

12-302 ZONING DISTRICTS, ZONING MAP, AND GENERAL PROVISIONS

SECTION 302 ZONING DISTRICTS, ZONING MAP, AND GENERAL PROVISIONS

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12-302-1 ZONING DISTRICTS

The zoning districts listed below establish the basic zoning regulations that apply to all properties classified in, or shown on, the Official Zoning District Map as in that Zoning District. The Zoning District regulations control the types of uses allowed and the way in which uses, buildings, and structures may be developed on a property.

Zoning Districts	
AG-1	Agricultural District
AG-2	Transitional Agricultural District
CP	Clustered Preservation District
LS	Lone Star Lake Lot Residential District
LB	Lake Oriented Business District
RT	Rural Tourism District
GB	General Business District
LI	Light Industrial District
GI	General Industrial District
V	Village District
BSC	Big Springs Community District
FW	Floodway Overlay District
FF	Floodway Fringe Overlay District
EWP	Eudora Source Water Protection Overlay District
ASO	Airspace Overlay District

12-302-1.01 CONVERSION OF EXISTING ZONING DISTRICTS

The Zoning District Map designations in effect prior to the effective date of the revised Zoning Regulations are converted as follows:

Previous Map Designations	New Map Designations
Agricultural Districts	
A (Agricultural)	AG-1 (Agricultural) (parcels with 20 acres or more)
V-C (Valley Channel)	AG-2 (Transitional Agricultural) (parcels with less than 20 acres)
Residential Districts	
A-1 (Suburban Home Residential)	CP (Clustered Preservation)
R-1 (Single Family Residential)	
Business Districts	
B-1 (Neighborhood Business)	GB (General Business)
B-2 (General Business)	
B-3 (Limited Business)	LB (Lake Oriented Business)
R-T (Rural Tourism Business)	RT (Rural Tourism Business)

Industrial Districts	
I-1 (Limited Industrial)	LI (Light Industrial)
I-2 (Light Industrial)	
I-3 (Heavy Industrial)	GI (General Industrial)
I-4 (Heavy Industrial)	
Overlay Districts	
F-W (Floodway)	F-W (Floodway)
F-F (Floodway Fringe)	F-F (Floodway Fringe)
EWP (Eudora Source Water Protection)	EWP (Eudora Source Water Protection)

12-302-2 OFFICIAL ZONING DISTRICT MAP

- a. The boundaries of the zoning districts established by the Zoning Regulations are shown on the map or a series of maps designated as the "Official Zoning District Map of Douglas County, Kansas, dated [DATE] and as amended from time to time.
- b. This Zoning District Map, and all notations, dimensions, references, data, and other information shown thereon is adopted and made a part of the Zoning Regulations as fully as if it were included in the pages of these Zoning Regulations.
- c. The Official Zoning District Map shall be maintained by the Director of Zoning and Codes in accordance with K.S.A. 12-753. In case of any dispute regarding the zoning classification of property subject to the Zoning Regulations, the original maps maintained by the Director of Zoning and Codes shall govern. The Director of Zoning and Codes is responsible for producing all updates of the Official Zoning District Map.
- d. The Zoning District Map, clearly showing the zoning district boundaries and zoning district names/designations, shall be available for public inspection in the Zoning and Codes Office. The official map shall be revised to show such district boundary changes once the resolution adopting the change has been published in the official newspaper in accordance with the provisions in Section 12-307-4.09(e).

12-302-3 REGULATIONS WITHIN DISTRICTS

A district name or abbreviation shown on the Zoning District Map indicates that the zoning regulations pertaining to the designated zoning district extend throughout the entire area of the unincorporated territory of the County within the jurisdiction of the Zoning Regulations contained within the district boundary lines shown by such name or abbreviation, except as otherwise provided by this section.

12-302-4 RULES FOR INTERPRETATION OF ZONING DISTRICT BOUNDARIES

Where uncertainty exists with respect to the boundaries of the various districts as shown on the Zoning District Map or Floodplain Overlay Districts Map, both incorporated and made a part of the Zoning Regulations, the following rules apply:

- a. In cases where a boundary line is given a position within right-of-way or an easement for road right-of-way, or a navigable or non-navigable stream, it shall be deemed to be in the center of the road right-of-way or easement for road right-of-way or stream, and if the actual location of such road right-of-way or easement for road right-of-way, or stream varies slightly from the location as shown on the District Map, then the actual location shall control.
- b. In cases where a boundary line is shown as being located a specific distance from a road

right-of-way or easement for road right-of-way, or other physical feature, this distance shall control.

