a recommendation of the South Meridian Corridor Plan (page 40).



Haysville Planning Commission Staff Report

AMEND 2026-001 – Sections 416 and 417

CASE SUMMARY

Zoning Regulation Article/Section: Sections 416 and 417

Prepared By: Kailyn Hogan, Planning and Zoning Administrator

Meeting Date: February 12, 2026

ANTICIPATED MEETING SCHEDULE

Body	Meeting Date	Action
Planning Commission	February 12, 2026	Review the proposed amendment to the Zoning Regulations.
Planning Commission	March 26, 2026	Hold public hearing for the proposed amendment to the Zoning Regulations, and make a recommendation for approval, approval with modifications, or denial of the amendment. This recommendation is forwarded to City Council.
City Council	April 13, 2026	Adopt the recommendation of the Planning Commission as presented, override the recommendation, or return the recommendation to the Planning Commission.

SUMMARY OF CHANGES

The following major changes were made to Sections 416 and 417 of the Zoning Regulations. The reasoning behind such changes is explained in the Analysis section of this report.

- Creation of a new article in the Zoning Regulations titled “Special Zoning Districts”;
- Addition of legal descriptions for the lots affected by the HD-O Original Town Historic overlay district;
- Reestablishment of the prohibited uses in the HD-O district;
- Consolidation of the dimensional and use standards into tables in the HD-O district; and
- Reestablishment of the landscaping regulations in the HD-O district.

Further changes are proposed to the special zoning districts that are not listed in this staff report. You may view those changes and the reasons for such in the red-lined version of this code. The red-lined and clean version of this code are attached to this staff report.

ANALYSIS

Staff reviewed previous versions of the HD-O Original Town Historic overlay district in the proposal of these amendments.

Code	Reason	Notes
City of Haysville Zoning Regulations (1999 Edition)	This is the original version of the HD-O district.	An illustration accompanies the description of the lots affected by the protective overlay. This illustration is necessary for those unfamiliar with the area, as it was redeveloped without replatting and the existing lot lines do not reflect the original. It appears this version of the HD-O district has been adopted as the current Historic Preservation Regulations in Appendix C.
City of Haysville Zoning Regulations (2011 Edition)	Major changes were made to the HD-O district.	A list of permitted, conditional, and prohibited uses is included in this version of the HD-O district. The list of prohibited uses is not in the current HD-O district. Overlays are extra zoning regulations that are applied with the base zoning regulations. This means that, currently, any use allowed in the LC zoning district is allowed in the Historic District, provided that some permitted uses may be conditional per the overlay. The list of prohibited uses is necessary, especially considering the LC district will be amended to be mixed use.

Further changes are proposed to the special zoning districts that are not listed in this staff report. You may view those changes and the reasons for such in the red-lined version of this code. The red-lined and clean version of this code are attached to this staff report.

RECOMMENDATION

No motion or recommendation is needed at this time. This is just a review of a proposed amendment to the special zoning districts.

ARTICLE 8

SPECIAL ZONING DISTRICTS

SECTION 801. P-O PROTECTIVE OVERLAY DISTRICT REGULATIONS

801.A. PURPOSE. The protective overlay district may be applied in combination with any base zoning district. By tailoring use or dimensional standards to individual projects or specific properties, the protective overlay district is intended to:

1. Ensure compatibility among incompatible or potentially incompatible land uses;
2. Ease the transition from one zoning district to another;
3. Address sites or land uses with special requirements; and
4. Guide development in unusual situations or unique circumstances.

801.B. USE AND DIMENSIONAL STANDARDS. The protective overlay district, can be used to modify and restrict the use and dimensional standards of an underlying base zoning district. All requirements of a protective overlay district are in addition to and supplement all other applicable standards and requirements of these regulations. Restrictions and conditions imposed by a protective overlay district shall be limited to the following:

1. Prohibiting otherwise permitted or conditional uses and accessory uses; or making an otherwise permitted use a conditional use;
2. Decreasing the number or average density of dwelling units that may be constructed on the site;
3. Increasing minimum lot size or lot width;
4. Increasing minimum setback requirements;
5. Restrictions on access to abutting properties and nearby roads, including specific design features; and
6. Any other specific development standards required or authorized by these regulations.

801.C. METHOD OF ADOPTION. Restrictions imposed through a protective overlay district are considered part of these regulations and accompanying map. All property included in a protective overlay district shall be identified on the “Official Zoning Map” by adding the letters “P-O” and a number to the base zoning district symbol. The number shall be assigned when the application is filed and numbers shall run consecutively beginning with number 1. The ordinance zoning or rezoning property to the protective overlay district shall specifically state the modifications imposed pursuant to [SECTION 801.B](#) of these regulations. The restrictions imposed shall be considered part of the text of these regulations, and a violation of the restrictions shall be a violation of these regulations.

801.D. EFFECT OF PROTECTIVE OVERLAY DESIGNATION. When the protective overlay zoning designation is applied in combination with a base zoning district it shall always be considered to result in a more restrictive designation than if the base district did not have the protective overlay classification. In the event that the protective overlay designation was not originally requested as part of the rezoning application, but instead is added during the staff review or public hearing process, re-notification and re-advertisement of the requested zoning change shall not be required.

SECTION 802. HD-O ORIGINAL TOWN HISTORIC OVERLAY DISTRICT REGULATIONS

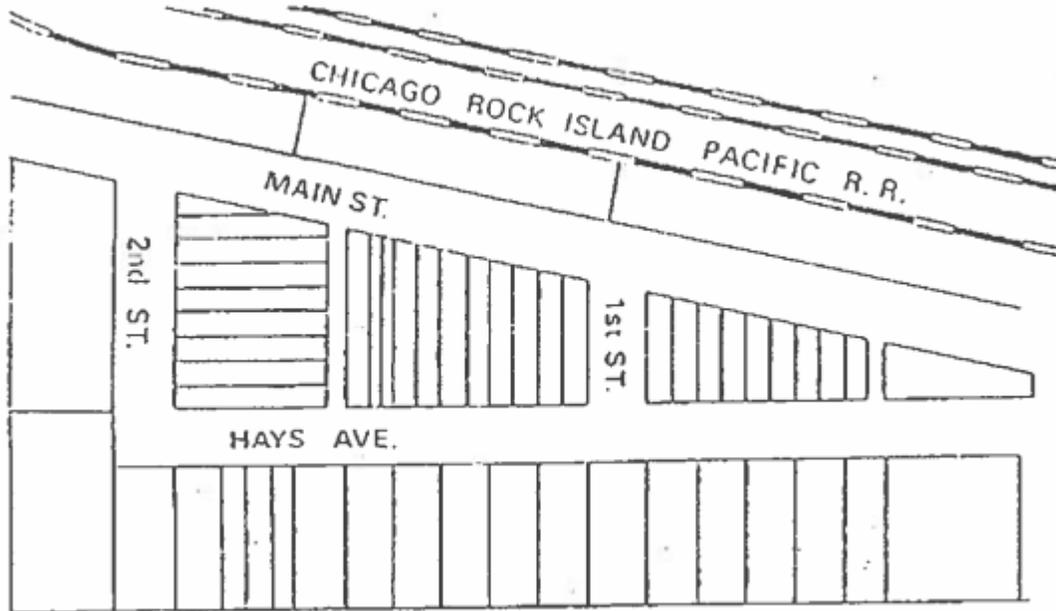
802.A. PURPOSE. The Original Town Historic Overlay District (HD-O) is intended to accommodate development and redevelopment within the area recognized as the Original Town of Haysville, while recreating the historical significance and unique qualities of the area. The design review provisions applicable within the HD-O are intended to preserve and recreate the area's special historic character. The HD-O district is an overlay district; property within the district shall comply with the overlay district regulations of this section and the standards of the underlying zoning district. In the case of conflict between the regulations in this section and those of the underlying zoning district, the regulations in this section shall prevail.

