

## **12-301 INTRODUCTORY PROVISIONS**

### **SECTION 301 INTRODUCTORY PROVISIONS**

**12-301-1 Official Title and Authority**

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#### **12-301-1 OFFICIAL TITLE AND AUTHORITY**

These regulations shall be known and may be cited as the “Zoning and Land Use Regulations for the Unincorporated Territory of Douglas County, Kansas”. For convenience, it is referred to throughout this document as the “Zoning Regulations”. Except where otherwise indicated, these Zoning Regulations were prepared and adopted under the authority granted to Douglas County by K.S.A. 12-741 et seq., and amendments thereto.

#### **12-301-2 APPLICABILITY**

The Zoning Regulations apply to all development activity, public and private, within the unincorporated territory of Douglas County, Kansas with the following exception:

a. The Zoning Regulations shall not apply to land or structures determined by the Zoning and Codes Director to be exempt due to their being used strictly for agricultural purposes in compliance with (K.S.A. 19-2908) except:

- 1) All new agricultural exempt buildings, shall be subject to setback requirements from public roads so as to protect the future use and improvement of such roads. (K.S.A. 19-2960)
- 2) Floodplain regulations (Section 12-312) shall apply to agricultural exempt buildings, (K.S.A. 19-2921)

#### **b. Agricultural Exemption**

The Douglas County Zoning and Codes Director has the authority to determine when an agricultural use exemption is warranted in accordance with the criteria specified in this section and state law. Upon such determination, the Director shall issue a letter granting the exemption and a record of such exemption shall be maintained by the Zoning and Codes Office.

- 1) To receive an agricultural exemption, the landowner requesting the exemption must complete and submit an application on forms provided by the Director of Zoning and Codes along with all required supplemental documentation. No application fee shall be charged for an agricultural use exemption determination.
- 2) To qualify for an agricultural exemption the Director of Zoning and Codes must determine there is an agricultural use, as defined in these regulations and state law, on the subject property. This can be demonstrated with IRS forms, or with an inspection of the agricultural operations.

**12-301-3**            **PURPOSE**

- a. These Zoning Regulations have been made in accordance with, and are intended to implement the recommendations in, the Comprehensive Land Use Plan adopted jointly by Douglas County and the City of Lawrence and other applicable plans adopted by the Board of County Commissioners, hereinafter collectively referred to as the 'Comprehensive Plan' in a manner that protects and promotes the public health, safety and general welfare of the citizens of Douglas County, Kansas.
- b. These regulations are intended to permit appropriate development within the unincorporated area while recognizing agriculture as a principal land use.
- c. Development is regulated to:
  - 1) Promote the public health, safety, comfort, convenience, prosperity, and general welfare;
  - 2) Preserve environmentally sensitive lands;
  - 3) Provide for safe and convenient traffic circulation;
  - 4) Lessen or avoid the hazards to persons and damage to property resulting from the accumulation or runoff of storm or flood waters;
  - 5) Insure compatibility of nearby land uses;
  - 6) Protect and maintain the unique and irreplaceable resources, natural resources, and agricultural land within the unincorporated portion of the county; and
  - 7) Maintain the rural character;

**12-301-4**            **GENERAL RULES OF INTERPRETATION**

- a. Numbering Style

The first two numerals in a section number correspond to the Douglas County Code ("County Code") chapter in which the section is located—Chapter 12. To the right of the dash, the first number is the article of Chapter 12 that contains the Zoning Regulations—Article 3. The following 2 numbers represent the section the text is located within. Numbers to the right of the dash indicate the subsection. Thus, "12-301-4.01" indicates that subsection 4.01 is in Section 1 of Article 3 of Chapter 12 of the County Code.
- b. Meaning

The language of the Zoning Regulations shall be read literally. Regulations are no more or less strict than stated. Words used in the Zoning Regulations have the standard dictionary definition unless they are defined in Section 12-315.
- c. Usage
  - 1) Words in the singular include the plural and the reverse is true.
  - 2) Words in the present tense include the future tense and the reverse is true.
  - 3) Words 'shall', 'will', 'shall not' and 'may not' are mandatory.

