

Sections:**21-101 Purpose****21-102 Performance Standards – Districts "AG", "RR", "SR", "R-1", and "V-1"****21-103 Performance Standards – Districts "R-1A" and "R-1B"****21-104 Performance Standards – District "RP-2"****21-105 Performance Standards – District "CP-0"****21-106 Performance Standards – Districts "CP-1" and "CP-2"****21-107 Performance Standards – District "CP-3"****21-108 Performance Standards – Districts "IP-1" and "IP-2"****21-109 Performance Standards – Conditional Uses****21-110 Performance Standards – District "PUD" Planned Unit Development****21-111 Performance Standards – District "AO"**

21-101 Purpose: The regulations set forth in this Article, or set forth elsewhere in these Regulations when referred to in this Article, are the performance standards for uses permitted within these Regulations. The standards established herein are intended to provide guidance in the development or redevelopment of property in Woodson County for the purpose of encouraging and requiring orderly development at a quality level generally equal to or exceeding that commonly found elsewhere in the community. The standards stated within this Article are the minimum required or maximum permitted, whichever the case may be, for the uses permitted in these Regulations.

21-102 Performance Standards - Districts "AG", "RR", "SR", "R-1", and "V-1": The following are the performance standards for the "AG" Agricultural District, "RR" Rural Residential District, the "SR" Suburban Residential District, the "R-1" Single-Family Residential District, and the "V-1" Village District in the unincorporated portion of Woodson County.

1. Where allowed by these Regulations (by right in the "AG" Agricultural District and by accessory use in other districts), agricultural uses are permitted with no restrictions as to operation of such vehicles or machinery as are customarily incidental to such uses, and with no restrictions to the sale or marketing of products raised on the premises; provided, however, there shall be no disposal of garbage, rubbish or offal, other than regular removal, except in compliance with the Woodson County Sanitary Code.
2. No main or accessory building or structure shall project beyond the property line. On all major streets and highways within Woodson County, no main or accessory building or structure shall project beyond the setback lines established within these Regulations. Nothing shall be allowed to be placed in any public right-of-way without the express permission of the County.
3. Residential real estate sales offices in the "RR" Rural Residential, "SR" Suburban Residential District, "R-1" Single-Family Residential, and the "V-1" Village Districts are subject to the following standards:
 - a. There shall be only one residential sales office in any one subdivision.
 - b. All sales shall be limited to the sale of new properties located within that subdivision.

- c. Any sales office within a subdivision shall be located within a permanent residential structure. Manufactured homes, mobile homes, and construction trailers shall not be permitted to be used as a residential real estate sales office.
 - d. No additional parking facilities other than adjacent on-street parking or customary driveway parking shall be permitted.
 - e. Upon issuance of any final approval of construction for 90% of the lots within the subdivision, the sales office shall be terminated.
4. Residential-design manufactured homes shall comply with the requirements of the applicable Manufactured Home Code.

21-103 Performance Standards - Districts "R-1A" and "R-1B": The following are the performance standards for the "R-1A" Single-Family Residential District and the "R-1B" Single-Family Residential District in the City of City of Neosho Falls, Kansas; the City of Toronto, Kansas; and the City of Yates Center, Kansas.

1. No main or accessory building or structure shall project beyond the property line. Nothing shall be allowed to be placed in any public right-of-way within the corporate limits of the City of City of Neosho Falls, Kansas; the City of Toronto, Kansas; or the City of Yates Center, Kansas without the express permission of the City.
2. Residential real estate sales offices are subject to the following standards:
 - a. There shall be only one residential sales office in any one subdivision.
 - b. All sales shall be limited to the sale of new properties located within that subdivision.
 - c. Any sales office within a subdivision shall be located within a permanent residential structure. Manufactured homes, mobile homes, and construction trailers shall not be permitted to be used as a residential real estate sales office.
 - d. No additional parking facilities other than adjacent on-street parking or customary driveway parking shall be permitted.
 - e. Upon issuance of any final approval of construction for 90% of the lots within the subdivision, the sales office shall be terminated.
 - f. A model home complex operated in conjunction with a residential sales office may include a decorative fence in the front yard enclosing or defining the extent of the complex. To qualify as a decorative fence, the surface of the fence must be at least 50 percent open, the fence cannot be constructed of chain link or other wire materials, and the fence cannot exceed four (4) feet in height. The front yard fence shall be removed upon the termination of the sales office.
3. Residential-design manufactured homes shall comply with the requirements of the applicable Manufactured Home Code.

21-104 Performance Standards - District "RP-2": The following are the performance standards for the "RP-2" Planned Medium Density Residential District.

1. Pedestrian circulation systems (sidewalks, walkways and paths) shall be located and designed to provide separation from automobile traffic along all public and private streets, drives and parking areas.
2. Site drainage patterns shall be designed, graded and constructed to prevent surface drainage from collecting on or flowing across pedestrian paths, walks and sidewalks.
3. The maximum lot coverage shall be sixty percent (60%).
4. A minimum of ten percent (10%) of landscaped open space shall be provided on each site as common or semi-common areas open for use and available to all persons who reside on the premises.

21-105 Performance Standards - District "CP-0": The following are the performance standards for the "CP-0" Planned Commercial Office District.

1. Light sources shall be controlled or hooded so that light is directed away from any adjoining residentially zoned property or public streets.
2. No smoke, radiation, vibration or concussion, or heat shall be produced that is perceptible outside a building, and no dust, fly ash, or gas that is toxic, caustic or obviously injurious to humans or property shall be produced.

21-106 Performance Standards - Districts "CP-1" and "CP-2": The following are the performance standards for the "CP-1" Planned General Commercial District and the "CP-2" Planned Highway Service Commercial District.

