



PURPOSE AND INTENT

The Labette County Zoning Code for the Great Plains Industrial Park (GPIP) sets standards and guides development within the Park based on the values and vision established in the Labette County Comprehensive Plan for the coordinated development of the land located in the GPIP. The Standards and Guidelines included as part of this document set forth uniform rules and procedures for the protection of the public health, safety, and welfare, for the development of property within the GPIP, and establish standards to guide development and protect property values.

SEVERABILITY CLAUSE

If any provision or provisions of this code shall be held to be invalid, illegal, unenforceable or in conflict with the law of any jurisdiction, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

ARTICLE 1: PROCESS AND PROCEDURES

1.1. Pre-Application Conference

- 1.1.1. Parties interested in developing property within the Great Plains Industrial Park shall contact the Labette County Zoning Authority (LCZA) to schedule a pre-application conference to discuss the proposal.
- 1.1.2. The applicant shall provide preliminary information at the conference consisting of the purpose, the proposed land use(s), and the land area necessary to implement the proposal.
- 1.1.3. Within 10 (ten) days of the completion of the conference, the applicant will receive a development application packet or a written invitation to amend the proposal.

1.2 Development Application

- 1.2.1. Application materials shall be made available to the applicant including a detailed list of forms, documents, drawings, materials and fees required for the development application submittal.
- 1.2.2. Within sixty (60) days after a submittal package has been received and acknowledged by the LCZA as being complete, the applicant will receive from the LCZA either: a written notification of approval; an approval with conditions; formal comments and an invitation for resubmittal; or, a denial of the application. Denials



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may be appealed to the Board of Zoning Appeals (BZA). Decisions by the BZA may be appealed to the Board of County Commissioners for final determination.

- 1.2.3. Substantial construction must begin within two years of development approval or a resubmittal will be required. Time extensions may be granted at the discretion of the LCZA.
- 1.2.4. Construction is contingent upon obtaining all necessary permits and approvals from local, county, state and/or federal authorities, as applicable prior to and during construction.
- 1.2.5. Any amendment to existing approved site plan shall follow all procedures outlined for an initial application.

1.3. Variance Requests

- 1.3.1. Applicants may request a variance from the requirements of this zoning code where circumstances specific to the site require it.
- 1.3.2. Variance requests will be acted upon by the BZA within 30 calendar days.
- 1.3.3. Denials of variance requests may be appealed to the district court of the county within 30 days of the decision issued by the BZA.
- 1.3.4. The appeals process shall follow procedures established by the County Counselor's office.

1.4. Zone Map Amendments

- 1.4.1. Requests for changes to the zone map affecting specific property must be submitted to the Planning and Zoning Commission for recommendation to the Board of County Commissioners.
- 1.4.2. The process for zone amendments shall follow State Statute 12-757 et seq. as amended.

ARTICLE 2: ZONING AND LAND USE

2.1. Establishment of Zones

- 2.1.1 Industrial Zone: Industrial Zones are intended primarily for general industrial uses. The Industrial Zone is divided into three sub-zones based on minimum lot areas and anticipated scale and intensity of development.



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- 2.1.2 Industrial-Energy Zone: Industrial-Energy Zone is intended for largest of the industrial users that require substantial development area, often focused in energy-related production, distribution, research and development.
- 2.1.3 Office - Industrial Zone: Office - Industrial Zone is intended to serve the smallest of industrial users that are often combined with front office space uses.
- 2.1.4 Office Zone: The Office Zone is intended primarily for small office buildings and potentially compatible uses.
- 2.1.5 Agriculture - Business Zone: The Agriculture – Business Zone is intended for general farming and related operations, including crop production and harvesting, as well as business uses associated with or in support of agriculture.
- 2.1.6 Agriculture - Tourism Zone: The Agriculture -Tourism Zone is intended for general farming and related operations, including crop production and harvesting, as well as tourism uses associated with or in support of agriculture.
- 2.1.7 Conference Center Zone: The Conference Center Zone is intended for a conference facility and associated business or community uses.

2.2. Permitted and Conditional Land Uses

- 2.2.1 Permitted Uses: The chart in Section 2.3 shows the uses permitted (P) as a use by right for each Zone. The uses listed do not necessarily include all potential use types in any of the respective Zones; rather, they represent the broader land use categories envisioned. The LCZA shall have final approval of specific uses allowed within each Zone.
- 2.2.2 Conditional Uses: The chart in Section 2.3 shows the conditional uses (C) for each Zone. The uses listed do not necessarily include all potential conditional use types in any of the respective Zones; rather, they represent the broader land use categories envisioned. The Board of Zoning Appeals shall have final approval of specific uses conditionally allowed within each Zone.



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2.3. Permitted and Conditional Land Uses Chart

	Industrial	Industrial - Energy	Office Industrial	Office	Agricultural - Business	Agricultural - Tourism	Conference Center
Aggregate Recycling	P	C	C				
Agricultural Products Retail/Wholesale	P		P		P	P	
Building Materials (Lumberyard / Stone / Gravel / Brick / etc.)	P				P		
Cemetary / Crematorium / Mausoleum	C	C	C			C	
Chemical / Fuel Production / Storage / Distribution	P	P					
Communication Towers	P	P	P		P	P	P
Research & Development	P	C	C	C	P	P	C
Energy Plant / Production / Transmission	C	P	C		C	C	
Explosives Manufacturing / Testing / Storage	C						
Farm Equipment and Supplies Retail / Manufacturing / Distribution	P		P		P	P	
Food Production / Processing	P				P	P	
General Agriculture	P	P	P	P	P	P	P
General Manufacturing / Warehouse / Distribution	P	C	C		C		
General Merchandise Retail				C		C	
Hazardous Waste Storage	C	C					
Industrial Refueling	P	C	C				
Solid Waste Disposal Area / Junkyard / Recycling Yard	C	C	C		C		
Light Industrial / Flex	P	C	P		C	C	
Conference Center							P
Nuclear Power Plant		P					
Office	P	C	P	P		C	
Office / Industrial Flex			P	P			
Quarry Operations	C	C					
Railroad Operations	C	C	C		C	C	
Restaurants			P	P		C	C
Temporary Exhibitions (Flea Market / Festivals / Farmer's Market / etc.)					C	P	C
Truck Driver / Heavy Equipment Operator Training	C	C	C				
Truck Stop / Gas Station / Convenience Store	P		P			C	
Unenclosed Vehicle / Large Item Storage (RV Storage, Equipment Storage, etc.)	C					P	

P = Permitted Use by Right

C = Conditionally Permitted Use

Note: List contains potential land uses, but is not necessarily exhaustive



ARTICLE 3: COMMON STANDARDS AND GUIDELINES

3.1. Performance Standards

- 3.1.1. Noise emissions from any permitted use shall comply with maximum permissible sound level standards as required by Federal and State of Kansas statutes or applicable Federal or State regulations.
- 3.1.2. The emission of smoke, dust, or dirt shall not exceed and be compliant with all Federal and State of Kansas statutes, rules and regulations regulating such emissions.
- 3.1.3. The emission of noxious odors beyond the lot lines shall not be permitted. Odor producing industries must present detailed plans for elimination of noxious odors before a building permit will be granted.
- 3.1.4. Any development within the GPIIP shall meet or exceed ambient air quality standards and air pollution control requirements as set forth in K.A.R. 28-19 Kansas Air Quality Regulations and Statutes, November 2009, or as amended.
- 3.1.5. Activity or use causing ground vibration shall be consistent with and not exceed the limits established by current Federal and State of Kansas statutes and regulations.
- 3.1.6. Light and glare shall be limited so as not to affect adjacent users or properties.
- 3.1.7. No solid or liquid wastes shall be discharged to any sewer or natural drainage system without prior approval by the Kansas Department of Health and Environment (KDHE).
- 3.1.8. Any development must be in compliance with Federal, State of Kansas and local land use controls and other Federal and State environmental regulations.