- 4) The words 'may', and 'should' are permissive.
- 5) When used with numbers, 'up to x', 'not more than x', and 'a maximum of x', all include x.

d. Fractions

- 1) When a regulation is expressed in terms of a minimum requirement, such as the number of parking spaces required per use, any fractional result shall be rounded up to the next consecutive whole number.
- 2) When a regulation is expressed in terms of maximum limits, such as maximum building area permitted, any fractional result shall be disregarded and only the smallest applicable whole number shall be considered.

e. Headings, Illustrations and Text

In case of any difference of meaning or implication between the text of the Zoning Regulations and any heading, drawing, table, figure, or illustration, the text controls.

f. References to Other Regulations

All references in the Zoning Regulations to other County, State, or Federal regulations are for informational purposes only and do not constitute a complete list of such regulations. These references do not imply any responsibility by the County to enforce any State or Federal regulations.

g. Current Versions and Citations

All references in the Zoning Regulations to other County, State, or Federal regulations refer to the most current version and citation for those regulations, unless specifically indicated otherwise. Where the referenced regulations have been repealed, the Zoning Regulations requirements for compliance are no longer in effect.

h. Lists and Examples

Unless otherwise specifically indicated, lists of items or examples that use 'including', 'such as' or similar terms are intended to provide examples only and do not constitute complete lists.

i. Delegation of Authority

Whenever these Zoning Regulations require the department director or another officer, staff or employee of the County to perform an act or duty, the department director or officer shall have the authority to delegate that responsibility to others over whom they have authority unless such delegation is expressly prohibited by these regulations.

j. Public Officials and Agencies

All employees, public officials, boards, and agencies to which references are made are those of Douglas County unless otherwise expressly stated.

**12-301-5 CONFLICTING PROVISIONS**

a. Conflict with State or Federal Regulations

If the provisions of the Zoning Regulations are inconsistent with the laws and regulations of the State or Federal government, the more restrictive provision shall control, to the extent permitted by law. The more restrictive provision is the one that imposes greater development restrictions or more stringent controls. Nothing in the Zoning Regulations shall be interpreted

as requiring a violation of State or Federal law.

**b. Conflict with Other County Regulations**

If the provisions of the Zoning Regulations are inconsistent with one another, or if they conflict with other County regulations, the more restrictive provision shall control. The more restrictive provision is the one that imposes greater development restrictions or more stringent controls.

**c. Conflict with Private Agreements and Covenants**

The Zoning Regulations are not intended to abrogate, annul, or otherwise interfere with any easement, covenant, or other private agreement or legal relationship otherwise in conformance with the Zoning Regulations.

**12-301-6 TRANSITIONAL PROVISIONS**

**12-301-6.01 Applications Submitted Before the Effective Date**

- a. Any use or development activity for which a complete application was submitted to the Planning Office or Zoning and Codes Office before the effective date of these revised Zoning Regulations, or any amendment thereto, and pending approval on the effective date may, at the applicant's option, be reviewed under the terms of the Zoning Regulations in effect at the time of application.
- b. If approved, such uses or development activities may be carried out in accordance with the standards in effect at the time of application.
- c. Any re-application for an expired permit shall comply with the Zoning Regulations in effect at the time of re-application.

**12-301-6.02 Permits Issued Before the Effective Date**

- a. Any use or development activity for which a permit was duly issued before the effective date of any amendment to the Zoning Regulations may be completed in conformance with the issued permit and other applicable permits and conditions, and such regulations that were in effect at the time the permit was issued, even if such use or development activity does not fully comply with the provisions of the revised Zoning Regulations.
- b. If the use or development activity is not commenced or completed in accordance with the applicable permit terms, the director of the department responsible may, upon receipt of a written request and payment of any required fee, grant one 6-month time extension. If the use is not commenced or completed within the time allowed under the original permit or extension, then the use or development activity shall be completed or occupied only in strict compliance with the requirements of the revised Zoning Regulations.