802.B. APPLICATION AREA. The officially recognized Original Town Historic Overlay District shall be classified as "District – HD-O – Historic District," and shall be used henceforth for purposes of recognizing all structures and real estate within the "Original Town" as part of a zoning overlay district. The official zoning map of the city of Haysville, Kansas shall be amended by this ordinance to clearly show the overlay area.

Such overlay district shall consist of the following parcels of property:

1. Haysville Town Site (Original Town Plat);
2. Hays' 1st Addition;
3. W.E. Blaine 2nd Addition;
4. Solar Addition;
5. Metes and Bounds parcel southeast of the intersection of Grand Avenue and Main Street immediately to the east of the Haysville Town Site and legally described as: beginning at a point 50 feet south and 679.17 feet east of the northwest corner of the northwest quarter of Section 5, Township 29 South, Range 1 East; thence west 33.96 feet; thence south 3.26 feet; thence southwesterly along a curve a distance of 142.09 feet; thence east 8.9 feet; thence south 40 feet; thence east 80 feet; thence north 170 feet to the point of beginning;
6. Metes and bounds parcel southwest of the intersection of Grand Avenue and Main Street and immediately to the east of the Haysville Town Site and legally described as: beginning at a point 50 feet south and 459.17 feet east of the northwest corner of the northwest quarter of Section 5, Township 29 South, Range 1 East; thence east 86.04 feet; thence south 2.9 feet; thence southwesterly along a curve a distance of 104.72 feet; thence southwest 24.17 feet to the east line of Hays Street; thence north 80.74 feet to the point of beginning; and
7. Metes and Bounds parcel facing Main Street immediately south of the Solar Addition continuing to the southern city limits.

Figure 802.B. Application Area



802.C. USE STANDARDS. The use standards of this overlay district shall supplement and be in addition to the use standards of the underlying districts. However, whenever an actual conflict arises between the language of the use standards governing the underlying district and the language of this historic overlay district, the use standards of this overlay district shall prevail over the underlying district.

1. **Permitted Uses.** The following uses, as prescribed in [TABLE 802.C](#), shall be allowed by-right in the HD-O district. These additional uses are intended to supplement those uses permitted by the regulations of the underlying district(s) that are not otherwise specifically included in [SECTION 802.C.2](#) or [802.C.3](#).
2. **Conditional Uses.** The following uses, as prescribed in [TABLE 802.C](#), shall be allowed only as a conditional use in the HD-O district, regardless if said uses are stated as permitted uses in the underlying districts.
3. **Prohibited Uses.** The following uses, as prescribed in [TABLE 802.C](#), are explicitly prohibited in the HD-O district, regardless if said uses are stated as permitted in the underlying district.

Table 802.C. Use Standards

PERMITTED USES	
Bed and breakfast inn	Church or Place of Worship
Blacksmith shop	Farm and Art Market
Museum	Public park, playgrounds and community buildings
CONDITIONAL USES	
Printing press operations including newspaper presses, catalogs and bindery	Restaurant, including catering as an incidental use
PROHIBITED USES	
Animal hospital	Ice rink
Apartment or condominium	Laboratories, medical and non-medical

Appliance store	Launderette
Automatic teller machine (ATM)	Liquor and malt beverage store
Automobile repair shop	Medical, dental and optical laboratories
Automobile retail sales and related parts and accessory sales	Microwave tower
Automobile service center and related parts and accessory sales	Monument sales
Automobile, mobile home and boat rental	Mortuary and funeral home
Beauty parlor	New and use automobile, truck and travel trailer sales
Blueprinting and Photostatting	Nursing homes and skilled nursing centers
Business or commercial schools	Office supply store
Car wash	Pawn shop
Catering shops	Pet shop or taxidermist, including small animal grooming
Cigar store	Plumbing, heating and air-conditioning supply houses
Clinic, medical or dental for human treatment	Public utility stations and/or substations
Dry cleaner	Radio studios
Commercial fertilizer sales	Radio transmission tower
Commercial storage warehouses	Roller rink
Development of natural resources and extraction of raw materials such as rock, gravel, sand, fill dirt, soil, etc.	Second hand store
Dry cleaners	Sporting goods store
Electronic assembly	Television studios
Frozen food lockers	Tool equipment rental
Furrier store	Upholstering shop
Health club or spa	Vending machines and newspaper stands
Hospitals and sanitariums	Wholesale food commissary

802.D. DIMENSIONAL STANDARDS. The dimensional standards of this overlay district shall supplement and be in addition to the dimensional standards of the underlying zoning district. However, whenever a conflict arises between the language of the dimensional standards governing the underlying district and the language of this historic overlay district, the dimensional standards of this overlay district shall prevail over the underlying district.

Table 802.D. Dimensional Standards (in feet, unless otherwise noted).

Minimum lot area (sq. ft.)	Minimum lot dimensions		Minimum setback requirements				Maximum building height
	Width	Depth	Front yard	Side yard	Street yard	Rear yard	
None	None	None	35	None	None	None	35 ¹

1. A church steeple may extend beyond this height.

802.E. PARKING REGULATIONS. The requirements of [APPENDIX E, SECTION 500](#) shall be waived.

802.F. LANDSCAPING REGULATIONS. The requirements of [APPENDIX E, SECTION 501](#) shall be waived. However, existing characteristic features such as trees, walls, paving materials, fencing, walkways, and other similar structures or site features that reflect the Historic District's history and development shall be retained whenever possible, and any added landscaping shall be appropriate to the scale and unique features of the Historic District.

802.G. DESIGN REVIEW PROCEDURES.