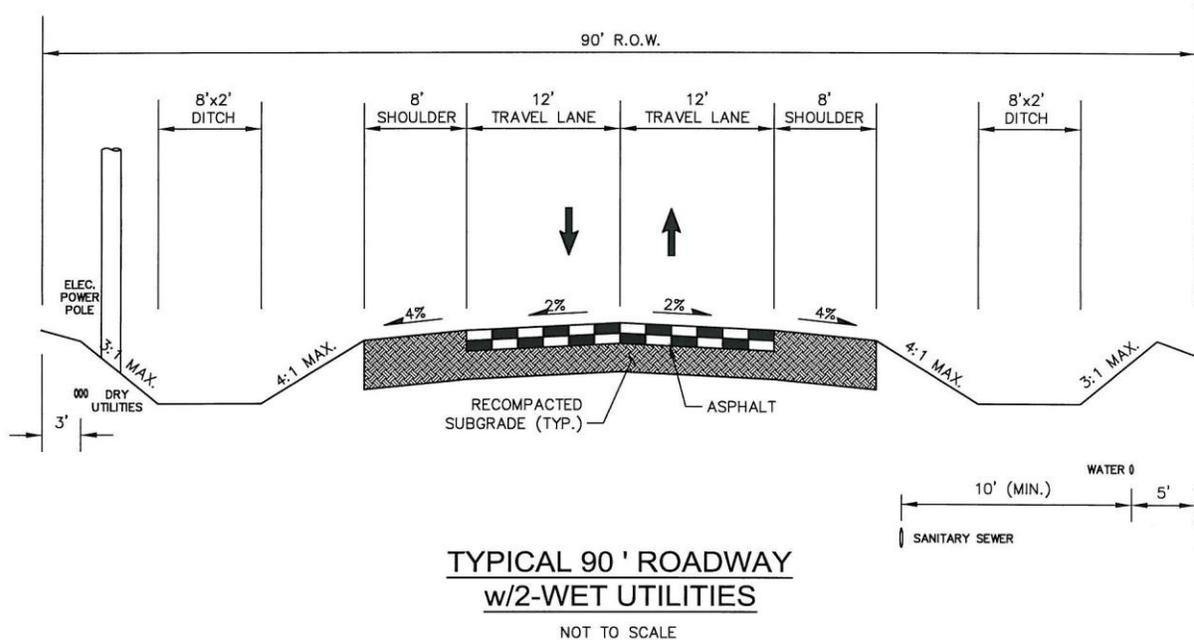
3.2. Community Systems

- 3.2.1. Natural areas and existing drainageways shall be maintained in their current designated configurations unless changes are approved by the LCZA. Structures shall be set back a minimum of 25 feet from drainageways, as delineated by the LCZA.
- 3.2.2. Utilities
 - 3.2.2.1. All sites shall be connected to the GPIIP sanitary sewer system. No septic systems or lagoons are allowed.



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- 3.2.2.2. All sites shall be connected to the GPIP water system. Water wells are not permitted at the Great Plains Industrial Park by State regulation.
- 3.2.2.3. Newly constructed water and sewer mains shall be built in the public right-of-way where practicable.
- 3.2.2.4. Electric, gas and telecommunication lines will be built in easements adjacent to the public right-of-way where practicable.



3.2.3. Roadways

- 3.2.3.1. Public roads will be built in 90-foot rights-of-way.
- 3.2.3.2. The typical public road section will be a two-lane, 24-foot wide paved road with 8-foot wide shoulders and adjacent drainage ditches (see diagram). Turn lanes will be required where necessary for safety and traffic flow.
- 3.2.3.3. Private roads serving multiple sites will be two-lane, 24-foot wide section with 4-foot wide shoulders. Right-of-way width will vary depending on drainage requirements.



3.3. Signage

3.3.1. Advertising Signs (Billboards) – Unless placed by the GDPA, Advertising signs promoting business other than the occupant of the site are not allowed.

3.3.2. On-Site Building/Business Identification Signs

3.3.2.1. Ground-Mounted Signs

3.3.2.1.1. All sites shall have a ground-mounted address and building identification sign at the main site entrance. The sign shall be located adjacent to the entry driveway 5 feet from the public right-of-way and oriented perpendicular to the road.

3.3.2.1.2. The sign will have a concrete base and two parts, consisting of an address portion, and a building identification portion.

3.3.2.1.3. The sign's total surface area shall be no larger than 100 square feet.

3.3.2.1.4. The address portion of the entrance sign shall be no taller than 3 feet, no longer than 10 feet and shall clearly indicate the address in 8-inch tall block letters.

3.3.2.1.5. The business identification portion of the sign shall sit above the address portion and shall be no taller than 7 feet or longer than 10 feet.

3.3.2.1.6. Signs must be visible during darkness either by being reflective or by being illuminated. No landscaping or vegetation shall inhibit the visibility of the sign.

3.3.2.1.7. Ground-mounted signs shall not be animated, intermittent, or flashing, including electronic message signs.

3.3.2.2. Building-Mounted Signs

3.3.2.2.1. Building mounted signs shall be limited to the display of the name of the building or the name of the business occupying the site.



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- 3.3.2.2.2. No more than two building-mounted identification signs are allowed for each building.
- 3.3.2.2.3. Building mounted identification signs must be professionally produced with permanent materials.
- 3.3.2.2.4. The total surface area of a building mounted sign shall be no larger than 150 square feet, or, if letters are individually mounted on to the building façade, the maximum letter height shall be 60 inches.
- 3.3.2.2.5. Building-mounted identification signs may be internally or externally illuminated.
- 3.3.2.2.6. Building-mounted identification signs shall not be animated, intermittent, or flashing, including electronic message signs.

3.3.3. Temporary/Portable Signs

- 3.3.3.1. Temporary signs shall be no more than 15 feet in height.
- 3.3.3.2. Free standing signs shall be no more than 40 square feet in surface area. Building mounted banner signs may be no more than 150 square feet in surface area.
- 3.3.3.3. Free standing signs shall not be placed within the public right-of-way. Building-mounted banner signs must not extend beyond the top of the building.
- 3.3.3.4. Additional lighting not integral to the temporary sign is not permitted.
- 3.3.3.5. Signs must be professionally produced on weather resistant materials.
- 3.3.3.6. No animated or sound-emitting signs are allowed.
- 3.3.3.7. All temporary signs are subject to time limitations established by the LCZA during the approval process.

3.3.4 Non-Conforming Signs.

3.3.4.1 Signs that were lawful when erected but no longer conform to the requirements of this Code must comply with the following regulations.

- Any nonconforming sign may be structurally altered, reconstructed, replaced or relocated, as long as the alteration, reconstruction, replacement or relocation does not result in:



- (1) An increase in the area or any dimension of the sign.
- (2) An increase in the degree of illumination of the sign.
- (3) The addition of:
 - (i) Any moving, rotating or otherwise animated part.
 - (ii) Any flashing, blinking, fluctuating or otherwise animated light.
- (4) Any other increase in the degree of the sign's nonconformity.

In the event that any nonconforming sign is damaged or destroyed to the extent of more than fifty percent (50%) of the fair market value of the sign immediately prior to the damage, the sign may not be restored or repaired unless it thereafter conforms to all applicable regulations for the district.

3.4. Landscaping

- 3.4.1. At least one-half of the front setback (the half located adjacent to the public right-of-way) shall consist of a maintained, planted area. At least one-half the width of the side and rear setbacks (the half adjacent to the property line) shall consist of planted area.
- 3.4.2. Native plants and grasses are encouraged in landscaped areas.
- 3.4.3. Grasses within 10 feet of buildings must be kept below 12 inches in height, except for small arrangements of decorative grasses.

3.5. Drainage and Grading

- 3.5.1. All sites shall meet county, state and federal regulations regarding drainage, stormwater detention and water quality requirements.
- 3.5.2. Detention and water quality facilities may be shared between adjacent sites at the discretion of the LCZA.
- 3.5.3. The maximum slope in a non-paved area will be 3:1, except for existing areas which are unaffected by development. The maximum slope in parking areas shall be 5%.



3.6. Parking

3.6.1. Parking area shall be sufficient to allow for one parking place per employee, handicapped parking spaces per ADA requirements, and sufficient parking to serve visitors and customers. For businesses that employ workers in multiple shifts, employee parking shall be sufficient for the maximum number of employees to be on site at any time. A minimum of 250 square feet is required for each parking space.

3.6.2. Parking areas shall be surfaced with an all-weather material such as gravel, asphalt or concrete.

3.6.3. Access and Internal Circulation

3.6.3.1. Each site must have at least two access points from public rights-of-way.

3.6.3.2. Main entrance driveways shall be a minimum of 24 feet wide. At the access point from the public road, driveways shall be configured to accommodate turning movements of anticipated traffic, including trucks and emergency vehicles.

3.6.3.3. Driveways and parking shall be at least 10 feet from buildings except for at passenger or material loading and unloading zones.

3.6.4. Lighting

3.6.4.1. Building Lighting

3.6.4.1.1. Building entrances and emergency exits shall be lighted so they are visible in darkness.

3.6.4.1.2. Building accent lighting must be directed toward the building and away from adjacent properties and rights-of-way.

