

ORDINANCE NUMBER 17-10904

AN ORDINANCE AMENDING SALINA CODE SECTIONS 42-283, 42-318, 42-333, 42-339, 42-363 AND 42-383 PERTAINING TO CONDITIONAL USES IN THE C-3, C-5, C-6, C-7, AND THE I-2 AND I-3 DISTRICTS AND REPEALING THE EXISTING SECTIONS.

BE IT ORDAINED by the Governing Body of Salina, Kansas:

Section 1. Amendment. Section 42-283 of the Salina Code is amended to read as follows:

Sec. 42-283. Conditional uses.

Conditional uses in the C-3 district are as follows:

- (1) Bus stations;
 - (2) Contractor's offices;
 - (3) Electronic cigarette establishments;
 - (4) Mini-warehouses;
 - (5) Multiple-family dwellings provided they shall be governed by the R-3 multiple-family residential district requirements. Such requirements shall include consideration of density, yards, off-street parking, lot coverage and all other requirements for multifamily development as required in the R-3 residential district, except that there shall be one (1) additional foot of setback for each two (2) feet of height over thirty-five (35) feet;
 - (6) Multiple-family dwellings for elderly and/or handicapped persons with the following permitted exceptions to the required bulk and lot size:
 - a. Minimum lot area: five hundred (500) square feet per dwelling unit.
 - b. Bulk regulations:
 1. Maximum structure height: one hundred fifty (150) feet except as provided in subsection (5)b.2.ii.
 2. Minimum yard requirements:
 - i. Front yard: thirty (30) feet on all sides abutting a street.
 - ii. Side yard: fifteen (15) feet except there shall be an additional side yard setback of one (1) foot for each two (2) feet of height over fifty (50) feet.
 - iii. Rear yard: twenty-five (25) feet.
 3. Maximum lot coverage: forty (40) percent.
- (7) Shooting ranges (indoor);
- (8) Tattoo parlors and body piercing studios;
- (9) Taverns;
- (10) Tobacco shops.

Section 2. Amendment. Section 42-318 of the Salina Code is amended to read as follows:

Sec. 42-318. Conditional uses.

Conditional uses in the C-5 district are as follows:

- (1) Amusement parks and skating rinks;
- (2) Animal hospitals, provided that all pens shall be in an enclosed structure;
- (3) Automobile repair;

- (4) Electronic cigarette establishments;
- (5) Group care facilities;
- (6) Group rehabilitation facilities;
- (7) Hospitals, sanitariums, rest homes and nursing homes;
- (8) Lumber yards;
- (9) Mini-warehouses;
- (10) Multifamily dwellings, provided that:
 - a. New buildings and additions to existing buildings shall comply with the requirements of the R-3 district and parking shall be provided in conformance with section 42-553;
 - b. Conversions of existing nonresidential buildings shall comply with the lot size requirements of the R-3 district (section 42-204) in addition to the bulk regulations in the C-5 district and parking may be provided at one-half ratio set forth in section 42-553.
- (11) Multifamily dwellings for elderly and/or handicapped persons provided that:
 - a. New buildings and additions to existing buildings shall comply with the requirements of the R-3 district, with the exceptions to the bulk and lot size regulations permitted in section 42-203 and parking shall be provided in conformance with section 42-553;
 - b. Conversions of existing nonresidential buildings shall comply with the requirements of the R-3 district, with the exception to lot size regulations permitted in section 42-203 in addition to the bulk regulations in the C-5 district and parking shall be provided in conformance with section 42-553.
- (12) Outdoor theatres;
- (13) Shooting ranges (indoor);
- (14) Tattoo parlors and body piercing studios;
- (15) Taverns;
- (16) Telephone exchanges and telephone transmission equipment structures;
- (17) Tobacco shops.

Section 3. Amendment. Section 42-333 of the Salina Code is amended to read as follows:

Sec. 42-333. Conditional uses.

Conditional uses in the C-6 district are as follows:

- (1) Dog racing tracks;
- (2) Electronic cigarette establishments;
- (3) Horse racing tracks;
- (4) Outdoor theatres;

- (5) Shooting ranges (indoor);
- (6) Tattoo parlors and body piercing studios;
- (7) Tire repairs shops, recapping, etc.;
- (8) Tobacco shops;
- (9) Warehouse and wholesale houses.

Section 4. Amendment. Section 42-339 of the Salina Code is amended to read as follows:

Sec. 42-339. Conditional uses.

Conditional uses in the C-7 district are as follows:

- (1) Agricultural implement sales and service;
- (2) Automobile and truck sales, rental and repair service;
- (3) Automotive parts stores;
- (4) Beverage distributors;
- (5) Boat sales, rental and service;
- (6) Building supply stores and lumber yards;
- (7) Business and professional offices;
- (8) Commercial recreation facilities;
- (9) Department and discount stores;
- (10) Equipment sales and rental;
- (11) Food stores and delicatessens;
- (12) Fraternal and service clubs;
- (13) Furniture stores;
- (14) Governmental buildings;
- (15) Manufactured home and mobile home sales;
- (16) Private clubs;
- (17) Public utility uses, including substations;
- (18) Recreational vehicle campgrounds;
- (19) Recreational vehicles sales, rental and service;
- (20) Shooting ranges (indoor);
- (21) Warehouses and wholesale houses.

Section 5. Amendment. Section 42-363 of the Salina Code is amended to read as follows:

Sec. 42-363. Conditional uses.

Conditional uses in the I-2 district are as follows:

- (1) Electronic cigarette establishments;
- (2) Junkyard subject to the development limitations in Section 42-366(5);
- (3) Salvage yard subject to the development limitation in Section 42-366(5);
- (4) Scrap metal processing subject to the development limitation in Section 42-366(5);
- (5) Shooting ranges (indoor);
- (6) Tobacco shops;
- (7) Wrecking yards subject to the development limitation in Section 42-366(5);

Section 6. Amendment. Section 42-383 of the Salina Code is amended to read as follows:

Sec. 42-383. Conditional uses.

Conditional uses in the I-3 district are as follows:

- (1) Anhydrous ammonia production and storage subject to the development limitations in Section 42-386(3);
- (2) Electronic cigarette establishments;
- (3) Explosives manufacture and storage (including fireworks) subject to the development limitations in Section 42-386(3);
- (4) Junkyard subject to the development limitations in Section 42-386(3);
- (5) Salvage yard subject to the development limitations in Section 42-386(3);
- (6) Scrap metal processing subject to the development limitations in Section 42-386(3);
- (7) Shooting ranges (indoor);
- (8) Tobacco shops;
- (9) Wrecking yard subject to the development limitations in Section 42-386(3).

Section 7. Repealer. Existing Salina Code Section 42-283, 42-318, 42-333, 42-339, 42-363 and 42-383 are repealed.

Section 8. Effective. 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. 17-10904 Summary

On November 13, 2017 the City Commission passed Ordinance No. 17-10904. The Ordinance adds indoor shooting ranges to the list of conditional uses allowed in the C-3, C-5, C-6 and C-7 commercial districts and in the I-2 and I-3 industrial districts and repeals the existing sections. A complete copy of the Ordinance can be found at www.salina-ks.gov or in the office of the City Clerk, 300 W. Ash, free of charge. This summary is certified by the City's legal counsel.

Introduced: November 6, 2017
Passed: November 13, 2017

Kaye J. Crawford, Mayor

[SEAL]
ATTEST:

Shandi Wicks, CMC, City Clerk

The publication summary set forth above is certified this ____ day of November, 2017.

Greg A. Bengtson, City Attorney