**12-301-6.03 Violations Continue**

Any violation of the previously approved Zoning Regulations shall continue to be a violation under these revised regulations and shall be subject to the penalties and enforcement measures listed in Section 13 unless the use or development activity is consistent with the express terms of the revised Zoning Regulations, in which case enforcement action will cease, except to the extent of collecting penalties for violations that occurred before the effective date of the revised regulations. The adoption of the revised Zoning Regulations does not affect nor prevent any pending or future prosecution of, or action to abate violations of the previous Zoning Regulations that occurred prior to the effective date.

**12-301-7      VALIDITY**

If any portion of the Zoning Regulations is held to be invalid or unconstitutional by a court of competent jurisdiction, that portion held to be invalid or unconstitutional is to be deemed severed from the Zoning Regulations and will in no way affect the validity of any other portion of the Zoning Regulations.

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

**SECTION 302 ZONING DISTRICTS, ZONING MAP, AND GENERAL PROVISIONS**

- 12-302-1 Zoning Districts**
- 12-302-2 Official Zoning District Map**
- 12-302-3 Regulations within Districts**
- 12-302-4 Rules for Interpretation of Zoning District Boundaries**
- 12-302-5 General Provisions**

**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.

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

[Res. 22-20, Sec. 1, B]

**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:

<b>Previous Map Designations</b>	<b>New Map Designations</b>
<b>Agricultural Districts</b>	
A (Agricultural)	AG-1 (Agricultural) (parcels with 20 acres or more) AG-2 (Transitional Agricultural) (parcels with less than 20 acres)
V-C (Valley Channel)	
<b>Residential Districts</b>	
A-1 (Suburban Home Residential)	CP (Clustered Preservation)
R-1 (Single Family Residential)	
<b>Business Districts</b>	
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)

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

\*The Floodway and Floodway Fringe Overlay districts converted to the same district with the 2020 revised Zoning Regulations. These districts were removed with the 2022 revisions to Article 12, Floodplain Management Regulations.  
[Res. 22-20, Sec 1, B]

**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 **February 19, 2020**, 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 Planning and Development Services** 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).

[Res. 23-21, Section 1,A]

**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, 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.

[Res. 22-20, Sec. 1, C]

**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 property 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.

**SECTION 303 ZONING DISTRICTS**

12-303-1	AG-1 (Agricultural) District
12-303-2	AG-2 (Transitional Agricultural) District
12-303-3	CP (Clustered Preservation) District
12-303-4	LS (Lone Star Lake Lot Residential) District
12-303-5	LB (Lake Oriented Business) District
12-303-6	RT(Rural Tourism Business) District
12-303-7	GB (General Business) District
12-303-8	LI(Light Industrial) District
12-303-9	GI(General Industrial) District
12-303-10	V (Village) District
12-303-11	BSC (Big Springs Community) District
12-303-12	Overlay Zoning Districts

**12-303-1 AG-1 (AGRICULTURAL) DISTRICT**

The AG-1 District is intended to accommodate a full range of agricultural activities such as the raising of crops or livestock as well as the processing and sale of agricultural products raised on the premises and, at the same time, to offer protection to agricultural land and land uses. Maintaining an inventory of productive, or potentially productive, agricultural land is a principal goal within the unincorporated portion of the county. The district is also intended to provide protection for watersheds and water supplies, forest areas, and scenic areas; to promote the conservation of fish and wildlife; and to prevent the untimely scattering of more dense urban development. The standards of the AG-1 District are designed to permit limited development that is compatible with the existing rural character and agricultural land uses.

**12-303-1.01 Permitted Uses**

- a. A building or land shall be used only for the uses listed in the Permitted Use Table in Section 12-304-3. Uses intended to support and encourage agriculture, such as Agritourism, Value-Added Agriculture Business, Commercial Grain Storage, Small Scale Ag Related Research Facility, and Ancillary Agricultural Retail Sales are permitted in the AG-1 District.
- b. Any request to change the use of land in the AG-1 (Agricultural) District from agriculture to a non-agricultural use will be evaluated with regards to the suitability of the property for agricultural uses in order to maintain a strong inventory of agricultural land and may require rezoning or approval of a conditional use permit.