3.6.4.2. Parking Lighting

3.6.4.2.1. All parking areas must be sufficiently illuminated for safety and functionality.

3.6.4.2.2. Parking lighting shall be directed downward.

3.6.4.3. Grounds/Outdoor Storage Areas Lighting



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3.6.4.3.1. Any grounds or outdoor storage areas lighting shall be directed downward.

3.6.5. Pedestrian Access

3.6.5.1. All sidewalks shall meet ADA standards.

3.6.5.2. A sidewalk shall be maintained from handicap and visitor parking to the main building entrance.

3.7. Nonconforming Uses

3.7.1. Existing, nonconforming uses that may exist shall be allowed to remain until such time as the property is sold, the use changes, or improvements are made to the property totaling more than 50% of the assessed value.

3.8. Maintenance

3.8.1. All buildings, signs, fences, and walls shall be maintained in good condition and repair.

3.8.2. Existing structures not visible from a public right of way and no longer in operation or use may be secured as follows: (a) except for the primary entrance or exit, all windows and doors on all levels, through which access to the interior of the structure can be made, shall be secured from the interior of the building with exterior grade plywood sheathing; and (b) the primary entrance or exit shall be secured with appropriate locking mechanisms.

3.8.3. Those structures identified in a remediation plan funded by the U.S.A. or GPDA and scheduled for removal or rehabilitation shall be reasonably secured to prevent unauthorized access.

ARTICLE 4: ZONE STANDARDS AND GUIDELINES

4.1 Industrial Zone

Industrial Zones are intended primarily for general industrial uses. The Industrial Zone is divided into three sub-zones based on minimum lot areas and anticipated scale and intensity of development.

4.1.1. Permitted Uses:

4.1.1.1. Aggregate recycling

4.1.1.2. Agriculture products (retail and wholesale)



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- 4.1.1.3. Building materials (lumber yard / stone / brick / etc.)
- 4.1.1.4. Chemical / fuel production / storage / distribution
- 4.1.1.5. Communications towers
- 4.1.1.6. Research and development
- 4.1.1.7. Farm equipment and supplies (retail, manufacturing and distribution)
- 4.1.1.8. Food production / food processing
- 4.1.1.9. General agriculture
- 4.1.1.10. General manufacturing / warehouse / distribution
- 4.1.1.11. Industrial re-fueling
- 4.1.1.12. Light industrial / flex
- 4.1.1.13. Office
- 4.1.1.14. Truck stop / gas station / convenience store
- 4.1.1.15. Other similar uses
- 4.1.2. Conditional Uses:
 - 4.1.2.1. Cemetery / crematorium / mausoleum
 - 4.1.2.2. Energy plant / production / transmission
 - 4.1.2.3. Explosives manufacturing / testing / storage
 - 4.1.2.4. Hazardous waste storage / safe haven
 - 4.1.2.5. Junkyard / recycling facility/ solid waste disposal area
 - 4.1.2.6. Quarry operations
 - 4.1.2.7. Railroad operations
 - 4.1.2.8. Unenclosed vehicle / large item storage
 - 4.1.2.9. Truck Driver/Heavy Equipment Operator Training
 - 4.1.2.10. Other similar uses
- 4.1.3. Special Uses
 - 4.1.3.1. Uses not included as “Permitted” or “Conditional” must be approved by the Board of Zoning Appeals
- 4.1.4. Site Layout and Design
 - 4.1.4.1. Lot Area



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4.1.4.1.1. Lots in Industrial 1 shall have a minimum area of 5 acres.

4.1.4.1.2. Lots in Industrial 2 shall have a minimum area of 10 acres.

4.1.4.1.3. Lots in Industrial 3 shall have a minimum area of 20 acres.

4.1.4.2 Lot Width

4.1.4.2.1 Lots in Industrial 1 shall have a minimum lot width at the street of 400 feet.

4.1.4.2.2 Lots in Industrial 2 shall have a minimum lot width at the street of 600 feet.

4.1.4.2.3 Lots in Industrial 3 shall have a minimum lot width at the street of 800 feet.

4.1.4.2.4 Lot widths for pie-shaped, flag pole and other odd shaped lots in any zone may be adjusted at the discretion of the BZA.

4.1.4.3 Lot Coverage

4.1.4.3.1 Buildings shall not cover more than 70% of the gross lot area.

4.1.4.4 Setbacks

4.1.4.4.1 For corner lots, the front lot line is defined to be the lot line adjacent to the street to which the property's address has been assigned.

4.1.4.4.2 No structure in Industrial 1 shall be located within 50 feet of the front property line right-of-way. Fences, walls and signs are excepted.

4.1.4.4.3 No structure in Industrial 1 shall be located within 25 feet of a rear or side lot line. Fences and walls are excepted.

4.1.4.4.4 No structure in Industrial 2 shall be located within 50 feet of the front property line right-of-way. Fences, walls and signs are excepted.

4.1.4.4.5 No structure in Industrial 2 shall be located within 50 feet of a rear or side lot line. Fences and walls are excepted.

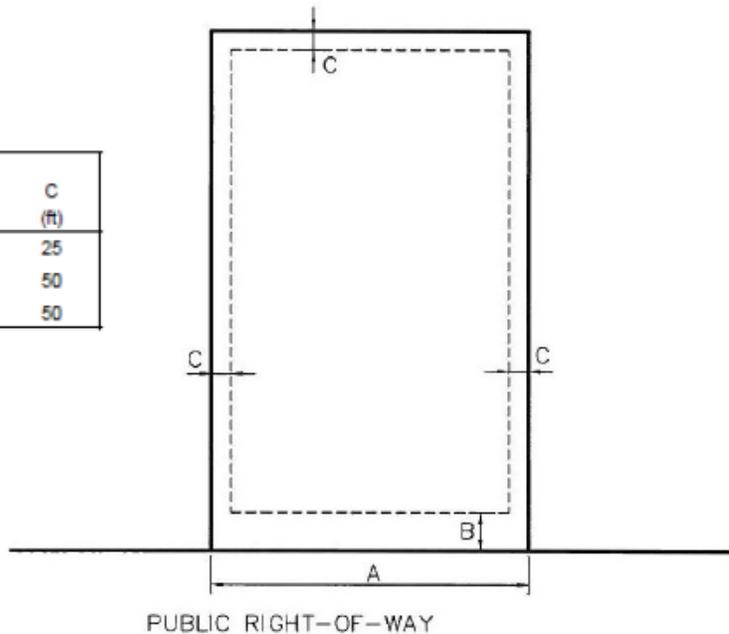


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- 4.1.4.4.6 No structure in Industrial 3 shall be located within 50 feet of the front property line right-of-way. Fences, walls and signs are excepted.
- 4.1.4.4.7 No structure in Industrial 3 shall be located within 50 feet of a rear or side lot line. Fences and walls are excepted.
- 4.1.4.4.8 Pie-shaped, flag pole, and other odd shaped lots may have setback dimensions adjusted at the discretion of the LCZA.

Zone	Minimum Area (ac)	Setback		
		A (ft)	B (ft)	C (ft)
Industrial 1	5	400	50	25
Industrial 2	10	600	50	50
Industrial 3	20	800	50	50

SETBACK DIMENSIONS
(BY ZONE)



4.1.5. Fences/Walls

- 4.1.5.1. All fences and walls shall be approved by the LCZA prior to construction.
- 4.1.5.2. All trash storage areas shall be completely enclosed by a fence or wall. Trash enclosure fences or walls shall be at least 1 foot higher than any trash receptacle stored inside the enclosure and shall be opaque to limit visibility.
- 4.1.5.3. Perimeter fence or wall heights shall be as needed by the individual user.
- 4.1.5.4. Fences or walls must be made of permanent materials such as metal or masonry. Decorative wooden fences may be allowed.



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- 4.1.5.5. The maintenance responsibility of shared fences along common property lines must be determined between the two adjacent property owners prior to construction.

4.1.6 Structures

4.1.6.1 Primary Buildings

- 4.1.6.1.1 If only one building is constructed on a site, it is considered the primary building. Where multiple buildings are constructed, the largest building and all buildings greater than 2,000 square feet shall be considered a primary building. Each primary building must meet all requirements of this section.
- 4.1.6.1.2 All newly constructed buildings must meet the latest versions of the Uniform Building Code, Uniform Plumbing Code and Uniform Fire Code.
- 4.1.6.1.3 Building heights are not restricted within this zone.
- 4.1.6.1.4 Building facades must be made of permanent materials such as metal or masonry. Wood is not allowed as the primary façade material.
- 4.1.6.1.5 The dominant color of all buildings shall be non-intensive.
- 4.1.6.1.6 Loading dock areas shall be located at the rear or side of the building.