1. Light sources shall be controlled or hooded so that light is directed away from any adjoining residentially zoned property or public streets.
2. No smoke, radiation, vibration or concussion, or heat shall be produced that is perceptible outside a building, and no dust, fly ash, or gas that is toxic, caustic or obviously injurious to humans or property shall be produced.
3. Merchandise which may be appropriately displayed or stored outside a building shall be kept off the public sidewalks and streets, and shall not reduce the capacity of a parking lot below that specified in Article 23 herein. In addition, the outdoor storage or display area shall occupy an area greater than thirty percent (30%) of the ground floor area of the building. Automobiles and trucks for sale may be stored or displayed outside a building, but must maintain a setback of at least ten (10) feet from a street right-of-way, or six (6) feet from a side or rear lot line.
4. Any manufacturing or assembly of products shall be entirely within a totally enclosed building.

21-107 Performance Standards - District "CP-3": The following are the performance standards for the "CP-3" Planned Central Business District.

1. Only that property which is designated "CP-3" on the official zoning map shall be subject to the requirements of the "CP-3" Zoning District.
2. Light sources shall be controlled or hooded so that light is directed away from any adjoining residentially zoned property or public streets.
3. No smoke, radiation, vibration or concussion, or heat shall be produced that is perceptible outside a building, and no dust, fly ash, or gas that is toxic, caustic or obviously injurious to humans or property shall be produced.
4. Merchandise which may be appropriately displayed or stored outside a building shall be kept off the public sidewalks and streets, except during special promotional activities and sales approved by the Governing Body with a special event permit.

21-108 Performance Standards - Districts "IP-1" and "IP-2": The following are the performance standards in the "IP-1" Planned Light Industrial District and the "IP-2" Medium Industrial District.

1. Light sources shall be controlled or hooded so that light is directed away from any adjoining residentially zoned property or public streets.
2. No emission of air contaminants from any source within the boundaries of any lot or tract shall exceed emission rates established by the Kansas Secretary of Health and Environment pursuant to K.S.A. 65-3001 et seq., or amendments thereto, and any administrative regulations adopted thereunder.
3. No activity shall be permitted that creates any off-site electrical disturbance.
4. Areas devoted to retail sales of commodities manufactured, processed, fabricated, assembled, warehoused, or stored on the premises shall not exceed ten percent (10%) of the gross floor area of the main use, and in no event shall such areas exceed 5,000 square feet.

21-109 Performance Standards - Conditional Uses: The following are the performance standards for Conditional Uses authorized by these Regulations.

1. No smoke, radiation, vibration or concussion, or heat shall be produced that is perceptible outside a building, and no dust, fly ash, or gas that is toxic, caustic or obviously injurious to humans or property shall be produced.
2. Any manufacturing or assembly of products shall be entirely within a totally enclosed building.
3. No emission of air contaminants from any source within the boundaries of any lot or tract shall exceed emission rates established by the Kansas Secretary of Health and Environment pursuant to K.S.A. 65-3001 et seq., or amendments thereto, and any administrative regulations adopted thereunder.

4. No activity shall be permitted that creates any off-site electrical disturbance.
5. Light sources shall be controlled or hooded so that light is directed away from any adjoining residentially zoned property or public streets.
6. All junkyards shall be screened with a solid fence a minimum of eight (8) feet in height on all sides. Said screening shall be consistent in materials and appearance and shall be constructed of normal fencing materials such as wood, metal or vinyl. Color of the fencing shall be natural or a color that is earth-toned and acceptable in appearance. Determinations of acceptable materials and color shall be made by the Zoning Administrator, with said decisions appealable only to the Board of Zoning Appeals.

21-110 Performance Standards - District "PUD" Planned Unit Development: The total number of dwelling units and level of nonresidential development allowed within a "PUD" shall not exceed the level that can be adequately served by public facilities. To provide information on the capacity of streets and other facilities serving a "PUD", the Zoning Administrator, the Woodson County Joint Planning Commission and/or the governing body having jurisdiction may require the applicant to conduct a traffic impact study or other infrastructure capacity analyses to provide information on the proposed development's expected impacts on existing and planned facilities.

21-111 Performance Standards – District "AO": The following are the performance standards for the "AO" Airport Overlay District.

1. Light sources shall be controlled or hooded so that light is directed away from the flight patterns around the airport and from any adjoining residentially zoned property or public streets.
2. No activity shall be permitted that creates any off-site electrical disturbance, (especially radio transmissions to or from any aircraft).
3. No emission of air contaminants from any source within the boundaries of any lot or tract shall exceed emission rates established by the Kansas Secretary of Health and Environment pursuant to K.S.A. 65-3001 et seq., or amendments thereto, and any administrative regulations adopted thereunder.

21-112 Performance Standards – Special Standards for Manufactured and Mobile Home and/or Recreational Vehicle Demolition Locations: The following are the performance standards and requirements for locations where demolition of manufactured and mobile homes and/or recreational vehicles occur, whether said location is a legal, nonconforming use or a site that obtains a Conditional Use Permit as a new location.

1. Every manufactured home, mobile home and/or recreational vehicle placed on a site in the open shall require a permit issued by the County to be placed on said property for demolition and/or dismantling. Said permit shall be obtained by making application with the Zoning Administrator in accordance with the rules and regulations established by the County.

2. The location for the operations on each property shall not be permitted in any front yard area of the lot or tract of land; and shall not be permitted closer to any public street or road than the principal dwelling or structure located thereon.
3. No on-site signage shall be allowed for the operation unless the property has obtained proper zoning approval in accordance with these Regulations and has an approved Development Plan for said property as provided herein.