ZONING AND SUBDIVISION REGULATIONS JOHNSON COUNTY, KANSAS

Table of Contents

ARTICI	LE 1. GENERAL PROVISIONS ZONING AND SUBDIVISION REGULATIONS	1-1
Section Section Section Section Section Section	 Title Authority Jurisdiction Purposes Relationship to Comprehensive Plan Relationship to Adopted Development Standards Severability Relationship to Previous Regulations; Effective Date Administrative Standards Vested Rights 	1-1 1-1 1-1 1-2 1-2 1-2 1-2 1-2 1-3
	1. Meaning of Titles and Subtitles	1-3
ARTICI	LE 2. DEFINITIONS	2-1
	 Interpretation of Terms or Words Special Indexes for Terms Related to Airports, Flood Plains, Signs, Subdivisions, and Communication Towers 	2-1 2-1
Section	3. Definitions of Basic Terms	2-6
ARTICI	LE 3. RESPONSIBLE AUTHORITIES AND ADMINISTRATIVE DUTIES	3-1
Section Section Section Section	 Johnson County Planning Office Board of County Commissioners Planning Commission Zoning Boards Board of Zoning Appeals (BZA) Airport Zoning Commission (AZC) General Provisions for the Planning Commission, Zoning Boards, Consolidated Zoning Boards, Board of Zoning Appeals, and Airport Zoning Commission 	3-1 3-1 3-2 3-3 3-6 3-7
ARTICI	LE 4. APPLICATION PROCEDURES FOR REZONING, CONDITIONAL USE PERMITS, SPECIAL PERMITS, ACCESSORY DWELLING UNIT PERMITS, DEVELOPMENT PLAN APPROVALS OR SUBDIVISION APPROVALS, AND AMENDMENTS TO THE ZONING OR SUBDIVISION REGULATIONS	4-1
	1. Who May Petition or Apply	4-1
Section	2. Procedures for Consideration of a Request for a Rezoning, Conditional Use Permit, Special Permit, Accessory Dwelling Unit Permit, Development Plan Approval, Subdivision Plat Approval, or Amendment to the Regulations	4-1
Section	3. Fees	4-6
	4. Posting of a Sign	4-6
	5. Hearing Continuances	4-7
Section	6. Limitations on Reapplication	4-7

ARTIC	LE 5. PERMITS	5-1
	1. Building Permits	5-1
	2. Zoning Permit	5-1
	3. Authorization	5-2
	4. Appeal of Decision	5-2
Section	5. Administrative Approval of Zoning Permits and Development Plans for Communication Antennas and Communication Towers	5-3
Section	6. Administrative Approval of Zoning Permits and Certificates for Accessory Dwelling Units	5-3
ARTIC	LE 6. ENFORCEMENT, VIOLATIONS, AND PENALTIES	6-1
Section	1. Prohibited Acts and Conduct	6-1
Section	2. Violations and Classifications of	6-1
Section	3. Enforcement Procedures	6-1
Section	4. Penalties and Fines	6-2
Section	5. Prosecution of Actions	6-2
Section	6. Enforcement Procedures Cumulative	6-2
ARTIC	LE 7. ESTABLISHMENT OF ZONING DISTRICTS	7-1
	1. Intent	7-1
Section	2. Application of Zoning Regulations	7-1
Section	3. Standard Zoning Districts	7-1
Section	4. Planned Zoning Districts	7-2
Section	5. Special Overlay Districts and Overlay Zones	7-2
Section	6. Lesser Change Than Set Forth in the Notice	7-3
ARTIC	LE 8. PROVISIONS FOR ZONING MAP	8-1
Section	1. Zoning Map	8-1
Section	2. Interpretation of District Boundaries	8-1
Section	3. Adoption of the Zoning Map	8-1
Section	4. Amendment of the Zoning Map	8-2
Section	5. Differences Between Previous Zoning Maps and Zoning Maps Adopted With	
	These Regulations	8-2
ARTIC	LE 9. RURAL DISTRICTS	9-1
Section	1. Intent and General Provisions	9-1
Section	2. Rural District (RUR)	9-1
Section	3. Planned Rural District (PRUR)	9-3
ARTIC	LE 10. RESIDENTIAL DISTRICTS	10-1
Section	1. Intent and General Provisions	10-1
Section	2. Residential Low Density District (RLD)	10-1
Section	3. Residential Neighborhood Two District (RN-2)	10-3
Section	4. Residential Neighborhood One District (RN-1)	10-4