4.1.6.2 Secondary Buildings

- 4.1.6.2.1 Secondary buildings are all those buildings that are less than 2,000 square feet and not primary buildings.
- 4.1.6.2.2 The architectural style of a secondary building shall be compatible with the primary building(s).
- 4.1.6.2.3 All newly constructed buildings must meet the latest versions of the Uniform Building Code, Uniform Plumbing Code and Uniform Fire Code.



4.1.6.2.4 Building facades must be made of permanent materials. Wood is allowed as a primary façade material for accessory buildings.

4.1.6.2.5 Secondary buildings shall be attached to a permanent foundation, e.g. concrete pad, concrete footings.

4.1.6.3 Antennae/Other Vertical Elements

4.1.6.3.1 Antennae and other vertical elements (e.g. exhaust stacks) are allowed in this zone.

4.1.6.3.2 The height of antennae and other vertical elements shall be limited by federal and aviation requirements.

4.1.6.3.3 Antennae shall be located at the rear of the site where practicable.

4.2 Industrial-Energy Zone

Industrial-Energy Zone is intended for largest of the industrial users that require substantial development area, often focused in energy-related production, distribution, research and development.

4.2.1 Permitted Uses:

4.2.1.1 Chemical / fuel production / storage / distribution

4.2.1.2 Communication towers

4.2.1.3 Energy plant / production / transmission

4.2.1.4 General agriculture

4.2.1.6 Nuclear power plant

4.2.1.7 Other similar uses

4.2.2 Conditional Uses:

4.2.2.1 Aggregate recycling

4.2.2.2 Cemetery / crematorium / mausoleum

4.2.2.3 Research & development

4.2.2.4 General manufacturing / warehouse / distribution

4.2.2.5 Hazardous waste storage

4.2.2.6 Hazardous materials storage / safe haven



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- 4.2.2.7 Industrial refueling
- 4.2.2.8 Light industrial / flex
- 4.2.2.9 Office
- 4.2.2.10 Quarry operations
- 4.2.2.11 Railroad operations
- 4.2.2.12 Truck driver / heavy equipment operator training
- 4.2.2.13 Solid waste disposal area
- 4.2.2.14 Other similar uses

- 4.2.3 Special Use
 - 4.2.3.1 Uses not included as “Permitted” or “Conditional” must be approved by the Board of Zoning Appeals.

- 4.2.4 Site Layout and Design
 - 4.2.4.1 Lot Area
 - 4.2.4.1.1 Lots in Industrial-Energy shall have a minimum area of 20 acres.

 - 4.2.4.2 Lot Width
 - 4.2.4.2.1 Lots in Industrial-Energy shall have a minimum lot width at the street of 800 feet.

 - 4.2.4.3 Pie-shaped, flag pole, and other odd shaped lots may have this width adjusted at the discretion of the BZA.

 - 4.2.4.4 Lot Coverage
 - 4.2.4.4.1 Buildings shall not cover more than 70% of the gross lot area.

 - 4.2.4.5 Setbacks
 - 4.2.4.5.1 For corner lots, the front lot line is defined to be the lot line adjacent to the street to which the property’s address has been assigned.

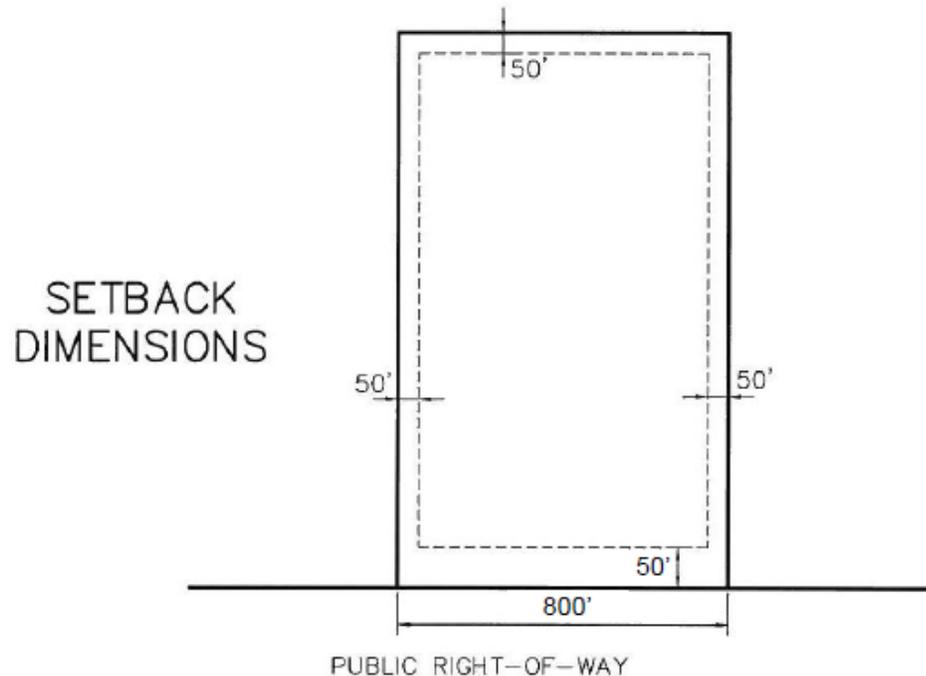
 - 4.2.4.5.2 No structure in Industrial-Energy shall be located within 50 feet of the front property line right-of-way. Fences, walls and signs are excepted. No structure in Industrial-Energy shall be



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located within 50 feet of a rear or side lot line. Fences and walls are excepted.

- 4.2.4.5.3 Pie-shaped, flag pole, and other odd shaped lots may have setback dimensions adjusted at the discretion of the BZA.



4.2.5 Fences/Walls

- 4.2.5.1 All fences and walls shall be approved by the LCZA prior to construction.
- 4.2.5.2 All trash storage areas shall be completely enclosed by a fence or wall. Trash enclosure fences or walls shall be at least 1 foot higher than any trash receptacle stored inside the enclosure and shall be opaque to limit visibility.
- 4.2.5.3 Perimeter fence or wall heights shall be as needed by the individual user.
- 4.2.5.4 Fences or walls must be made of permanent materials such as metal or masonry. Decorative wooden fences may be allowed.
- 4.2.5.5 The maintenance responsibility of shared fences along common property lines must be determined between the two adjacent property owners prior to construction.



4.2.6 Structures

4.2.6.1 Primary Buildings

- 4.2.6.1.1 If only one building is constructed on a site, it is considered the primary building. Where multiple buildings are constructed, the largest building and all other buildings greater than 2,000 square feet shall be considered a primary building. Each primary building must meet all requirements of this section.
- 4.2.6.1.2 All newly constructed buildings must meet the latest versions of the Uniform Building Code, Uniform Plumbing Code and Uniform Fire Code.
- 4.2.6.1.3 Building heights are not restricted within this zone.
- 4.2.6.1.4 Building facades must be made of permanent materials such as metal or masonry. Wood is not allowed as the primary façade material.
- 4.2.6.1.5 The dominant color of all buildings shall be non-intensive.
- 4.2.6.1.6 Loading dock areas shall be located at the rear or side of the building.

4.2.6.2 Secondary Buildings

- 4.2.6.2.1 Secondary buildings are those that are less than 2,000 square feet and not primary buildings
- 4.2.6.2.2 The architectural style of a secondary building shall be compatible with the primary building(s).
- 4.2.6.2.3 Building facades must be made of permanent materials. Wood is allowed as a primary façade material for accessory buildings.
- 4.2.6.2.3 Secondary buildings shall be attached to a permanent foundation, e.g. concrete pad, concrete footings.

4.2.6.3 Antennae/Other Vertical Elements

- 4.2.6.3.1 Antennae and other vertical elements (e.g. exhaust stacks) are allowed in this zone.



4.2.6.3.2 The height of antennae and other vertical elements shall be limited by federal and aviation requirements.

4.2.6.3.3 Antennae shall be located at the rear of the site where practicable.

4.3 Office - Industrial Zone

Office - Industrial Zone is intended to serve the smallest of industrial users that is often combined with front office space uses.

