

ORDINANCE NO. 19-3370

AN ORDINANCE AMENDING SECTION 9-301 OF THE ZONING REGULATIONS FOR THE CITY OF ABILENE, KANSAS CONCERNING PERMITTED AND CONDITIONAL USES WITHIN COMMERCIAL ZONED DISTRICTS WITHIN THE CITY OF ABILENE, KANSAS.

BE IT ORDAINED, BY THE GOVERNING BODY OF THE CITY OF ABILENE, KANSAS:

SECTION ONE. Section 9-301 of the Zoning Regulations for the City of Abilene, Kansas is hereby amended to read as follows:

9-301. In the commercial zoning districts the uses listed in Table 9-1 within the designated zoning districts are permitted uses or conditional uses when so designated. Conditional uses require the issuance of a Conditional Use Permit in accordance with the provisions of Article 26.

No building or land shall be used and no building or structure shall be erected, altered or enlarged, which is arranged, intended or designed for other than one of the uses indicated in the following Table 9-1.

TABLE 9-1

P = Indicates Permitted Uses

C = Indicates Conditional Uses

USE		C-1	C-2	C-3	C-4
1.	Ambulance service.			P	P
2.	Amusement places, indoor.			P	P
3.	Animal hospitals.			P⁽¹⁾	P⁽¹⁾
4.	Any public building or land use by any department of the City, county, state or federal government.	C	C	C	P
5.	Artists, authors, composers, studios and galleries	P	P	P	P
6.	Auditoriums, exhibition halls, fairgrounds, stadiums and similar uses.			P	P
7.	Automobile and truck wash services.			P	C
8.	Churches, similar places of worship.	P	P	P	P⁽²⁾
9.	Convenience stores.		P⁽³⁾	P	P
10.	Day care facilities: child care centers, day care homes, family day care homes, group day care homes and preschools.	P	P	P	P
11.	Dry cleaners-laundries, including self-service.			P	P
12.	Dwellings: When dwelling unit(s) located on other than ground floor of commercial structure.	P	P	P	P
13.	Electric-telephone substations and similar public utility uses.		P	P	P
14.	Food catering service, lockers-storage.			P	P

15.	Fraternal-civic-social organizations.	P	P	P	P
16.	Funeral, crematory and mortuary services		P	P	P
17.	Furniture repair, upholstery			P	P
18.	Garden supplies – nurseries, greenhouses.			P	P
19.	Golf driving ranges.			C	C
20.	Health and exercise spas, gymnasiums.	P	P	P	P
21.	Hospitals, clinics, laboratories.	P	P	P	P
22.	Hotels and motels.		C	P	P
23.	Industrial laundry and linen supply services.			C	C
24.	Kennels-boarding and breeding.			C	C
25.	Miniature golf, outdoor.		P	P	C
26.	Mini-storage, self-storage.		C	C	C
27.	Manufactured home sales.			P	P
28.	Monument engraving and sales.			P	P
29.	Motor vehicle repair and body shops, provided all work shall be performed and all materials shall be stored within an enclosed building.			C	C
30.	Nursing homes, rest homes, convalescent homes and similar facilities.	P	P	P	P
31.	Offices: professional-business-educational-industrial-religious-philanthropic-public.	P	P	P	P
32.	Package liquor store.		C	C	C
33.	Printing, including newspaper publishing.			P	P
34.	Private clubs.			P ⁽⁴⁾	P ⁽⁴⁾
35.	Race track and courses – vehicle and animal.			C	C
36.	Radio and television broadcasting studios (without transmission towers).	P	P	P	P
37.	Radio or television broadcasting studios (with transmission towers).		P	P	P
38.	Radio, television or telephone transmitting station or towers, subject to further regulations set out in Article 23.		C	C	C
39.	Recreation centers.			P	P
40.	Recreational vehicles – trailers, equipment sales.			P	P
41.	Restaurants.	C	P	P	P
42.	Retail sales and rental of goods and merchandise including, but not limited to: antiques; apparel; appliances; bakeries; bicycles; books and stationery; building materials; carpet and other floor coverings; cigarettes; clocks; farm machinery and supplies; florists; food and groceries; furniture; hardware; heating, plumbing, and air conditioning equipment; jewelry; musical instruments; motor vehicles, parts and supplies; pet shops; pharmacies; photographic supplies and cameras; office equipment and supplies; and service	P/ C ⁽⁵⁾	P	P	P

	stations; and storage sheds.				
43.	Retail sales of services including, but not limited to: banks, barber and beauty shops; building contractors, including air-conditioning, heating, plumbing and electrical; cleaning and repair; interior decorating; lawn care and landscaping; locksmith; message service; outdoor advertising; pet grooming; photocopying and blueprinting; and stenographic, duplicating and mailing services.	P	P	P	P
44.	Schools: a. Public and private elementary schools b. Public and private secondary schools c. Postsecondary educational institutions d. Business and training/vocational schools	C C P C	C C P C	C C P P	C C P P
45.	Storage or warehousing, except for products of a highly explosive, combustible or volatile nature.			C	C
46.	Taverns, bars and drinking establishments.			P ⁽⁴⁾	C ⁽⁴⁾
47.	Theaters, indoor.		P	P	P
48.	Theaters, outdoor.			C	C
49.	Travel trailer parks.			C ⁽⁶⁾	
50.	Wholesale establishment.			C	C

Permitted and conditional uses footnotes:

- (1) Providing all services, runs and pens are within an enclosed building.
- (2) Parsonages and similar uses when located in the C-4 District must comply with the same floor area regulations as set out in Item 12 (Dwellings) of Table 9-1.
- (3) Including the self-service dispensing of gasoline and related petroleum products, providing there is no motor vehicle repair or service.
- (4) Provided not located within 200 feet of: a church, a school or a hospital.
- (5) If display and/or sales area exceeds 2,000 sq. ft., regardless of number of stories.
- (6) Subject to requirements set out in Section 9-11.

SECTION TWO. Existing Section 9-301 of the Zoning Regulations of the City of Abilene, Kansas is hereby repealed.

SECTION THREE. This ordinance shall be in full force and effect from and after its adoption and publication once in the official city newspaper by the following summary:

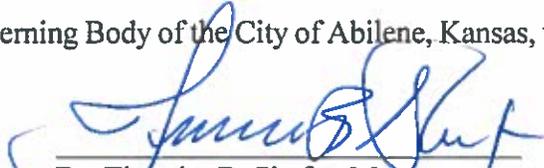
Ordinance No. 19-3370 Summary

On February 25, 2019, the City Commission passed Ordinance No. 19-3370. The ordinance amends Section 9-301 of the Zoning Regulations for the City of Abilene, Kansas concerning permitted and conditional uses within commercial zoned

districts within the City of Abilene, Kansas, so as to add the retail sale of storage sheds as a specific permitted use within commercial zoned districts. A complete copy of the ordinance is available online at www.abilenecityhall.com or in the office of the City Clerk, 419 N. Broadway Street in Abilene, Kansas, free of charge. This summary is certified by the City's legal counsel.

APPROVED AND PASSED by the Governing Body of the City of Abilene, Kansas, this 25th day of February, 2019.



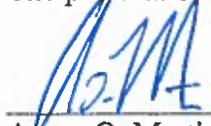


Dr. Timothy B. Shafer, Mayor

Attest:


Penny L. Soukup, CMC, City Clerk

The publication summary set forth above is certified this 25th day of February, 2019.



Aaron O. Martin, City Attorney