1. **Applicability.** No permits involving alterations to building exteriors, or permits for signs, fences, sidewalks, driveways or demolition shall be issued by the Public Works Department for any structure or site located wholly or partially within the HD-O district until an application for such permit has been reviewed for compliance with the design standards of this article and approved by the Planning and Zoning Administrator, or his or her designee.
2. **Application.** An application for a permit with the HD-O district shall be submitted in a form required by the Zoning Administrator. A complete application should include, as necessary, to-scale drawings, elevations, sections, relevant plans of site and/or immediate environs if appropriate, and shall indicate materials and colors to be used, as to conduct an adequate review of the application.
3. **Action.** After reviewing the completed application, the Zoning Administrator or his or her designee, shall approve with conditions or modifications, or deny the request, in accordance with the design standards of this article. A property owner in the HD-O may appeal the decision of the Zoning Administrator to the Board of Zoning Appeals.
4. **Time limit on Action.** If within fourteen days from the date of receipt of a complete application by the Zoning Administrator, no action has been taken on the application, the Public Works Department may issue the necessary permits and the project may proceed. This time limit may be waived by mutual consent of the applicant and staff. This time limit shall not apply if Historic Committee review is required pursuant to [APPENDIX C](#).

802.H. DESIGN STANDARDS.

1. **General.**
 - a. New Buildings, Reproductions and Alterations should be respectful of the character of the original town of Haysville. All building designs should be compatible with the major elements of the 1890-1910 eras of the prairie plains.
 - b. Metal windows and doors should be anodized or properly primed and enameled.
 - c. Permanent fences should avoid wire materials whenever possible.
2. **Standards for Rehabilitation and Remodeling.**
 - a. All construction, remodeling or rehabilitation of exteriors should ensure the visual integrity of the building and be compatible with the overall architectural character of the district.

- b. Additions to buildings should be compatible in appearance by coordinating style, materials, scale and detail with the existing buildings in the district.
- c. Accessory buildings should generally be compatible with the other structures on the street and be subject to these guidelines.
- d. Existing doors and windows may be replaced with new products of design and/or materials similar to those which existed at the time of passage of these regulations.

3. Standards for New Construction, Reconstruction and Reproduction.

- a. All buildings should be set back from the street uniformly to present a continuous façade line along the street, except that minor recesses or projections for entries and similar elements may be acceptable.
- b. Mechanical or electrical equipment and trash receptacles should be hidden or screened from street level view.

4. Signs. Signage within the HD-O district shall be subject to the provisions of [APPENDIX D](#), as well as the following requirements as reviewed and approved by staff.

- a. All signs, including interior and exterior window signs, must be approved as to design, colors, materials, placement, method of attachment, and method of illumination (if applicable).
- b. Signs shall be designed and placed so as to appear as an integral part of the building design, in proportion to the structure and environment, and to respect neighboring properties within the HD-O district.
- c. Signs should be designed with appropriateness relative to the services of the establishments served.

802.I. EXCEPTIONS AND MODIFICATIONS. The design standards in this article may be modified or waived by the Zoning Administrator to allow for alterations that are required in order to maintain the continued functional viability of existing uses, or in extraordinary situations of development characteristics, economic hardship, or other circumstances, provided that the purposes and intent of these Standards are maintained through such interpretation.

802.J. EMERGENCY REPAIRS. The Zoning Administrator and/or Public Works Director may waive the standards and review procedures of this article in instances in which emergency repairs are required, provided that subsequent repairs comply with this article.

802.K. CONFLICTS WITH OTHER CODE PROVISIONS. No section of this article shall be construed to compel alterations that will conflict with any health or safety codes or prohibit any alterations that are required to bring buildings into compliance with the Building Code.

ARTICLE 8

SPECIAL ZONING DISTRICTS

SECTION 801. "P-O" PROTECTIVE OVERLAY DISTRICT REGULATIONS

~~A.~~

~~B.~~ **801.A. PURPOSE.** The protective overlay district may be applied in combination with any base zoning district. By tailoring use or ~~dimensional property development~~ standards to individual projects or specific properties, the protective overlay district is intended to:

1. ~~E~~nsure compatibility among incompatible or potentially incompatible land uses;
2. ~~E~~ase the transition from one zoning district to another;
3. ~~A~~address sites or land uses with special requirements; and
4. ~~G~~uide development in unusual situations or unique circumstances.

801.B. USE AND ~~PROPERTY DEVELOPMENT~~DIMENSIONAL STANDARDS. The protective overlay district, can be used to modify and restrict the use and ~~property development~~dimensional standards of an underlying base zoning district. All requirements of a protective overlay district are in addition to and supplement all other applicable standards and requirements of ~~these regulations~~is-Code. Restrictions and conditions imposed by a protective overlay district shall be limited to the following:

1. ~~prohibiting~~Prohibiting otherwise permitted or conditional uses and accessory uses; or making an otherwise permitted use a conditional use;
2. ~~decreasing~~Decreasing the number or average density of dwelling units that may be constructed on the site;
3. ~~increasing~~Increasing minimum lot size or lot width;
4. ~~increasing~~Increasing minimum setback requirements;
5. ~~restrictions~~Restrictions on access to abutting properties and nearby roads, including specific design features; and
6. ~~any~~Any other specific development standards required or authorized by ~~these regulations~~is-Code.

~~C.~~ **801.C. METHOD OF ADOPTION.** Restrictions imposed through a protective overlay district are considered part of ~~this zoning code text~~ these regulations and accompanying map. All property included in a protective overlay district shall be identified on the "Official Zoning Map" by adding the letters "P-O" and a number to the base zoning district symbol. The number shall be assigned when the application is filed and numbers shall run consecutively beginning with number 1. ~~The~~is ordinance zoning or rezoning property to the protective overlay district shall specifically state the modifications imposed pursuant to ~~Section~~SECTION 801.B417B of ~~these regulations~~is-Code. The restrictions imposed shall be considered part of the text of ~~these~~

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~~regulations is Code~~, and a violation of the restrictions shall be a violation of ~~these regulations is Code~~.

~~D.~~ **801.D. EFFECT OF PROTECTIVE OVERLAY DESIGNATION.** When the ~~p~~Protective overlay zoning designation is applied in combination with a base zoning district it shall always be considered to result in a more restrictive designation than if the base district did not have the protective overlay classification. In the event that the protective overlay designation was not originally requested as part of the rezoning application, but instead is added during the staff review or public hearing process, re-notification and re-advertisement of the requested zoning change shall not be required.

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SECTION 802. "HD-O" ORIGINAL TOWN HISTORIC OVERLAY DISTRICT REGULATIONS

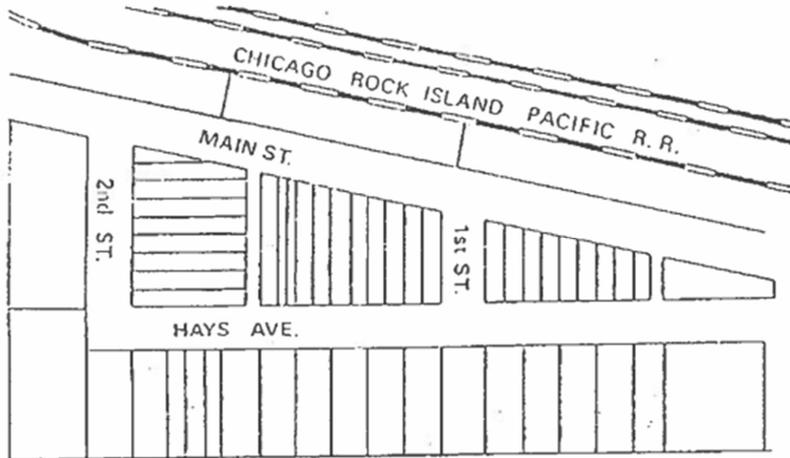
E- 802.A. PURPOSE. The Original Town Historic Overlay District (HD-O) is intended to accommodate development and redevelopment within the area recognized as the Original Town of Haysville, while recreating the historical significance and unique qualities of the area. The design review provisions applicable within the HD-O are intended to preserve and recreate the area's special historic character. The HD-O district is an overlay district; property within the district shall comply with the overlay district regulations of this section and the standards of the underlying zoning district. In the case of conflict between the regulations in this section and those of the underlying zoning district, the regulations in this section shall prevail.