4.3.1 Permitted Uses:

- 4.3.1.1 Agriculture products (retail and wholesale)
- 4.3.1.2 Communications towers
- 4.3.1.3 Farm equipment and supplies (retail, manufacturing and distribution)
- 4.3.1.4 General agriculture
- 4.3.1.5 Light industrial / flex
- 4.3.1.6 Office
- 4.3.1.7 Office / industrial flex
- 4.3.1.8 Restaurants
- 4.3.1.9 Truck stop / gas station / convenience store
- 4.3.1.10 Other similar uses

4.3.2 Conditional uses are:

- 4.3.2.1 Cemetery / crematorium / mausoleum
- 4.3.2.2 Research and development
- 4.3.2.3 Energy plant / production / transmission
- 4.3.2.4 General manufacturing / warehouse / distribution
- 4.3.2.5 Industrial refueling
- 4.3.2.6 Railroad operations
- 4.3.2.7 Truck driver / heavy equipment operator training
- 4.3.2.8 Solid waste disposal area
- 4.3.2.9 Other similar uses



4.3.3 Special Uses

4.3.3.1 Uses not included as “Permitted” or “Conditional” uses must be approved by the Board of Zoning Appeals.

4.3.4 Site Layout and Design

4.3.4.1 Lot Area

4.3.4.1.1 Lots shall have a minimum area of 2.5 acres.

4.3.4.2 Lot Width

4.3.4.2.1 Lots shall have a minimum lot width at the street of 250 feet.

4.3.4.2.2 Pie-shaped, flag pole, and other odd shaped lots may have this width adjusted at the discretion of the BZA.

4.3.4.3 Lot Coverage

4.3.4.3.1 Buildings shall not cover more than 50% of the gross lot area.

4.3.4.4 Setbacks

4.3.4.4.1 For corner lots, the front lot line is defined to be the lot line adjacent to the street to which the property’s address has been assigned.

4.3.4.4.2 No structure in Office Industrial shall be located within 50 feet of the front property line right-of-way. Fences, walls and signs are excepted.

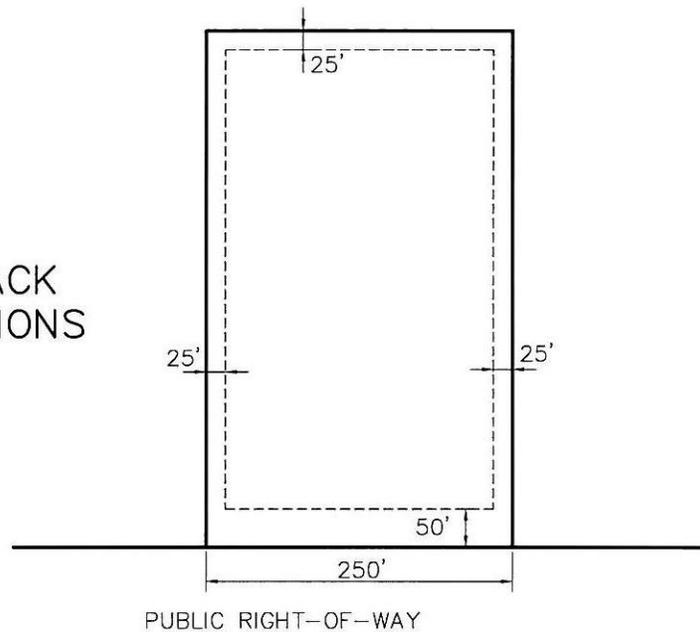
4.3.4.4.3 No structure in Office Industrial shall be located within 25 feet of a rear or side lot line. Fences and walls are excepted.

4.3.4.4.4 Pie-shaped, flag pole, and other odd shaped lots may have setback dimensions adjusted at the discretion of the BZA.



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SETBACK DIMENSIONS



4.3.4.5 Fences/Walls

- 4.3.4.5.1 All fences and walls shall be approved by the LCZA prior to construction.
- 4.3.4.5.2 All trash storage areas shall be completely enclosed by a fence or wall. Trash enclosure fences or walls shall be at least 1 foot higher than any trash receptacle stored inside the enclosure and shall be opaque to limit visibility.
- 4.3.4.5.3 Perimeter fence or wall shall be no greater than 8 feet in height.
- 4.3.4.5.4 Fences or walls must be made of permanent materials such as metal or masonry. Decorative wooden fences may be allowed.
- 4.3.4.5.5 The maintenance responsibility of shared fences along common property lines must be determined between the two adjacent property owners prior to construction.

4.3.7 Structures

4.3.7.1 Primary Buildings

- 4.3.7.1.1 If only one building is constructed on a site, it is considered the primary building. Where multiple buildings are constructed, all



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buildings greater than 2,000 square feet shall be considered a primary building. Each primary building must meet all requirements of this section.

4.3.7.1.2 All newly constructed buildings must meet the latest versions of the Uniform Building Code, Uniform Plumbing Code and Uniform Fire Code.

4.3.7.1.3 Buildings shall not exceed 65 feet in height.

4.3.7.1.4 Building facades must be made of permanent materials such as metal or masonry. Wood is not allowed as the primary façade material.

4.3.7.1.5 The dominant color of all buildings shall be non-intensive.

4.3.7.1.6 Loading dock areas shall be located at the rear or side of the building.

4.3.7.2 Secondary Buildings

4.3.7.2.1 Secondary buildings are those that are less than 2,000 square feet and not primary buildings

4.3.7.2.2 The architectural style of a secondary building shall be compatible with the primary building(s).

4.3.7.2.3 Building facades must be made of permanent materials. Wood is allowed as a primary façade material for accessory buildings.

4.3.7.2.4 Secondary buildings shall be attached to a permanent foundation, e.g. concrete pad, concrete footings.

4.3.7.3 Antennae/Other Vertical Elements

4.3.7.3.1 Antennae and other vertical elements (e.g. exhaust stacks) are allowed in this zone.

4.3.7.3.2 The height of antennae and other vertical elements shall be limited by federal and aviation requirements.

4.3.7.3.3 Antennae shall be located at the rear of the site where practicable.



4.4 Office Zone

The Office Zone is intended for primarily small office buildings and potentially compatible uses.

4.4.1 Permitted Uses:

- 4.4.1.1 General agriculture
- 4.4.1.2 Office
- 4.4.1.3 Office industrial / flex
- 4.4.1.4 Restaurants
- 4.4.1.5 Or similar uses

4.4.2 Conditional Uses:

- 4.4.2.1 Research and development
- 4.4.2.2 General merchandise retail
- 4.4.2.3 Other similar uses

4.4.3 Special Uses

- 4.4.3.2 Uses not included as “Permitted” or “Conditional” uses must be approved by the Board of Zoning Appeals

4.4.4 Site Layout and Design

4.4.4.1 Lot Area

- 4.4.4.1.1 Lots shall have a minimum area of 1 acre.

4.4.4.2 Lot Width

- 4.4.4.2.1 Lots in Office shall have a minimum lot width at the street of 100 feet.
- 4.4.4.2.2 Pie-shaped, flag pole, and other odd shaped lots may have this width adjusted at the discretion of the BZA.

4.4.4.3 Lot Coverage

- 4.4.4.3.1 Buildings shall not cover more than 50% of the gross lot area.



4.4.4.4 Setbacks

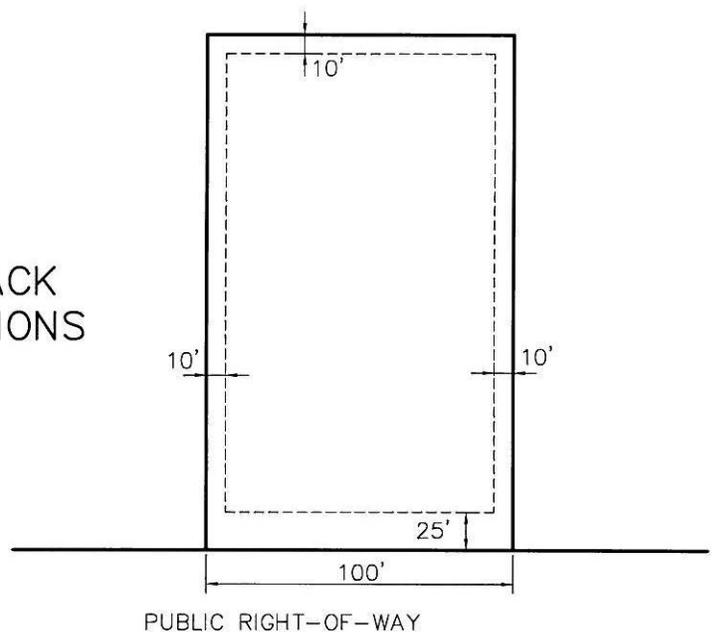
4.4.4.4.1 For corner lots, the front lot line is defined to be the lot line adjacent to the street to which the property's address has been assigned.