**12-303-1.02 Accessory Uses and Structures**

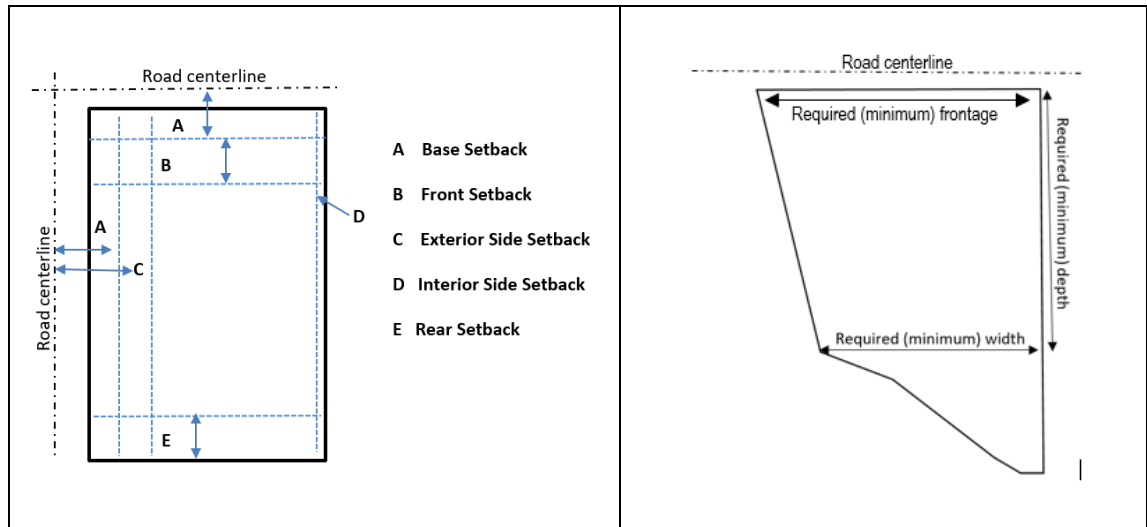
Accessory uses and structures are permitted in connection with any lawfully established principal use, except as otherwise expressly provided in these Zoning Regulations. Accessory uses and structures are subject to the same dimensional standards as the principal use and structure.

**12-303-1.03 Dimensional Standards**

Unless otherwise expressly stated, the dimensional standards provided in the chart below apply to all development in the AG-1 District. Additional dimensional standards are contained in Section 12-305.

<b>AG-1</b>	<b>Principal Arterial</b>	<b>Minor Arterial</b>	<b>Major Collector</b>	<b>Minor Collector</b>	<b>Local</b>
<b>Base Setback (from road centerline)</b>	75/60 [1]	50'	40'	35'	35'
<b>Front and Exterior Side Setback (from Base Setback)</b>	150'	100'	100'	75'	50
<b>Interior Side Setback</b>	30'	30'	30'	30'	30'
<b>Rear Setback</b>	30'	30'	30'	30'	30'
<b>Minimum Parcel Area</b>	20[2]	20[2]	20[2]	20[2]	20[2]
<b>Minimum frontage</b>	1320' [3]	660' [3]	660'/500' [3] [4]	330' [3]	250' [3][5]
<b>Minimum width at Minimum Depth</b>	1188'	594'	594'/450' [4]	297'	225'
<b>Minimum Depth</b>	300	250'	250'	250'	250'
<b>Maximum Height</b>	35'	35'	35'	35'	35'
<b>Maximum Density</b>	1 du/20 acres	1 du/20 acres	1 du/20 acres	1 du/20 acres	1 du/20 acres