802.B. APPLICATION AREA. The officially recognized Original Town Historic Overlay District shall be classified as "District – HD-O – Historic District," and shall be used henceforth for purposes of recognizing all structures and real estate within the "Original Town" as part of a zoning overlay district. The official zoning map of the city of Haysville, Kansas shall be amended by this ordinance to clearly show the overlay area.

F-
Such overlay district shall consist of the following parcels of property:

1. Haysville Town Site (Original Town Plat);
2. Hays' 1st Addition;
3. W.E. Blaine 2nd Addition;
4. Solar Addition;
5. Metes and Bounds parcel facing southeast of the intersection of Grand Avenue and Main Street immediately to the northeast of the Haysville Town Site and generally having the dimensions of 140 feet by 220 feet legally described as: beginning at a point 50 feet south and 679.17 feet east of the northwest corner of the northwest quarter of Section 5, Township 29 South, Range 1 East; thence west 33.96 feet; thence south 3.26 feet; thence southwesterly along a curve a distance of 142.09 feet; thence east 8.9 feet; thence south 40 feet; thence east 80 feet; thence north 170 feet to the point of beginning;
- 5-6. Metes and bounds parcel southwest of the intersection of Grand Avenue and Main Street and immediately to the east of the Haysville Town Site and legally described as: beginning at a point 50 feet south and 459.17 feet east of the northwest corner of the northwest quarter of Section 5, Township 29 South, Range 1 East; thence east 86.04 feet; thence south 2.9 feet; thence southwesterly along a curve a distance of 104.72 feet; thence southwest 24.17 feet to the east line of Hays Street; thence north 80.74 feet to the point of beginning; and
7. Metes and Bounds parcel facing Main Street immediately south of the Solar Addition continuing to the southern city limits.

Figure 802.B. Application Area



802.C. USE REGULATIONS STANDARDS. The use ~~regulations-standards~~ of this overlay district shall supplement and be in addition to the use ~~regulations-standards~~ of the underlying districts. However, whenever an actual conflict arises between the language of the use ~~regulations-standards~~ governing the underlying district and the language of this historic overlay district, the use ~~regulationsstandards~~ of this overlay district shall prevail over the underlying districts.

1. **Permitted Uses.** The following uses, as prescribed in TABLE 802.C, shall be allowed by-right in the HD-O district. These additional uses are intended to supplement those uses permitted by the regulations of the underlying district(s) that are not otherwise specifically included in SECTION 802.C.2 or 802.C.3.
2. **Conditional Uses.** The following uses, as prescribed in TABLE 802.C, shall be allowed only as a conditional use in the HD-O district, regardless if said uses are stated as permitted uses in the underlying districts.
3. **Prohibited Uses.** The following uses, as prescribed in TABLE 802.C, are explicitly prohibited in the HD-O district, regardless if said uses are stated as permitted in the underlying district.

Table 802.C. Use Standards

PERMITTED USES	
Bed and breakfast inn	Church or Place of Worship
Blacksmith shop	Farm and Art Market
Museum	Public park, playgrounds and community buildings
CONDITIONAL USES	
Printing press operations including newspaper presses, catalogs and bindery	Restaurant, including catering as an incidental use

Commented [KH1]: Original list of uses from 2007 amendment

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<u>PROHIBITED USES</u>	
<u>Animal hospital</u>	<u>Ice rink</u>
<u>Apartment or condominium</u>	<u>Laboratories, medical and non-medical</u>
<u>Appliance store</u>	<u>Launderette</u>
<u>Automatic teller machine (ATM)</u>	<u>Liquor and malt beverage store</u>
<u>Automobile repair shop</u>	<u>Medical, dental and optical laboratories</u>
<u>Automobile retail sales and related parts and accessory sales</u>	<u>Microwave tower</u>
<u>Automobile service center and related parts and accessory sales</u>	<u>Monument sales</u>
<u>Automobile, mobile home and boat rental</u>	<u>Mortuary and funeral home</u>
<u>Beauty parlor</u>	<u>New and use automobile, truck and travel trailer sales</u>
<u>Blueprinting and Photostatting</u>	<u>Nursing homes and skilled nursing centers</u>
<u>Business or commercial schools</u>	<u>Office supply store</u>
<u>Car wash</u>	<u>Pawn shop</u>
<u>Catering shops</u>	<u>Pet shop or taxidermist, including small animal grooming</u>
<u>Cigar store</u>	<u>Plumbing, heating and air-conditioning supply houses</u>
<u>Clinic, medical or dental for human treatment</u>	<u>Public utility stations and/or substations</u>
<u>Dry cleaner</u>	<u>Radio studios</u>
<u>Commercial fertilizer sales</u>	<u>Radio transmission tower</u>
<u>Commercial storage warehouses</u>	<u>Roller rink</u>
<u>Development of natural resources and extraction of raw materials such as rock, gravel, sand, fill dirt, soil, etc.</u>	<u>Second hand store</u>
<u>Dry cleaners</u>	<u>Sporting goods store</u>
<u>Electronic assembly</u>	<u>Television studios</u>
<u>Frozen food lockers</u>	<u>Tool equipment rental</u>
<u>Furrier store</u>	<u>Upholstering shop</u>
<u>Health club or spa</u>	<u>Vending machines and newspaper stands</u>
<u>Hospitals and sanitariums</u>	<u>Wholesale food commissary</u>

a. ~~802.D. HEIGHT REGULATIONS~~**DIMENSIONAL STANDARDS.** No building shall exceed two stories or 35 feet; except a church steeple may extend beyond this height. ~~The~~dimensional standards of this overlay district shall supplement and be in addition to the dimensional standards of the underlying zoning district. However, whenever a conflict arises between the language of the dimensional standards governing the underlying district and the language of this historic overlay district, the dimensional standards of this overlay district shall prevail over the underlying district.