4.4.4.4.2 No structure in Office shall be located within 25 feet of the front property line right-of-way. Fences, walls and signs are excepted.

4.4.4.4.3 No structure in Office shall be located within 10 feet of a rear or side lot line. Fences and walls are excepted.

4.4.4.4.4 Pie-shaped, flag pole, and other odd shaped lots may have setback dimensions adjusted at the discretion of the BZA.

SETBACK DIMENSIONS



4.4.5 Fences/Walls

4.4.5.1 All fences and walls shall be approved by the LCZA prior to construction.

4.4.5.2 All trash storage areas shall be completely enclosed by a fence or wall. Trash enclosure fences or walls shall be at least 1 foot higher than any trash receptacle stored inside the enclosure and shall be opaque to limit visibility.

4.4.5.3 Perimeter fence or wall heights shall not exceed 8 feet.



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- 4.4.5.4 Fences or walls must be made of permanent materials such as metal or masonry. Decorative wooden fences may be allowed.
- 4.4.5.5 The maintenance responsibility of shared fences along common property lines must be determined between the two adjacent property owners prior to construction.

4.4.6 Structures

4.4.6.1 Primary Buildings

- 4.4.6.1.1 If only one building is constructed on a site, it is considered the primary building. Where multiple buildings are constructed, the largest building and all buildings greater than 1,000 square feet shall be considered a primary building. Each primary building must meet all requirements of this section.
- 4.4.6.1.2 All newly constructed buildings must meet the latest versions of the Uniform Building Code, Uniform Plumbing Code and Uniform Fire Code.
- 4.4.6.1.3 Buildings shall not exceed 45 feet in height.
- 4.4.6.1.4 Building facades must be made of permanent materials such as metal or masonry. Wood is not allowed as the primary façade material.
- 4.4.6.1.5 The dominant color of all buildings shall be non-intensive.
- 4.4.6.1.6 Loading dock areas shall be located at the rear or side of the building.

4.4.6.2 Secondary Buildings (buildings less than 1,000 square feet)

- 4.4.6.2.1 Secondary buildings are those that are less than 1,000 square feet and not primary buildings.
- 4.4.6.2.2 The architectural style of a secondary building shall be compatible with the primary building(s).
- 4.4.6.2.3 Building facades must be made of permanent materials. Wood is allowed as a primary façade material for accessory buildings.



4.4.6.2.3 Secondary buildings shall be attached to a permanent foundation, e.g. concrete pad, concrete footings.

4.4.6.3 Antennae/Other Vertical Elements

4.4.6.3.1 Antennae and other vertical elements (e.g. exhaust stacks) are not allowed in this zone.

4.4.6.3.2 The height of antennae and other vertical elements shall be limited by federal and aviation requirements.

4.4.6.3.3 Antennae shall be located at the rear of the site where practicable.

4.5 Agriculture – Business Zone

The Agriculture – Business Zone is intended for general farming and related operations, including crop production and harvesting, as well as business uses associated with or in support of agriculture.

4.5.1 Permitted Uses:

- 4.5.1.1 Agricultural products retail / wholesale
- 4.5.1.2 Food production / processing
- 4.5.1.3 Building materials (lumberyard / stone / gravel / brick / and other material)
- 4.5.1.4 Communication towers
- 4.5.1.5 Research and development
- 4.5.1.6 Farm equipment and supplies retail / manufacturing / distribution
- 4.5.1.7 General agriculture
- 4.5.1.8 Other similar uses

4.5.2 Conditional Uses:

- 4.5.2.1 Energy plant / production / transmission
- 4.5.2.2 General manufacturing / warehouse / distribution
- 4.5.2.3 Light industrial / flex
- 4.5.2.4 Railroad operations
- 4.5.2.5 Temporary exhibitions
- 4.5.2.6 Solid waste disposal area



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4.5.2.7 Other similar uses

4.5.3 Special Uses

4.5.3.1 Uses not included as “Permitted” or “Conditional” uses must be approved by the Board of Zoning Appeals.

4.5.4 Site Layout and Design

4.5.4.1 Lot Area

4.5.4.1.1 Lots shall have a minimum area of 20 acres.

4.5.4.2 Lot Width

4.5.4.2.1. Lots shall have a minimum lot width at the street of 800 feet.

4.5.4.2.2 Pie-shaped, flag pole, and other odd shaped lots may have this width adjusted at the discretion of the BZA.

4.5.4.3 Lot Coverage

4.5.4.3.1 Buildings shall not cover more than 70% of the gross lot area.

4.5.4.4 Setbacks

4.5.4.4.1 For corner lots, the front lot line is defined to be the lot line adjacent to the street to which the property’s address has been assigned.

4.5.4.4.2 No structure in Agriculture-Business shall be located within 100 feet of the front property line right-of-way. Fences, walls and signs are excepted.

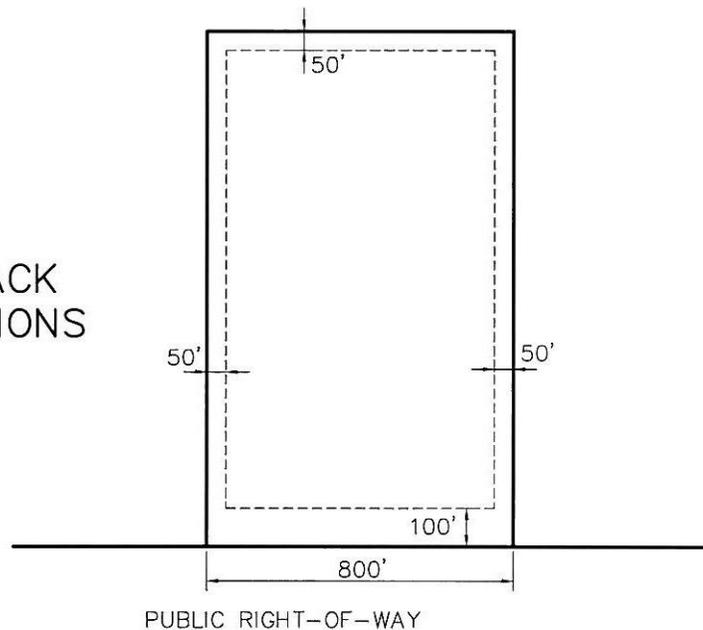
4.5.4.4.3 No structure in Agriculture-Business shall be located within 50 feet of a rear or side lot line. Fences and walls are excepted.

4.5.4.4.4 Pie-shaped, flag pole, and other odd shaped lots may have setback dimensions adjusted at the discretion of the BZA.



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SETBACK DIMENSIONS



4.5.4 Fences/Walls

4.5.4.1 All fences and walls shall be approved by the LCZA prior to construction.

4.5.4.2 All trash storage areas shall be completely enclosed by a fence or wall. Trash enclosure fences or walls shall be at least 1 foot higher than any trash receptacle stored inside the enclosure and shall be opaque to limit visibility.

4.5.4.3 Perimeter fence or wall heights shall be no greater than 8 feet in height.

4.5.4.4 Fences or walls must be made of permanent materials such as metal or masonry. Decorative wooden fences may be allowed.

4.5.4.6 The maintenance responsibility of shared fences along common property lines must be determined between the two adjacent property owners prior to construction.

4.5.5 Structures

4.5.5.1 Primary Buildings

4.5.5.1.1 If only one building is constructed on a site, it is considered the primary building. Where multiple buildings are constructed, the largest building and all other buildings greater than 1,000



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square feet shall be considered a primary building. Each primary building must meet all requirements of this section.

4.5.5.1.2 All newly constructed buildings must meet the latest versions of the Uniform Building Code, Uniform Plumbing Code and Uniform Fire Code.

4.5.5.1.3 Building heights are not restricted within this zone.

4.5.5.1.4 Building facades must be made of permanent materials such as metal or masonry. Wood is not allowed as the primary façade material.

4.5.5.1.5 The dominant color of all buildings shall be non-intensive.

4.5.5.1.6 Loading dock areas shall be located at the rear or side of the building.

4.5.5.2 Secondary Buildings

4.5.5.2.1 Secondary buildings are those that are less than 1,000 square feet and not a primary building.

4.5.5.2.2 The architectural style of a secondary building shall be compatible with the primary building(s).

4.5.5.2.3 Building facades must be made of permanent materials. Wood is allowed as a primary façade material for accessory buildings.