- [1] 1<sup>st</sup> number is base setback for principal arterial with median/ 2<sup>nd</sup> number is base setback for principal arterial without median
- [2] Parcels with less area may be created when maximum density is maintained with an Agricultural Preservation Easement.
- [3] Minimum frontage requirement applies along the road which the property fronts on and takes access to.
- [4] 1<sup>st</sup> number is frontage required when the posted or design speed, as determined by the County Engineer, is greater than, or equal to, 55 mph/ 2<sup>nd</sup> number is frontage required when the posted or design speed, as determined by the County Engineer, is less than 55 mph.
- [5] There is no minimum frontage or width requirement for properties served by Commission approved private roads established per Home Rule Resolution No. HR-09-10-3 or for properties that connect to, and take access from, the terminus of a 'dead end' road; however, a means for turnaround of emergency and road maintenance vehicles must be provided at the end of dead end roads, e.g. enough public road right-of-way and a wide entrance to permit 3-point turns, or a bulb cul-de-sac.



#### 12-303-1.04 Use Specific Regulations

Use Specific Regulations are noted in the Permitted Use Table in Section 12-304-3 with an asterisk and the pertinent section of the Zoning Regulations is referenced in the column to the right labeled 'Use Standards'.

#### 12-303-1.05 Other Regulations

There are a number of other regulations that may apply to development in this district including but not limited to the following:

- a. General Development Standards – Section 12-314
- b. Landscaping/Screening – Section 12-305
- c. Off-Street Parking and Loading – Section 12-311
- d. Sign Regulations – Section 12-314
- e. Lighting Standards – Section 12-314
- f. Additional Dimensional Standards-Section 12-305

**12-303-2 AG-2 (TRANSITIONAL AGRICULTURAL) DISTRICT**

- a. The AG-2 (Transitional Agricultural) District will provide an appropriate zoning designation for low density development that retains the character of a rural area with limited residential development. This District is intended to accommodate low-density rural development in areas that are not well-suited for agriculture or development that has been designed to accommodate agricultural land uses in the area. For this reason, rezoning requests to this district will be evaluated on a case-by-case, site-by-site basis. Due to the unique purpose and nature of this district it may not be provided in uniform areas, as is common with most zoning districts, but may be provided in very small areas located throughout the unincorporated portion of the county.
- b. In addition, the AG-2 District is intended to accommodate lands which are currently located in the A (Agricultural) District but have inadequate parcel area for the AG-1 District (e.g. land was divided into less than 20 acres, prior to the adoption of these regulations).
- c. The AG-2 District will allow the zoning maps to more clearly represent the current land uses in an area. The AG-1 District will include larger parcels with agricultural or open space land uses and the AG-2 District will include smaller parcels and land that has been divided for residential development. Agriculture remains a permitted and encouraged use in the AG-2 District.

**12-303-2.01 Applicability**

Rezoning to the AG-2 District is required prior to the development of parcels with less than 20 acres that do not meet the exemption from the dimensional standards in the AG-1 District, Section 12-301.2 or Section 11-101(c)(vii) of the Subdivision Regulations. In addition to the criteria listed in Section 12-307-4.06 of these Regulations, rezoning applications to the AG-2 District shall be evaluated for the suitability of the property for agricultural uses to minimize the loss or conversion of agriculturally productive land, or potentially productive agricultural land.

**12-303-2.02 Permitted Uses**

A building or land shall be used only for the principal uses listed in the Permitted Use Table in Section 12-304-3.