In cases where a boundary line is shown adjoining or coincident with a railroad, the boundary line shall be deemed to be in the center of the railroad right-of-way.

- c. In cases where the Floodway or Floodway Fringe Overlay District boundaries are in dispute, the Director of Zoning and Codes shall make the necessary interpretation. The regulatory flood elevation for the point in question shall be the governing factor in locating the district boundary on the land. Section 12-312 provides additional information regarding the Floodplain Overlay Districts and the Floodplain Overlay District Maps.

12-302-5 GENERAL PROVISIONS

Except as hereinafter provided:

12-302-5.01 PERMITTED USES

All land, buildings or part thereof shall be used only for a use permitted in the Zoning District in which the land or building is located.

12-302-5.02 BUILDING PERMITS

If required by these Zoning Regulations, building permits shall be as required by Chapter 13, Construction Codes of Douglas County, Kansas.

12-302-5.03 DIMENSIONAL STANDARDS

No building shall be constructed converted, or structurally altered except in conformity with the Dimensional Standards, listed in Section 12-303, for the Zoning District in which the building is located, unless a variance from these standards has been obtained from the Board of Zoning Appeals.

12-302-5.04 RIGHT-OF-WAY OR EASEMENT FOR ROAD RIGHT-OF-WAY

No building shall be constructed, enlarged, altered, repaired, or relocated, to occupy land within the required right-of-way or easement for road right-of-way of any existing or future road shown on the officially adopted Major Thoroughfare Map within the Douglas County Access Management Standards. (Section 9-506, County Code)

12-302-5.05 PRINCIPAL STRUCTURES

Every structure hereafter erected or structurally altered shall be located on a platted lot or an eligible parcel as herein defined and, except as hereinafter provided, in no case shall there be more than one principal structure on a lot or eligible parcel for residential purposes.

12-302-5.06 SANITATION AND WATER SUPPLY

Those areas not served by approved public utilities shall adhere to the following regulations:

a. Sewage Management Systems

- 1) Sewage Management shall comply with the Douglas County Sanitary Code.
- 2) A permit shall be obtained from the Lawrence-Douglas County Health Department prior to the installation of any septic systems.
- 3) Inspection of on-site sewage management systems by the Health Authority is required prior to the sale of any property which contains such a system.

- 4) The discharge of sewage into seepage pits, abandoned wells, cisterns, streams or upon the surface of the ground is prohibited. In no case shall treated or untreated sewage, or the effluent from an on-site sewage management system be permitted to drain directly or indirectly into a ditch or stream, nor shall it be allowed to surface, run, or drain across any other adjacent land. The system may be inspected by the Health Authority at any stage in construction.
- 5) Individual on-site sewage management systems shall not be constructed upon lots with less than 3 contiguous acres which are not encumbered by floodplain.
- 6) Plans for on-site sewage management systems must be submitted to the Health Authority for review. Approval by the Health Authority is required prior to construction. Written standards are available at the Lawrence-Douglas County Health Department.
- 7) On-site sewage management systems shall be properly maintained per approval of the Health Authority.

b. Disposal of Solid Waste

Disposal of solid waste shall occur in accordance with Chapter 10 of the County Code.

- 1) Disposal of garbage, rubbish, refuse, and other solid waste is permitted only in a designated public or private landfill which is located and maintained in compliance with County Zoning Regulations and in such a manner that health hazards and offensive odors are not produced.
- 2) The discarding, dropping, throwing, or storing of litter, appliances, vehicles, or other trash in roads, ditches, abandoned wells, intermittent streambeds, streams, or other bodies of water on public or private property is prohibited.

c. Public Water Supplies

- 1) All public water supply systems shall be subject to inspection and sampling by the Health Authority at any reasonable time and shall be constructed, maintained and operated in a manner which does not constitute a health hazard.
- 2) Water systems yielding samples containing coliform bacterial or other demonstrable surface contaminants shall be considered unsafe for drinking purposes and shall be considered a public health hazard.

d. Private Water Supplies

Where connection is not to be made to municipal or approved communal potable water system, a building permit will not be issued unless provision is made for a safe and adequate supply of drinking water that has been approved by the Health Authority, unless the Zoning and Codes Director determines that a connection to water is not required for the proposed use.