4.5.5.2.4 Secondary buildings shall be attached to a permanent foundation, e.g. concrete pad, concrete footings.

4.5.5.3 Antennae/Other Vertical Elements

4.5.5.3.1 Antennae and other vertical elements (e.g. exhaust stacks) are allowed in this zone.

4.5.5.3.2 The height of antennae and other vertical elements shall be limited by federal and aviation requirements.

4.5.5.3.3 Antennae shall be located at the rear of the site where practicable.



4.6 Agriculture - Tourism Zone

The Agriculture -Tourism Zone is intended for general farming and related operations, including crop production and harvesting, as well as tourism uses associated with or in support of agriculture.

4.6.1. Permitted Uses:

- 4.6.1.1 Active recreation (ball fields, courts, etc.)
- 4.6.1.2 Agricultural products retail / wholesale
- 4.6.1.3 Food production / processing
- 4.6.1.4 Campground / RV park
- 4.6.1.5 Communication towers
- 4.6.1.6 Research & development
- 4.6.1.7 Farm equipment and supplies retail / manufacturing / distribution
- 4.6.1.8 General agriculture
- 4.6.1.9 Temporary exhibitions (flea market / festivals / farmer's market / etc.)
- 4.6.1.10 Unenclosed vehicle / large item storage (RV's, equipment, etc.)
- 4.6.1.11 Other similar uses

4.6.2 Conditional Uses:

- 4.6.2.1 Cemetery / crematorium / mausoleum
- 4.6.2.2 Energy plant
- 4.6.2.3 General merchandise retail
- 4.6.2.4 Light industrial / flex
- 4.6.2.5 Office
- 4.6.2.6 Railroad operations
- 4.6.2.7 Restaurants
- 4.6.2.8 Truck stop / gas station / convenience store
- 4.6.2.9 Other similar uses

4.6.3 Special Uses

- 4.6.3.1 Uses not included as "Permitted" or "Conditional" uses must be approved by the Board of Zoning Appeals.

4.6.4 Site Layout and Design



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4.6.4.1 Lot Area

4.6.4.1.1 Lots shall have a minimum area of 5 acres.

4.6.4.2 Lot Width

4.6.4.2.1 Lots in Agriculture-Tourism shall have a minimum lot width at the street of 200 feet.

4.6.4.2.2 Pie-shaped, flag pole, and other odd shaped lots may have this width adjusted at the discretion of the BZA.

4.6.4.3 Lot Coverage

4.6.4.3.1 Buildings shall not cover more than 50% of the gross lot area.

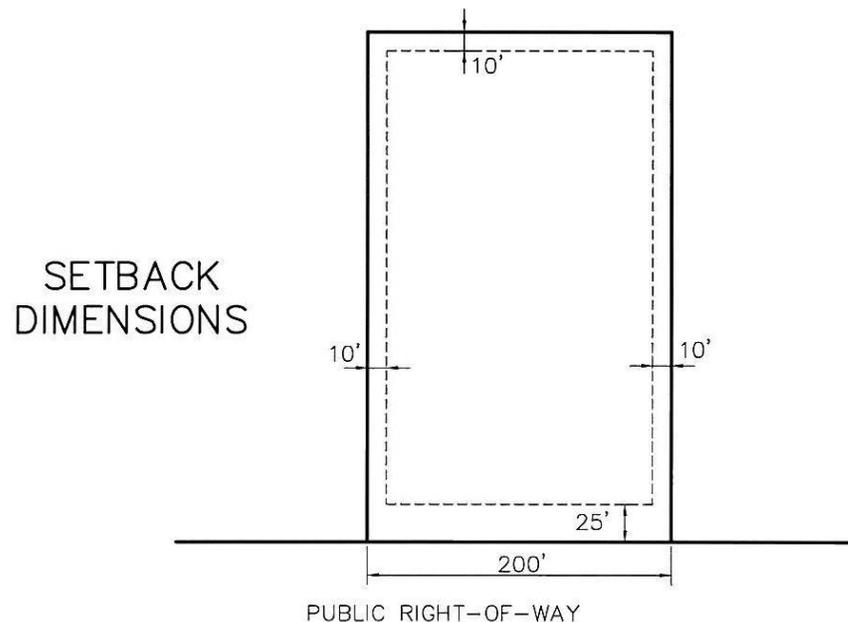
4.6.4.4 Setbacks

4.6.4.4.1 For corner lots, the front lot line is defined to be the lot line adjacent to the street to which the property's address has been assigned.

4.6.4.4.2 No structure in Agriculture-Tourism shall be located within 25 feet of the front property line right-of-way. Fences, walls and signs are excepted.

4.6.4.4.3 No structure in Agriculture-Tourism shall be located within 10 feet of a rear or side lot line. Fences and walls are excepted.

4.6.4.4.4 Pie-shaped, flag pole, and other odd shaped lots may have setback dimensions adjusted at the discretion of the BZA.





4.6.5 Fences/Walls

- 4.6.5.1 All fences and walls shall be approved by the LCZA prior to construction.
- 4.6.5.2 All trash storage areas shall be completely enclosed by a fence or wall. Trash enclosure fences or walls shall be at least 1 foot higher than any trash receptacle stored inside the enclosure and shall be opaque to limit visibility.
- 4.6.5.3 Perimeter fence or wall heights shall be no greater than 8 feet in height.
- 4.6.5.4 Fences or walls must be made of permanent materials such as metal or masonry. Decorative wooden fences may be allowed.
- 4.6.5.5 The maintenance responsibility of shared fences along common property lines must be determined between the two adjacent property owners prior to construction.

4.6.6 Structures

4.6.6.1 Primary Buildings

- 4.6.6.1.1 If only one building is constructed on a site, it is considered the primary building. Where multiple buildings are constructed, the largest building and all other buildings greater than 2,000 square feet shall be considered a primary building. Each primary building must meet all requirements of this section.
- 4.6.6.1.2 All newly constructed buildings must meet the latest versions of the Uniform Building Code, Uniform Plumbing Code and Uniform Fire Code.
- 4.6.6.1.3 Building heights are not restricted within this zone.
- 4.6.6.1.4 Building facades must be made of permanent materials such as metal or masonry. Wood is not allowed as the primary façade material.
- 4.6.6.1.5 The dominant color of all buildings shall be non-intensive.
- 4.6.6.1.6 Loading dock areas shall be located at the rear or side of the building.

4.6.6.2 Secondary Buildings



4.6.6.2.1 Secondary buildings are those that are less than 2,000 square feet and not a primary building.

4.6.6.2.2 The architectural style of a secondary building shall be compatible with the primary building(s).

4.6.6.2.3 Building facades must be made of permanent materials. Wood is allowed as a primary façade material for accessory buildings.

4.6.6.2.4 Secondary buildings shall be attached to a permanent foundation, e.g. concrete pad, concrete footings.

4.6.6.3 Antennae/Other Vertical Elements

4.6.6.3.1 Antennae and other vertical elements (e.g exhaust stacks) are allowed in this zone.

4.6.6.3.2 The height of antennae and other vertical elements shall be limited by federal and aviation requirements.

4.6.6.3.3 Antennae shall be located at the rear of the site where practicable.

4.7 Conference Center Zone

The Conference Center Zone is intended for a conference facility and associated business or community uses.

4.7.1 Permitted Uses:

4.7.1.1 Communication towers

4.7.1.2 General agriculture

4.7.1.3 Conference center

4.7.1.4 Other similar uses

4.7.2 Conditional Uses:

4.7.1.1 Research & development

4.7.1.2 Restaurants

4.7.1.3 Temporary exhibitions (flea market / festivals / farmer's market / etc.)

4.7.1.4 Other similar uses



4.7.3 Special Uses

4.7.3.1 Uses not included as “Permitted” or “Conditional” uses must be approved by the Board of Zoning Appeals.

4.7.4 Site Layout and Design

4.7.4.1 Lot Area

4.7.4.1.1 Lots shall have a minimum area of 50 acres.

4.7.4.1.2 Lot Coverage

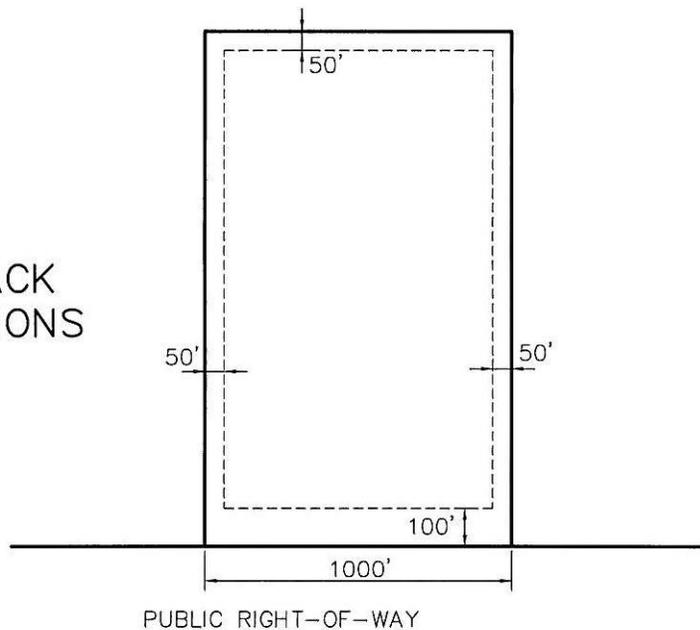
4.7.4.1.2.1 Buildings shall not cover more than 50% of the gross lot area.