**12-303-2.03 Accessory Uses**

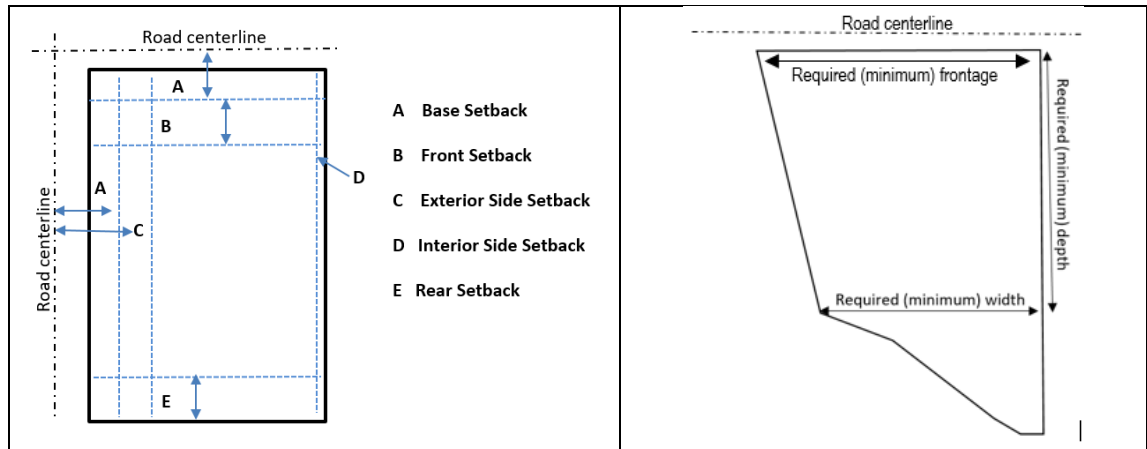
Accessory uses and structures are permitted in connection with any lawfully established principal use, except as otherwise expressly provided in these Zoning Regulations. Accessory uses and structures are subject to the same dimensional standards as the principal use and structure.

**12-303-2.04 Dimensional Standards**

Unless otherwise expressly stated, the dimensional standards provided in the chart below apply to development in the AG-2 District. Additional dimensional standards are contained in Section 12-305.

<b>AG-2</b>	<b>Principal Arterial</b>	<b>Minor Arterial</b>	<b>Major Collector</b>	<b>Minor Collector</b>	<b>Local</b>
<b>Base Setback</b>	75/60 [1]	50'	40'	35'	35'
<b>Front and Exterior Side Setback</b>	150'	100'	100'	75'	50'
<b>Interior Side Setback</b>	30'	30'	30'	30'	30'
<b>Rear Setback</b>	30'	30'	30'	30'	30'
<b>Minimum Area</b>	10 acres [2]	10 acres [2]	10 acres [2]	10 acres [2]	10 acres [2]
<b>Minimum frontage</b>	1320'[3]	660' [3]	660'/500'[[3][4]	330'[3]	250'[3]
<b>Minimum width at Minimum Depth</b>	1188'	594'	594'/450'[4]	297'	225'
<b>Minimum Depth</b>	300	250'	250'	250'	250'
<b>Max. Height</b>	35'	35'	35'	35'	35'
<b>Maximum Density</b>	1 du / 10 acres	1 du / 10 acres	1 du / 10acres	1 du / 10 acres	1 du / 10 acres

- [1] 1<sup>st</sup> number is base setback for principal arterial with median/ 2<sup>nd</sup> number is base setback for principal arterial without median
- [2] The minimum area requirement applies to properties divided after the effective date of these regulations. Parcels or lots that were legally created prior to the effective date that have less than this minimum area are vested. Parcels with less area may be created when maximum density is maintained with an Agricultural Preservation Easement.
- [3] Minimum frontage requirements apply along the road which the property fronts on and takes access to. There is no minimum frontage for properties served by Commission approved private roads established per Home Rule Resolution No. HR-09-10-3 or for properties that connect to, and take access from, the terminus of a 'dead end' road; however, a means for turnaround of emergency and road maintenance vehicles must be provided at the end of dead end roads, e.g. enough public road right-of-way and a wide entrance to permit 3-point turns, or a bulb cul-de-sac.
- [4] 1<sup>st</sup> number is frontage required when the posted or design speed, as determined by the County Engineer, is greater than, or equal to, 55 mph/ 2<sup>nd</sup> number is frontage required when the posted or design speed, as determined by the County Engineer, is less than 55 mph.