ARTIC	LE 11. PLANNED ZONING DISTRICTS GENERAL REQUIREMENTS	11-1
Section	1. Purpose	11-1
	2. Statement of Objectives	11-1
	3. Planned Zoning Districts Established	11-2
	4. Planned Zoning District Procedures	11-3
	5. General Development Plan Approval Requirements	11-3
	6. Minimum Infrastructure Requirements	11-4
	7. Supplementary Performance Standards	11-4
ARTIC	LE 12. PLANNED RESIDENTIAL DISTRICTS	12-1
Section	1. Intent and General Provisions	12-1
Section	2. Planned Residential Low Density District, (PRLD)	12-1
Section	3. Planned Residential Neighborhood Two District, (PRN-2)	12-2
Section	4. Planned Residential Neighborhood One District, (PRN-1)	12-3
	5. Planned Residential Urban Single-Family 1A District (PRU-1A),	12-4
	Planned Residential Urban Single-Family 1B District (PRU-1B),	
	Planned Residential Urban Two-Family District (PRU-2),	
	Planned Residential Urban Townhouse District (PRU-3),	
	Planned Residential Urban Apartment District (PRU-4)	
Section	6. Planned Residential Manufactured Home Park District (PRMHP),	12-7
500000	Planned Residential Manufactured Home Subdivision District (PRMHS)	12 ,
ARTIC	LE 13. PLANNED RETAIL BUSINESS DISTRICTS	13-1
Section	1. Intent	13-1
Section	2. Planned Limited Retail Business District (PRB-1A)	13-1
Section	3. Planned Rural Retail Business District (PRB-1)	13-5
Section	4. Planned Residential Neighborhood Retail Business District (PRB-2)	13-8
	5. Planned Urban Neighborhood Retail Business District (PRB-3)	13-11
	6. General Performance Standards for all Planned Retail Business Districts	13-14
ARTIC	LE 14. PLANNED EMPLOYMENT CENTER DISTRICTS	14-1
Section	1. Intent	14-1
Section	2. Planned Research and Development Park District (PEC-1)	14-1
Section	3. Planned Research, Development and Office Park District (PEC-2)	14-4
Section	4. Planned Research, Development and Light Industrial Park District (PEC-3)	14-7
Section	5. Planned Industrial Park District (PEC-4)	14-12
Section	6. Logistics Park District (PEC-LP)	14-15
ARTIC	LE 15. DEVELOPMENT PLAN PROCEDURES	15-1
Section	1. Situations Where a Development Plan is Required	15-1
Section	2. Development Plan Review Process	15-1
Section	3. Preliminary Development Plan Application Requirements	15-1
Section	4. Review of Preliminary Development Plans	15-3
Section	5. Relationship of Preliminary Development Plan Approval to Final Development	15-4
Section	Plan Submittal Requirement 6. Final Development Plan Application Requirements	15-4
	7. Review of Final Development Plans	15-4
	8. Requirements for Compliance Between Preliminary and Final Development Plans	15-4
	9. Minor Amendments to Final Development Plans	15-5
	10. Amendment of Approved Preliminary or Final Development Plan	15-0
	11. Development Plan Review Considerations	15-7
SCUUII	11. Development I un review consuciations	15-1

Zoning and Subdivision Regulations

Johnson County, Kansas

ARTIC	CLE 16. SUPPLEMENTARY USE REGULATIONS	16-1
	1. Access to Retail Business and Employment Center Districts	16-1
	2. Fences	16-1
	3. General Screening and Enclosure Requirements	16-4
	4. Open Storage	16-6
	5. Inoperable Motor Vehicles or Vehicle Trailers	16-6
	6. Temporary Uses	16-6
Section	7. Communication Antennas and Communication Towers	16-9
ARTIC	CLE 17. SUPPLEMENTARY HEIGHT, AREA, AND BULK REGUL	ATIONS 17-1
	1. Visual Sight Triangle	17-1
	2. Determination of Building Setback Lines	17-1
	3. Architectural Projections	17-1
	4. Exceptions to Height Regulations	17-2
	5. Official Street Line	17-5
	6. Multiple Buildings on Single Lots	17-5
	7. Rear Yards	17-6
Section	 8. Additional Setback Required for Buildings or Structures Taller Than Height Regulations 	Maximum 17-6
Section	9. Height, Area, Bulk by Zoning District Chart	17-7
ARTIC	CLE 18. ACCESSORY STRUCTURES, BUILDINGS, AND USES	18-1
Section	1. Purpose	18-1
Section	 General Guidelines for Interpretation of Accessory Structures, Build Uses 	ings, and 18-1
Section	3. Accessory Structures, Buildings, and Uses Permitted	18-1
Section	4. Eligibility for Accessory Structures, Buildings, and Uses	18-2
	5. Home Occupations	18-2
	6. Accessory Buildings and Structures in General	18-4
	7. Accessory Uses in General	18-11
Section	8. Rural District	18-25
Section	9. Residential, Planned Residential Districts, and Planned Rural Distric	t 18-25
Section	10. Planned Retail Business Districts and Planned Employment Center I	Districts 18-26
ARTIC	CLE 19. OFF-STREET PARKING REQUIREMENTS	19-1
Section	1. Off-Street Parking Spaces Required	19-1
Section	2. Number of Off-Street Parking Spaces Required	19-1
Section	3. Improvement and Design Requirements	19-3
ARTIC	CLE 20. DISTRICT SIGN REGULATIONS	20-1
Section	1. Purpose	20-1
	2. Applicability	20-1
Section	3. Permit Requirements	20-1
	4. General Sign Provisions and Requirements	20-3
Section	5. Sign Construction Standards	20-5
Section	6. Design Standards	20-5
	7. Nonconforming Signs	20-9
Section	8. Table One - Article 20, District Sign Regulations	20-10