D. ~~Table 802.D. Dimensional Standards (in feet, unless otherwise noted).~~**AREA REGULATIONS.**

1. ~~Lot Area Regulations:~~

a. ~~The minimum lot size requirements shall be waived.~~

b. ~~The minimum lot width requirement shall be waived.~~

~~2.~~ **Setbacks:**

~~The minimum front setback shall be 35 feet from the centerline of the street.~~

Minimum lot area (sq. ft.)	Minimum lot dimensions		Minimum setback requirements				Maximum building height
	Width	Depth	Front yard	Side yard	Street yard	Rear yard	
None	None	None	35	None	None	None	35 ¹

~~1.~~ ~~1.~~ A church steeple may extend beyond this height.

~~E.~~ **802.E. SPECIAL PARKING REGULATIONS.** The requirements of ~~Appendix~~ APPENDIX E, SECTION 500 shall be waived.

~~E.~~ **802.F. LANDSCAPING REGULATIONS.** The requirements of APPENDIX E, SECTION 501 shall be waived. However, existing characteristic features such as trees, walls, paving materials, fencing, walkways, and other similar structures or site features that reflect the Historic District's history and development shall be retained whenever possible, and any added landscaping shall be appropriate to the scale and unique features of the Historic District.

Commented [KH2]: Requirement of original HDO district regulations

~~F.~~ **802.G. DESIGN REVIEW PROCEDURES.**

- 1. Applicability.** No permits involving alterations to building exteriors, or permits for signs, fences, sidewalks, driveways or demolition shall be issued by the Public Works Department for any structure or site located wholly or partially within the HD-O district until an application for such permit has been reviewed for compliance with the design standards of this article and approved by the Planning and Zoning Administrator, or his or her designee.
- 2. Application.** An application for a permit with the HD-O district shall be submitted in a form required by the Zoning Administrator. A complete application should include, as necessary, to-scale drawings, elevations, sections, relevant plans of site and/or immediate environs if appropriate, and shall indicate materials and colors to be used, as to conduct an adequate review of the application.
- ~~3.~~ **Action.** After reviewing the completed application, the ~~Planning and~~ Zoning Administrator or his or her designee, shall approve with conditions or modifications, or deny the request, in accordance with the design standards of
- ~~3.~~ **this article.** A property owner in the HD-O may appeal the decision of the Zoning Administrator to the Board of Zoning Appeals.
- 4. Time limit on Action.** If within fourteen days from the date of receipt of a complete application by the ~~Planning and~~ Zoning Administrator, no action has been taken on the application, the Public Works Department may issue the necessary permits and the project may proceed. This time limit may be waived by mutual consent of the applicant and staff. ~~This time limit~~ ~~it~~ shall not apply if Historic Committee review is required pursuant to ~~section~~ APPENDIX C. 418.f.5.

~~H.~~ **802.H. DESIGN STANDARDS.**

~~1.~~ **General.**

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~~1.~~

- ~~a)~~a. New Buildings, Reproductions and Alterations should be respectful of the character of the original town of Haysville. All building designs should be compatible with the major elements of the 1890-1910 eras of the prairie plains.
- ~~b)~~b. Metal windows and doors should be anodized or properly primed and enameled.
- ~~c)~~c. Permanent fences should avoid wire materials whenever possible.

2. **Standards for Rehabilitation and Remodeling.**

~~2.~~

- ~~a)~~a. All construction, remodeling or rehabilitation of exteriors should ensure the visual integrity of the building and be compatible with the overall architectural character of the district.
- ~~b)~~b. Additions to buildings should be compatible in appearance by coordinating style, materials, scale and detail with the ~~exisitng~~existing buildings in the district.
- ~~c)~~c. Accessory buildings should generally be compatible with the other structures on the street and be subject to these guidelines.
- ~~d)~~d. Existing doors and windows may be replaced with new products of design and/or materials similar to those which existed at the time of passage of ~~these regulations~~is Code.

3. **Standards for New Construction, Reconstruction and Reproduction.**

~~6.~~

- ~~a)~~a. All buildings should be set back from the street uniformly to present a continuous façade line along the street, except that minor recesses or projections for entries and similar elements may be acceptable.
- ~~b)~~b. Mechanical or electrical equipment and trash receptacles should be hidden or screened from street level view.
- ~~b.~~

~~7.~~ **Signs.** Signage within the HD-O district shall be subject to the provisions of ~~Appendix~~APPENDIX Article ~~D-2~~ of the Code of the City of Haysville, as well as the following

4. requirements as reviewed and approved by staff.

- a. All signs, including interior and exterior window signs, must be approved as to design, colors, materials, placement, method of attachment, and method of illumination (if applicable).
- b. Signs shall be designed and placed so as to appear as an integral part of the building design, in proportion to the structure and environment, and to respect neighboring properties within the HD-O district.
- c. Signs should be designed with appropriateness relative to the services of the establishments served.

~~I.~~ **802.I. EXCEPTIONS AND MODIFICATIONS.** The design standards in this article may be modified or waived by the Zoning Administrator to allow for alterations that are required in order to maintain the continued functional viability of existing uses, or in extraordinary situations of development characteristics, economic hardship, or other circumstances, provided that the purposes and intent of these Standards are maintained through such interpretation.

~~J.~~ **802.J. EMERGENCY REPAIRS.** The ~~Director of Public Works~~Zoning Administrator and/or Public Works Director may waive the standards and review procedures of this article in instances in which emergency repairs are required, provided that subsequent repairs comply with this article.

~~K.~~ **802.K. CONFLICTS WITH OTHER CODE PROVISIONS.** No section of this article shall be construed to compel alterations that will conflict with any health or safety codes or prohibit any alterations that are required to bring buildings into compliance with the Building Code.

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Zoning for Mixed Uses

There was a time when single-use zoning served a vital purpose. Before zoning, industrial and waste-generating land uses were a major nuisance for nearby residential and commercial areas, sometimes even threatening public health. But today, as our economy continues on a path of rapid deindustrialization, we are finding that a system developed early in the last century cannot meet the needs of our changing communities. Strict segregation of land uses continues to stand in the way of developing modern, mixed use neighborhoods and districts that foster both environmental sustainability and a sense of community.

Traditional Zoning and Overlay Districts. More and more communities are finding that their 10- to 20-year-old zoning ordinances are no longer responsive to current development trends. Traditional zoning codes can be an obstacle to elements that make cities vibrant and livable, such as higher density development and easy access to public transport. Also, older codes can lack flexibility in allowing developers to negotiate with the city for mutually beneficial projects. Some areas designate overlay districts or special zones to remedy problems caused by outdated zoning codes. If overused, this strategy can lead to confusion, as the community's zoning map becomes an impossible-to-read hodgepodge of numerous districts, special districts, and overlay districts, each with their accompanying pages of text, lists of uses, and differing design standards. In many cases, a better solution is creating a mixed use zoning ordinance that clearly defines the land regulation standards necessary for implementing the community vision.

Mixed Use Zoning. Mixed use zoning sets standards for the blending of residential, commercial, cultural, institutional, and where appropriate, industrial uses. Mixed use zoning is generally closely linked to increased density, which allows for more compact development. Higher densities increase land-use efficiency and housing variety while reducing energy consumption and transportation costs. The mixed use buildings that result can help strengthen or establish neighborhood character and encourage walking and bicycling.

