

Ordinance Summary published in the Legal Record on _____ and the full text of the Ordinance made available at www.desotoks.us for a minimum of 1 week from the date of publication

Ordinance No. 2422 Summary

On July 20, 2017, the City of De Soto, Kansas, adopted Ordinance No. 2422, amending the De Soto Zoning Regulations (incorporated as Appendix C to the De Soto City Code via Section 16-201 of Article 2 of Chapter XVI) to provide for issuance of a special use permit to allow land -- in a zoning district other than C-1, C-2, or O-I -- to be used for wedding and reception halls. A complete copy of this ordinance may be obtained or viewed free of charge at the Office of the City Clerk at City Hall, 32905 West 84th Street, De Soto, Kansas or at www.desotoks.us. This summary is certified by Patrick G. Reavey, De Soto City Attorney pursuant to K.S.A. 12-3001, et seq.

ORDINANCE NO. 2422

AN ORDINANCE ADOPTING THE PLANNING COMMISSION'S RECOMMENDATION TO REVISE THE DE SOTO ZONING REGULATIONS (INCORPORATED AS APPENDIX C TO THE DE SOTO CITY CODE VIA SECTION 16-201 OF ARTICLE 2 OF CHAPTER XVI) TO PROVIDE FOR ISSUANCE OF A SPECIAL USE PERMIT FOR USE OF LAND AS WEDDING AND RECEPTION HALLS WITHIN THE CITY ON LAND IN A ZONING DISTRICT OTHER THAN C-1, C-2, OR O-I

WHEREAS, the City Planning Commission has recommended that the Governing Body amend the City's Zoning Regulations to provide for issuance of a special use permit to allow land -- in a zoning district other than C-1, C-2, or O-I -- to be used for wedding and reception halls; and

WHEREAS, all newspaper notifications were performed and a public hearing was properly held before the City Planning Commission as to the requested text amendment; and

WHEREAS, after review of the proposed text amendment, the Planning Commission recommended that said amendment be made part of the Zoning Regulations.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF DE SOTO, KANSAS:

Section 1. That Section 4 of Article 10 of the City's Zoning Regulations (incorporated as Appendix C to the De Soto City Code via Section 16-201 of Article 2 of Chapter XVI) is hereby amended to include the following new Subsection O:

O. Wedding and Reception Halls

Wedding or Banquet halls allowed by special use permit pursuant to this Article are restricted to properties that are not within the C-1, C-2 and O-I zoning district. The special use permit for a Wedding or Reception Hall shall be regulated in accordance with this section.

A. General Requirements

1. Events will consist of renter or property owner conducting weddings, receptions, parties, corporate retreats and educational activities.
2. Minimum size of tract is set at 5 acres for this activity.
3. Food services and catering may be provided by others. Outdoor grilling is allowed.
4. Trash must be collected and disposed off-site.
5. Portable bathrooms are not allowed as permanent toilet facilities.
6. Hours of operation are limited to 8am-12am, 7 days a week.
7. The applicant will ensure that the activities continually meet the requirements of the international building and fire code adopted by De Soto, and other applicable codes during the term of the special use permit. The City Building Official must approve all code issues.
8. All employee and guest parking shall be off-street and out of the public right-of-way, and on the subject property. Guest parking spaces provided will be at 1 space per 2.5 guests. Total parking shall be established by the maximum occupancy as determined by the City Building Official. Parking areas must, at a minimum, be on a hard base with compacted gravel.
9. Vegetative buffers or other protection must be provided by the Owner per De Soto City code, Appendix C - Article 8.
10. Outdoor lighting shall be limited to the outdoor event areas and parking areas. There shall be no light spillage or light glare off-site.
11. Should dust from the parking lot or drives be visible upon adjacent property, the owner shall take measures to control the dust.
12. Any noise must be kept to a minimum and must comply with Article 8 of Chapter VIII of the De Soto City Code.
13. The term of the special use permit shall be a maximum of 20 years, commencing on the effective date of the special use permit ordinance adopted by the governing body.

B. Permits and Submittals

1. A Site plan, as defined in Article 11 of the De Soto Zoning Regulations, will be submitted for review by the Planning Commission.

Section 3. City Staff is authorized to revise other portions of the City Code or Zoning Regulations to be consistent with the above text amendments.

Section 4. This ordinance shall take effect and be enforced from and after its publication once in the official city newspaper.

PASSED by the Governing Body of the City of De Soto, Kansas on the 20th day of July, 2017 by at least a 2/3 majority vote of the entire Governing Body.

(Seal)

Timothy J. Maniez, Mayor

ATTEST:

Lana R. McPherson, MMC, City Clerk

APPROVED AS TO FORM:

Patrick G. Reavey, City Attorney