Zoning and Subdivision Regulations

Johnson County, Kansas

ARTICLE 21. AIRPORT VICINITY OVERLAY DISTRICTS AND ZONES	21-1
Section 1. Preface, Purpose, and Intent	21-1
Section 2. Definitions	21-2
Section 3. Establishment of Overlay Districts	21-2
Section 4. Boundaries of Airport Overlay Districts and Overlay Zones	21-2
Section 5. Permitted Uses	21-10
Section 6. Conditional Uses	21-10
Section 7. Property Development Standards	21-10
Section 8. Use Limitations	21-10
Section 9. Height Hazard Zones and Height Limitations	21-11
Section 10. Land Use Zones	21-16
Section 11. Noise Attenuation Construction Standards	21-33
Section 12. Nonconforming Uses in the Airport Interest Areas	21-33
Section 13. Hazard Marking and Lighting	21-34
Section 14. Special Subdivision Regulations for Airport Interest Areas	21-35
Section 15. Administration	21-36
ARTICLE 22. FLOOD PLAIN OVERLAY ZONING DISTRICTS	22-1
Section 1. Intent	22-1
Section 2. Statutory Authorization, Findings of Fact, Purpose, and Objectives	22-1
Section 3. General Provisions	22-3
Section 4. Administration	22-5
Section 5. Establishment of Regulatory Flood Plain Overlay Zoning Districts	22-9
Section 6. General Standards for the Floodway Fringe Overlay District (FF), the Floodway Overlay District (FW), and the Future Base Floodway Overlay District (FBF)	22-10
Section 7. Floodway Fringe Overlay District (FF), Including A Zone, AE Zone, AH Zone, AO Zone, A99 Zone, and Other	22-12
Area of Special Flood Hazard Section 8. Floodway Overlay District (FW) Including Floodway Areas in the AE Zone	22-17
Section 9. Nonconforming Uses	22-17
Section 10. Amendments	22-18
Section 10. Anendments Section 11. Violations	22-19
Section 12. Certification of Adoption	22-19
ARTICLE 23. CONDITIONAL USE PERMITS	23-1
Section 1 Dumore	23-1
Section 1. Purpose Section 2. General Provisions	23-1
	23-1
Section 3. Application Requirements Section 4. Conditional Heat Which May Be Approved in Contain Tening Districts	23-2
Section 4. Conditional Uses Which May Be Approved in Certain Zoning Districts Section 5. Uses Permitted in Certain Zoning Districts and Which May Be Approved as	23-8
Section 5. Uses Permitted in Certain Zoning Districts and Which May Be Approved as Conditional Uses in Other Zoning Districts	
Section 6. Standards for Conditional Uses	23-11
Section 7. Revocation of Conditional Use Permits	23-37
Section 8. Conditional Use Categories by Zoning Districts (CHART)	23-38
ARTICLE 24. NONCONFORMING LOTS AND USES	24-1
Section 1. Intent	24-1
Section 2. Single-Family Dwellings on Nonconforming Lots of Record in Rural or all Residential Districts	24-1