PAS

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MIXED USE ZONING FOR SMART GROWTH

Smart growth seeks to encourage compact design, walkable neighborhoods, housing choice, and the creation of more transportation options through access to transit and greater connectivity between neighborhoods. To further the goals of smart growth, a growing number of communities are including provisions for mixed use development in their zoning ordinance.

Traditional Neighborhood Development and New Urbanism.

Traditional zoning ordinances can result in large-scale, single-use, large-lot residential developments. These subdivisions often require costly and redundant municipal infrastructure to function while furthering dependence on nonrenewable energy sources. Traditional neighborhood developments and new urbanism projects tend to sup-



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Mixed use development encourages compact development through increased density.

(Continued on back.)

port a wider range of uses and higher densities in new projects while encouraging travel to, from, and within neighborhoods by modes other than the automobile. Thanks in part to advocates for traditional neighborhood development, many developers are responding to a growing demand for neighborhoods that offer a range of housing types where services and goods are nearby and accessible to pedestrians.

Traffic Congestion. Mixed use zoning can reduce the peak-hour congestion paralyzing urban areas across the nation. It provides the tools necessary to develop areas where people have the opportunity to work, shop, and socialize near their homes. By increasing opportunities to combine trips, mixed uses can reduce the vehicle miles traveled by residents of a community.

Parking. Parking requirements for mixed use development can be flexible because spaces can be shared among the uses. For example, a bank with regular daytime hours has no need to provide parking during the evening hours. The bank's parking can be used by people coming home from work or by patrons of nearby cafes or entertainment facilities. Shared parking reduces the amount of surface area devoted to parking, resulting in cost savings for developers, environmental benefits in the form of less stormwater runoff, and aesthetic improvements to neighborhood's appearance.

Transit-Oriented Development. TOD establishes a "symbiotic relationship" between land uses in proximity to a transit station. For example, medical and institutional services, retail, and multifamily residential structures can all be integrated around major public transport nodes. Increasing residential density to levels that support public transit makes it possible to carry out day-to-day activities—such as shopping or visiting the doctor—without needing to travel outside of the neighborhood. TODs are not possible without mixed use zoning and a consideration of the appropriate residential density and land-use mix.



Integrating uses—residential, retail, and child care in this case—helps to create vibrant neighborhoods in which residents can accomplish several activities walking instead of driving.

REGULATORY TOOLS

Planned Unit Development. Traditional zoning and development codes tend to prohibit the densities and mix of uses found in traditional neighborhood developments. As a remedy, localities without mixed use zoning can turn to a Planned Unit Development (PUD) designation to incorporate retail and commercial uses within select residential subdivisions. A problem with PUDs is that developers often perceive the process as highly politicized, unpredictable, costly, and time consuming. Clearly worded ordinances that allow mixed uses can circumvent many of the complications arising from more arbitrary or location-specific PUD designations.

Revising the Zoning Ordinance. Many practitioners and scholars recognize that current codes need more flexibility to create places that are diverse, sustainable, and supportive of current trends in business and technology. Revising the zoning ordinance is likely to be politically unpopular in almost any city. Once property owners and developers understand the potential benefits of allowing mixed uses, much of the initial opposition may subside. Educating both developers and the community at large is a critical component for ensuring the successful adoption of mixed use zoning regulations.

Comprehensive Planning. The implementation of the comprehensive plan is dependent on the rules of the zoning ordinance. Linking a revised ordinance to the goals of the comprehensive plan gives municipal land-use controls the structure necessary to withstand legal challenge. This connection helps to guarantee that the goals identified in the comprehensive plan are linked to standards for implementing the community's vision. *Patrick C. Smith* ■

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An Introduction to Design Guidelines

by Ilene Watson

WHAT ARE DESIGN GUIDELINES?

A growing number of communities are using design guidelines as a basis for decisions related to urban design. Some of the types of design guidelines you might encounter range from landscaping and buffering; to the design of commercial, industrial, or multiple family buildings; to ideas for a town's public roads and sidewalks. A community may have several different design guideline documents, differentiated by neighborhood boundaries or by the type of development.

This article is the first in a two-part series on design guidelines. It deals with the questions:

- What are design guidelines for?
- How do they fit into a community's "planning toolbox"?
- What are some characteristics of design guidelines? and
- How can guidelines be written to increase the chances of success in implementation?

In the next issue of the *Planning Commissioners Journal*, I'll take a closer look at questions related to urban design, and to the importance of building community understanding and support of design principles.

OUR FIRST INTRODUCTION TO GOOD DESIGN AND ITS IMPORTANCE IS OFTEN WHEN WE NOTICE IT'S MISSING.

WHY BOTHER?

Driving down the road a planning commissioner suddenly catches sight of "that place." She stares at a long flat wall with a few windows, a small door, and no landscaping in sight. Cringing slightly she thinks, "That is not what we thought would be there when the town rezoned the property."

A developer stands forlornly on the steps of City Hall. He has just picked up a copy of the town's design requirements that he must incorporate into his plans for an apartment development. In his hands are a few sheets of paper vaguely referring to "maintaining community character" and "being visually appealing." He says, "But what does that mean?"

A business person looks past the carefully arranged shelves, through the artful window display, and out the

inviting entrance of his store. Next door at a construction site a square building of bare concrete brick is taking its monolithic shape. He thinks, "Why do I try to make my place appealing? No one else seems to care."

People may not recognize or be able to define "design" as an issue at first. Our first introduction to good design and its importance is often when we notice it's missing. It may start with a sense that the area where we live or work just doesn't feel, function, or look right. While there are inviting places that we like, there are also places we pass by and wrinkle our noses at. When we take the time to consider our reactions, we begin to realize that good design often makes the difference in how we respond.

WHAT CAN DESIGN GUIDELINES DO FOR A COMMUNITY?

The idea of having design guidelines gained popularity in the 1970's and 1980's as a result of communities wanting greater control over the appearance and fit of new development. Design guidelines are one way of achieving this. They can serve to:

- assure the community that good design features and visual quality will be required whenever new development is proposed;

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The same building before and after renovations based on design guidelines. Note the focus on the street corner; architectural detailing; entries; increased window area on the ground floor; lighting; and, awnings over doorways.



How Goals, Objectives & Guidelines Relate to Each Other

Goals and objectives provide context and clarity for the actual design guidelines. Usually goals are more conceptual and broad in nature. Objectives break down each goal into something detailed enough to use as a basis for distinct design ideas. Design guidelines are usually the least conceptual, most pragmatic part.

The ways of actually writing goals, objectives, and design guidelines are virtually unlimited. The following is one example which could be in a design guideline document for commercial buildings in a traditional downtown:

Goal – Provide for a pleasant pedestrian experience.

From this might come the *objective* – Ensure buildings have complexity at street level, at a human scale, which can be enjoyed at a pedestrian pace.