4.7.4.3 Setbacks

4.7.4.3.1 No structure in Conference Center shall be located within 100 feet of the front property line right-of-way. Fences, walls and signs are excepted.

4.7.4.3.2 No structure in Conference Center shall be located within 50 feet of a rear or side lot line. Fences and walls are excepted.

SETBACK DIMENSIONS





4.7.5 Fences/Walls

- 4.7.5.1 All fences and walls shall be approved by the LCZA prior to construction.
- 4.7.5.2 All trash storage areas shall be completely enclosed by a fence or wall. Trash enclosure fences or walls shall be at least 1 foot higher than any trash receptacle stored inside the enclosure and shall be opaque to limit visibility.
- 4.7.5.3 Perimeter fence or wall heights shall be no greater than 8 feet in height.
- 4.7.5.4 Fences or walls must be made of permanent materials such as metal or masonry. Decorative wooden fences may be allowed.
- 4.7.5.5 The maintenance responsibility of shared fences along common property lines must be determined between the two adjacent property owners prior to construction.

4.7.5 Structures

4.7.5.1 Primary Buildings

- 4.7.5.1.1 If only one building is constructed on a site, it is considered the primary building. Where multiple buildings are constructed, the largest building and all other buildings greater than 2,000 square feet shall be considered a primary building. Each primary building must meet all requirements of this section.
- 4.7.5.1.2 All newly constructed buildings must meet the latest versions of the Uniform Building Code, Uniform Plumbing Code and Uniform Fire Code.
- 4.7.5.1.3 Building heights are not restricted within this zone.
- 4.7.5.1.4 Building facades must be made of permanent materials such as metal or masonry. Wood is allowed as the primary façade material.
- 4.7.5.1.5 The dominant color of all buildings shall be non-intensive.
- 4.7.5.1.6 Loading dock areas shall be located at the rear or side of the building.

4.7.5.2 Accessory Buildings



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- 4.7.5.2.1 Secondary buildings are those that are less than 2,000 square feet and not primary buildings.
- 4.7.5.2.2 The architectural style of a secondary building shall be compatible with the primary building(s).
- 4.7.5.2.3 Building facades must be made of permanent materials. Wood is allowed as a primary façade material for accessory buildings.
- 4.7.5.2.4 Secondary buildings shall be attached to a permanent foundation, e.g. concrete pad, concrete footings.
- 4.7.5.3 Antennae/Other Vertical Elements
 - 4.7.5.3.1 Antennae and other vertical elements (e.g. exhaust stacks) are allowed in this zone.
 - 4.7.5.3.2 The height of antennae and other vertical elements shall be limited by federal and aviation requirements.
 - 4.7.5.3.3 Antennae shall be located at the rear of the site where practicable.

ARTICLE 5: DEFINITIONS

5.1 Lots:

- 5.1.1 Lot: A designated parcel, tract, or area of land established by plat, subdivision, or as otherwise permitted by law, to be separately owned and developed or built upon.
- 5.1.2 Lot Coverage: The percentage of the gross lot area covered by all building (primary and secondary) footprints. Calculated as: $\text{Building 1 Footprint SF} + \text{Building 2 Footprint SF} \dots + \text{Building n Footprint SF}$ divided by Gross Lot Area SF.
- 5.1.3 Front Lot Line: The lot line that is the right-of-way line for the street to which the property's address has been assigned.
- 5.1.4 Rear Lot Line: The lot line most opposite from and parallel to the Front Lot Line.
- 5.1.5 Side Lot Line: Any other lot line that is not the Front or Rear Lot Line. For oddly shaped lots, the LCZA shall clarify which lot lines are Front, Rear, and Side Lot Lines.



5.1.6 Lot Width at Street: The distance in feet of the Front Lot Line.

5.1.7 Setback: The minimum horizontal distance between a structure and a lot line.

5.2 Buildings and Structures:

5.2.1 Structure: Anything constructed or erected which requires location on the ground.

5.2.2 Building: A structure having one or more stories and a roof designed primarily for the shelter, support, or enclosure of persons, animals, or property of any kind.

5.2.3 Primary Building: If only one building is constructed on a site, it is a Primary Building regardless of its area in square feet. Where multiple buildings are constructed on a site, a Primary Building is any building that meets the minimum area requirement as stated in the "Primary Buildings" section of the controlling Land Use Zone section in Article 4.

5.2.4 Secondary Building: Any building that does not meet the area requirement to be considered a Primary Building as stated in the "Primary Buildings" section of the controlling Land Use Zone section in Article 4.

5.2.5 Antennae/Other Vertical Elements: Any structure that is not a Primary or Secondary Building. Antennae/Other Vertical Elements that are roof-mounted or otherwise incorporated as part of a Primary or Secondary Building are considered to be part of that Primary or Secondary Building.

5.2.6 Building Footprint: The area encompassed by a building's outer wall at ground level.

5.2.7 Building Height: The vertical distance from finished grade to the top of the highest roof beams of a building.

5.3 Uses:

5.3.1 Use: The purpose of which land or a structure is designed, arranged, or intended to be occupied or utilized, or for which it is occupied or maintained.

5.3.2 Permitted Use: A use that is allowed as a use by right within a particular Zone.



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- 5.3.3 Conditional Use: A use that may be allowed within a particular Zone only after meeting certain conditions or other special requirements set forth by the Board of Zoning Appeals.
- 5.3.4 Special Use: A use not allowed within a particular Zone, unless expressly granted by the BZA.
- 5.3.5 Zone: A geographic region within the GPIIP that has a specific land use and development character and intent, as described within each section of Article 4 and as geographically defined on the GPIIP Zoning Map.
- 5.4 Solid Waste:
- 5.4.1 "Solid waste" means garbage, refuse, waste tires and other discarded materials, including, but not limited to, solid, semisolid, sludges, liquid and contained gaseous waste materials resulting from industrial, commercial, agricultural and domestic activities. Solid waste does not include hazardous wastes, recyclables or the waste of domestic animals.
- 5.4.2 "Solid waste disposal area" means any area used for the disposal of solid waste from more than one residential premises, or one or more commercial, industrial, manufacturing or municipal operations. "Solid waste disposal area" includes all property described or included within any permit issued by the state of Kansas pursuant to K.S.A. 65-3407, and amendments thereto.
- 5.4.3 "Construction and demolition waste" means solid waste resulting from the construction, remodeling, repair and demolition of structures, roads, sidewalks and utilities; untreated wood and untreated sawdust from any source; treated wood from construction or demolition projects; small amounts of municipal solid waste generated by the consumption of food and drinks at construction or demolition sites, including, but not limited to, cups, bags and bottles; furniture and appliances from which ozone depleting chlorofluorocarbons have been removed in accordance with the provisions of the federal clean air act; solid waste consisting of motor vehicle window glass; and solid waste consisting of vegetation from land clearing and grubbing, utility maintenance, and seasonal or storm-related cleanup. Such wastes include, but are not limited to, bricks, concrete and other masonry materials, roofing materials, soil, rock, wood, wood products, wall or floor coverings, plaster, drywall, plumbing fixtures, electrical wiring, electrical components containing no hazardous materials, nonasbestos insulation and construction related packaging. "Construction and demolition waste" shall not include waste material containing friable asbestos, garbage, furniture and appliances from which ozone depleting chlorofluorocarbons have



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not been removed in accordance with the provisions of the federal clean air act, electrical equipment containing hazardous materials, tires, drums and containers even though such wastes resulted from construction and demolition activities. Clean rubble that is mixed with other construction and demolition waste during demolition or transportation shall be considered to be construction and demolition waste.

- 5.4.4 "Construction and demolition landfill" means a permitted solid waste disposal area used exclusively for the disposal on land of construction and demolition wastes.