Zoning and Subdivision Regulations Johnson County, Kansas

Section Section Section	4. 5. 6.	Nonconforming Use of Land Nonconforming Use of Buildings or Structures Discontinuance of Nonconforming Uses Repairs and Alteration of Nonconforming Buildings or Structures Damage or Destruction of a Nonconforming Building or Structure	24-2 24-2 24-3 24-3 24-3
		Change of Use	24-3
		Intermittent Use	24-4
		Existence of a Nonconforming Use	24-4
		Nonconforming Uses Not Validated	24-4
ARTIC	LE	25. GENERAL SUBDIVISION PROVISIONS	25-1
		Title and Scope	25-1
		Purpose	25-1
		Application of Subdivision Regulations	25-1
Section	4.	Exemptions from the Subdivision Regulations	25-2
ARTIC	LE	26. PRELIMINARY PLAT ANALYSIS REPORTS, GENERAL GUIDELINES, AND PLAT REVIEW GUIDELINES	26-1
Section	1.	Purpose	26-1
		General Provisions	26-1
		Preliminary Plat Analysis Report Requirements	26-1
		General Plat Review Provisions	26-2
ARTIC	LE	27. SUPPLEMENTARY SUBDIVISION PROCEDURES AND REQUIREMENTS	27-1
		General Provisions	27-1
		Pre-Platting Conference	27-1
		Preliminary Plat	27-1
		Final Plat	27-4
		Plat Exceptions	27-7
Section	6.	Preservation of Public Open Space	27-7
ARTIC	LE	28. SIMULTANEOUS PRELIMINARY AND FINAL PLATS	28-1
		Simultaneous Preliminary and Final Plat Applications	28-1
		Requirements for the Simultaneous Platting Process	28-1
Section	3.	Application Requirements	28-1
ARTIC	LE	29. LOT SPLIT PROVISIONS	29-1
		Objective	29-1
		Authorization for Approval of Lot Splits	29-1
		Application Procedures and Requirements	29-1
		Approval Standards	29-1
Section	5.	Disposition of Applications	29-3
ARTIC	LE	30. MINIMUM SUBDIVISION STANDARDS	30-1
		Purpose	30-1
		Streets and Driveways	30-1
		Layout of Lots	30-10
Section	4.	Environmental Resources	30-12

Page 6 Table of Contents

January 2011

Johnson County, Kansas

Zoning and Subdivision Regulations

		Required Improvements	30-15
		Minimum Infrastructure Requirements Optional Private Improvements	30-18 30-18
ARTIC	LE	31. MINIMUM INFRASTRUCTURE REQUIREMENTS	31-1
		Purpose	31-1
Section	2.	Minimum Infrastructure Requirements, Highly Recommended Infrastructure Factors, and Recommended Infrastructure Factors	31-1
Section	3.	Infrastructure Categories and Factors Established	31-3
Section	4.	Minimum Infrastructure Chart	31-7
ARTIC	LE	32. PLANNED ADULT ENTERTAINMENT DISTRICT	32-1
		General Provisions	32-1
		Definitions	32-1
		Permitted Uses	32-4
		Height, Area and Bulk Regulations	32-5
		Supplementary Height, Area and Bulk Regulations	32-5
		Supplementary Use Regulations	32-5
		Development Standards	32-5
		Parking Regulations	32-5
		Sign Regulations	32-6
		Exterior Displays and Regulations	32-7
		Location and Use Restrictions Conditional Use Permit	32-7
		Criminal Conduct Closure Provision	32-7 32-8
		33. SPECIAL PERMITS	33-1
		Purpose	33-1
		General Provisions	33-1
		Application Requirements	33-2
		Special Permits May be Approved in Certain Zoning Districts	33-2
		General Development and Performance Standards for Special Permits	33-3
		Special Development and Performance Standards for Selected Special Permits	33-8
		Review of Special Permits and Associated Development Plans	33-12
		Amendment of Development Plans Associated with Special Permits	33-13
		Enforcement of Special Permits	33-14
		Revocation of Special Permits	33-14
		Cessation of Special Permit Uses	33-15
Section	12.	Existing Conditional Use Permits	33-15
APPEN	DI	CES TO ZONING AND SUBDIVISION REGULATIONS	
APPEN	DΙΣ	X 1. Kansas Statutes Annotated 19-2956-et seq. Planning and Zoning in	Appendix 1-1
APPEN	DIX	Counties Designated as Urban Areas 2. Guidelines for Interpretation of Permitted and Conditional Uses in the	Appendix 2-1
APPEN	DIX	Planned Employment Center Districts 3. Repealed, and Content Deleted	Appendix 3-1
APPEN	DIX	4. Uses Permitted by Zoning Districts	Appendix 4-1

Zoning and Subdivision Regulations

Johnson County, Kansas