From that objective might come *guidelines* (only summarized here) supporting:

- architectural expression (defined as a distinct change in the building form) at street level, especially around entrances, windows, where the building meets the sidewalk, and between the first story and those above;
- enhanced trim and architectural detail at street level using changes in color and/or material;
- signs and awnings (of certain materials, colors, and/or size) to hang from the building above the sidewalk;
- detailed building surface texture and surface patterns at street level.

Obviously this is not an exhaustive list of the objectives and guidelines such an important goal might generate. It does, however, show how understanding the goals and objectives can help to clarify the intent of the guidelines.

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- establish principles for appearance in portions of a city or town;
- establish design principles for the interaction between uses (for example, between private and public spaces such as a storefront and a pedestrian sidewalk);
- help re-establish or create better design where the community has identified a need for improvement; and
- provide the foundation and support for making design decisions.

HOW DO DESIGN GUIDELINES FIT INTO THE LOCAL GOVERNMENT FRAMEWORK?

Most towns have a comprehensive plan that indicates the broad vision of the community, potential land use locations, and some criteria for development decisions. In addition to the comprehensive plan there is the zoning bylaw (or code). The zoning bylaw sets out strict regulations that properties must meet such as density, use, and setbacks. The comprehensive plan is usually broad in nature. The zoning bylaw is much more specific.

Design guidelines provide a more detailed image than the broad goals of the comprehensive plan, yet they allow greater flexibility and creativity in

addressing design issues than is typically found in a zoning bylaw.

It is critical that any design guidelines be clear enough to be understood by the public – not just by professional architects or planners. This means they should avoid jargon whenever possible, clearly explain any technical terms, and avoid vague language such as calling for a building to “be consistent” with those around it. Creating clear and understandable guidelines is also important for ensuring that they are legally defensible.

WHAT ARE SOME KEY FEATURES OF DESIGN GUIDELINES?

There are certain things that all design guidelines should contain, at least to some degree.

1. A community vision (design goals)

Design guidelines should reflect what each community sees as most important to its identity. They should be an expression of the community. One common method is to establish a community vision, and then break that down to a series of design goals from which the guidelines will evolve.

This process serves the dual purpose of not only establishing some direction for the design guidelines, but also building awareness and understanding of the concepts of design in the community.

2. Clear and understandable design goals, objectives, and policies

How many times have you read a document where it was unclear what a particular policy was intended to achieve? How often have you seen a worthy goal written down, but searched in vain for the policies that would make it happen?



A town can create design guidelines for infrastructure, such as sidewalk details, lighting, and street furniture. Note the simple renovation on the building includes roof detailing and a building projection over the sidewalk.



Design guidelines can require landscaping and indicate how it is to be used. Here landscaping softens and humanizes the harsh expanse of a mall parking lot and separates the major traffic collector lanes from parking areas and minor lanes.

Goals and objectives are stated for the sake of providing context and clarity. Design guidelines, by their very nature, often require understanding the related design objectives and goals in order to interpret them well.  *How Goals, Objectives & Guidelines Relate to Each Other.*

3. Illustrations

“A picture is worth a thousand words.” Pictures increase our understanding of what a guideline is intended to do.

Illustrations can include photographs, simple line drawings showing applied design guidelines, and before and after examples. The key is that a design guideline document should be loaded with clear visual representations of what a community wants to see happen and how the design guidelines look when applied.

4. Definition of design terms

If the design guidelines use terms that might not be readily understood, those terms should be defined. What does an objective of maintaining the “rhythm” of buildings and entrances along a street mean? The definition can use words or drawings but often a combination of the two creates the best understanding. The design guideline document needs to create a common perception of some basic design words and ideas.

THE GREAT DILEMMA!

There is one question continually faced by those involved in writing design guidelines: Where is that fine line between guidelines being so exact they are rigid and stifling, and guidelines being so subjective they become hard to interpret and enforce?

This is the dilemma between prescriptive guidelines which are regulatory and rigid, and descriptive guidelines which are focused on providing input into the design process and flexibility

Descriptive guidelines allow more creativity and are adaptable to the conditions of the site, but can be so open to interpretation that it can be difficult to refuse a development that shows only a minimal response to design issues. This type of guideline often indicates that a certain response to a design issue is only “encouraged” or “discouraged.”

Prescriptive guidelines are less open to interpretation, but can inhibit exploring various design options – and sometimes may even prohibit a good, creative design solution. This type of guideline usually has a requirement that must be incorporated into a project’s plans.

There is no magic answer to the dilemma of prescriptive versus descriptive design guidelines. Each town will reach its own conclusions about what

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Style versus Character

It’s important to understand the difference between a certain “style” of buildings versus the “character” that comes from the design of the buildings. Some areas that have restricted themselves to a particular style such as “Old West” or “Bavarian” have succeeded. Many have not, since adopting a certain style with its comprehensive restrictions of site layout, materials, architecture, color, and so on, can be quite rigid.

Another way to approach the idea is to identify the essential design elements that create character and assure those elements are reflected in new buildings. For those particular elements there may be rigid guidelines, while more freedom is permitted in other parts of the design.

An example of a character-related design guideline might involve an older town which is plainly identified by, and admired for, the distinctive steep roof lines of its buildings. Design guidelines might therefore require steep pitched roofs including a stated minimum (and perhaps maximum) roof pitch. Other aspects of building form might have guidelines that are more flexible.

Words & Pictures

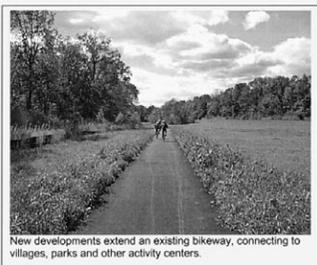
As Ilene Watson points out, too often planners forget the power illustrations can have to explain words. Images can be especially useful in helping to clarify architectural or design concepts and guidelines. The inset to the right is from *Preserving Community Character in Hunterdon County: A*

Community Design Handbook, prepared by the Hunterdon County, New Jersey, Planning Board in December 1999. Our thanks to Principal Planner Linda Weber for providing us with a copy of this excellent handbook. For more information, you can contact Weber at: 908-788-1490.

My own hometown of Burlington, Vermont, has also recognized the difficulty permit applicants – especially those who do not regularly submit development proposals – have in understanding the meaning

Community Design Handbook
Preserving Community Character

2. Open space should be located within public view to increase enjoyment and utility. Preserved open space should include areas located along public roads and other public places. Strategically located in these areas, open space offers visual relief in built-up



New developments extend an existing bikeway, connecting to villages, parks and other activity centers.

areas and preserves scenic vistas. When it is public open space, it should provide visible, conveniently located access.

3. New developments should include a pedestrian-oriented streetscape which includes narrow streets, the placement of homes close to the street, street trees, and diverse housing and/or land uses. A pedestrian-friendly environment focuses first and foremost on the design and treatment of the streetscape. Narrow roads slow down traffic and provide a safer environment



Front porches, street trees and sidewalks contribute to pedestrian friendly environment.

for walking and bicycling. Homes that are situated close to the street or sidewalk are inviting and promote social interaction. Varied housing styles and footprints and an integrated mix of land uses provide visual diversity and interest.

4. Significant historic structures identified in the municipal master plan should be preserved so that they remain or become visually dominant features in the landscape. New construction should be sited where it does not obstruct views of old stone walls, spring houses, barns, silos, and farmhouses from public roads. Such structures become prominent features at the entrances to new developments, along pedestrian/bicycle paths, or in dedicated open space areas.

(and interpretation) of some of the design-related standards contained in the City's zoning code. To help deal with this problem, planning and zoning department staff have prepared several single sheet handouts on a variety of design-related questions, including sign regulation, parking layout, outdoor lighting, utilities, and landscaping.

Of particular note, these handouts contain numerous photographs and drawings to illustrate the intent of design standards. For more information, contact Glynis Jordan of the Burlington Planning Department at: 802-865-7188.



Design Guidelines

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the appropriate mix should be. The following are some factors to consider:

1. Are there a few key design-oriented issues the community places a high priority on?

There may be a few high priority design characteristics which your community finds important. Clear, predetermined design criteria that are more prescriptive in nature can be used to absolutely ensure that a design meets a specified standard.

Perhaps there is a walkway beside a river weaving through town that the community wishes

to see enhanced as a focal point. As a result there may be some prescriptive design guidelines requiring adjacent buildings to relate well to this feature. An example might be requiring at least one public door in each commercial unit to be oriented toward that waterway space – or calling for a certain amount of window to wall ratio on the ground floor facing the river walkway.

2. Does the area have a design history, that is to say, key historical or architectural strengths, to preserve?

Certain places have a history that is evident in the buildings or in the layout of the town. Often residents feel a keen need to preserve their past and maintain that character in new construction. Having some prescriptive design guidelines can help maintain the essential character of a particular area. *Style versus Character*, p. 17

3. What degree of subjectivity and interpretation are the design guidelines comfortable with?

It makes no sense to write design guidelines that people cannot use. The process for the development of design guidelines should include a strong educational component about urban design. That part of the process will help clarify the balance that the people using the document are comfortable with.

Design guidelines may need to be more fixed or regulatory in nature if

major users don't have the confidence or commitment to interpret design oriented statements. It is important to remember that a move to avoid some of the subjective nature of design guidelines may only appear to make things easier. Unfortunately, the trade-off is less ability to look at options and be creative, yet remain within the guidelines.

4. *What is the staff's capability and expertise?*

The staff's capability to use design guidelines is important to successful implementation. Staff plays a crucial role in the interpretation of the design guidelines. It is important that staff work very closely with developers even before the application is made. If staff has no back-

ground in design guidelines they should be required to improve their knowledge – or it may be necessary to hire someone with appropriate expertise. Another option is to retain outside expertise to provide advice when there are questions of interpretation.

SUMMING UP:

It isn't necessary for a community to feel helpless or hopeless when faced with poor design decisions. Design can be a difficult topic to understand, but there are methods and processes that can help demystify urban design issues. Well written design guidelines can provide a community with a design concept for their town along with an understandable

framework for making decisions. I hope that this article contributes to making your guidelines useable and successful. ♦

Ilene Watson has been employed with the Central Okanagan Regional District Planning Department in Kelowna, British Columbia, for twelve years. She is currently working on special projects including guidelines, a town centre strategic plan, large neighborhood master planning projects, and a new zoning bylaw. Ilene is a registered professional landscape architect in Canada (CSLA) and is registered to practice planning in both Canada and the United States (MCIP, AICP).



On-Line Comments

"I think its important to be clear on the relationship between the comprehensive plan, zoning, and design guidelines. Design guidelines result from the directives of the comprehensive plan and its vision for the future. They are at the micro scale, more specific than zoning and often apply to a small area, street corridor, neighborhood, or particular project. Design guidelines often take the shape of a overlay zone within a plan (Main Street projects are a good example where design guidelines are used) ... and establish specific criteria that new development and/or redevelopment needs to meet in order to preserve and maintain a desired community form and character."

– *Silvia Gagnon, AICP/MCIP, planning consultant, Victoria, British Columbia*

"Ms. Watson's article hits the nail on the head when suggesting that communities have a clear picture of how design guidelines are to be used, as well as where they are best suited. I have found design guidelines to be a 'hard sell' in the communities I have worked. They typically work best in specific areas or districts, or in communities that have the sense of place or identity that Ms. Watson alludes to. I think that is vital in creating the political will for accepting and adopting design guidelines. Getting them adopted at a county level is often an extremely difficult process due to the larger area and the diversity between areas within it.

... I also strongly agree with Ms. Watson's

notion of incorporating flexibility into the design guidelines so that the more problematic situations can still be dealt with in a creative and innovative manner, rather than through strict compliance. It is easier to bring the developer on board when there are viable options and alternatives available that still meet the intent of the design guidelines. Of course, a primary goal of creating design guidelines should always include strategies on how to bring various stakeholders on board, and to agree on the positives such as the potential to enhance property values, or preservation of heritage or cultural aspects."

– *Larry P. Frey, AICP, Community Development Manager, Citrus County, Florida*

"As much as local officials dislike the status quo of development, they are reluctant to be creative in planning and design. Some communities are too busy with development applications. Others simple do not have the money for new plans and consultants and their staff planners do not have a sufficient background in design (this is a real problem). Also, many local officials equate design with aesthetics and subjectivity. They feel that design standards complicate the planning process and are either illegal or place an unfair burden on property owners and developers. We need to dispel these myths and promote design as a win-win approach to land use planning."

– *Linda B. Weber, AICP/PP, Principal Planner, Hunterdon County, New Jersey*

"As we struggled to 'define' a series of guidelines for a new office complex, we

realized that the developer made constant reference to another project, indicating that the proposal for our community would be 'as good as, or better than' the existing complex. Since both staff and commissioners agreed that the aesthetics and character were what we wanted as well, the design guidelines incorporated in the zoning change were 'The exterior architectural style of the office buildings shall be similar in quality to the _____ Center.' Simplistic maybe, but understandable and acceptable to all parties."

– *J. Wayne Oldroyd, AICP, Director, Community Development, City of Maryland Heights, Missouri*

"Design Guidelines can be an effective tool when properly administered. Our Township has several distinct nooks of urban development, each with its own 'feel' and 'character.' ... From a landscape-level comprehensive planning standpoint, design guidelines can help to mold urbanization towards the goals of the master plan. If your Planning Commission is interested in building 'neighborhoods,' design guidelines are essential. However, design guidelines should also follow the general impulse of the free market, or they may be resisted strenuously by the development community. In other words, do your economic development and demographic analysis homework BEFORE delving into design guidelines."

– *Frank Wash, Alpine Township Planning Director, and City of Coopersville, Michigan, Planning Commissioner*