**12-303-2.05 Use Specific Regulations**

Use Specific Regulations are noted in the Permitted Use Table in Section 12-304-3. with an asterisk and the pertinent section of the Zoning Regulations is referenced in the column to the right labeled 'Use Standards'.

**12-303-2.06 Other Regulations**

There are a number of other regulations that may apply to development in this district including but not limited to the following:

- g. General Development Standards – Section 12-314
- h. Landscaping/Screening – Section 12-305
- i. Off-Street Parking and Loading – Section 12-311
- j. Sign Regulations – Section 12-314
- k. Lighting Standards – Section 12-314
- l. Additional Dimensional Standards-Section 12-305

**12-303-3 (CP) CLUSTERED PRESERVATION DISTRICT**

The CP (Clustered Preservation) District accommodates lands which were zoned A-1 (Suburban Home Residential) District and R-1 (Single-Family Residential) Districts within the Urban Growth Area or were divided through a cluster development certificate of survey prior to the effective date of these revised Zoning Regulations. The District also provides a suitable zoning district for medium density residential development within the Urban Growth Area while preserving agricultural lands and open space by clustering development. Existing A-1 Zoning outside of the urban growth area will convert to the CP District with the adoption of these regulations.

**12-303-3.01 Applicability**

- a. As a means to implement the growth management measures incorporated into the Subdivision Regulations with Joint Ordinance No. 8970/Resolution No. 21-14, as of October 10, 2021, it is no longer permissible to rezone property to the CP District; however, the district remains in the Zoning Regulations to provide guidance for land use and development on property that was zoned CP prior to October 10, 2021.
- b. The district permits the clustering of residential development, thereby allowing agricultural or open space preservation on a minimum of 40% of the total property area. It may be possible to cluster development on smaller lots than required by the density and dimensional standards in this section, provided the Health Department approves an engineered wastewater system which is governed by an improvement district, a public water supply system is available, and a protected agricultural or open space area exceeding the required minimum of 40% of the total site area is provided.
- c. Lots or Rural Development Parcels shall be clustered (contiguous), unless necessary to be separated to protect environmentally sensitive lands or productive agricultural land.

[Res. 22-36. Sec 1, A]

**12-303-3.02 Permitted Uses**

A building or land shall be used only for the principal uses listed in the Permitted Use Table in Section 12-304-3.

**12-303-3.03 Accessory Uses**

Accessory uses and structures are permitted by right in connection with any lawfully established principal use, except as otherwise expressly provided in these Zoning Regulations. Accessory uses and structures are subject to the same dimensional standards as the principal use and structure

**12-303-3.04 Dimensional Standards**

Unless otherwise expressly stated, the dimensional standards provided in the chart below apply to development in the CP District. Additional dimensional standards are contained in Section 12-305.

<b>CP</b>	<b>Principal Arterial</b>	<b>Minor Arterial</b>	<b>Major Collector</b>	<b>Minor Collector</b>	<b>Local</b>
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<b>Base Setback (from road centerline)</b>	75/60 [1]	50'	40'	35'	35'
<b>Front and Exterior Side Setback (from Base Setback)</b>	150'	100'	100'	75'	50
<b>Interior Side Setback</b>	10'	10'	10'	10'	10'
<b>Rear Setback</b>	30'	30'	30'	30'	30'
<b>Minimum Lot/Parcel Area*</b>	3 acres [2]	3 [2]	3 [2]	3 [2]	3 [2]
<b>Minimum frontage</b>	1320'[3]	660' [3]	660'/500' [3][4]	330'[3]	250'[3][5]
<b>Minimum width at Minimum Depth</b>	1188'	165'	594'/450'[4]	297	225'
<b>Minimum Depth</b>	300	250'	250'	250'	250'**
<b>Max. Height</b>	35'	35'	35'	35'	35'
<b>Maximum Density</b>	1 du / 3 acres	1 du / 3 acres	1 du / 3 acres	1 du / 3 acres	1 du / 3 acres

[1] 1<sup>st</sup> number is base setback for principal arterial with median/ 2<sup>nd</sup> number is base setback for principal arterial without median.

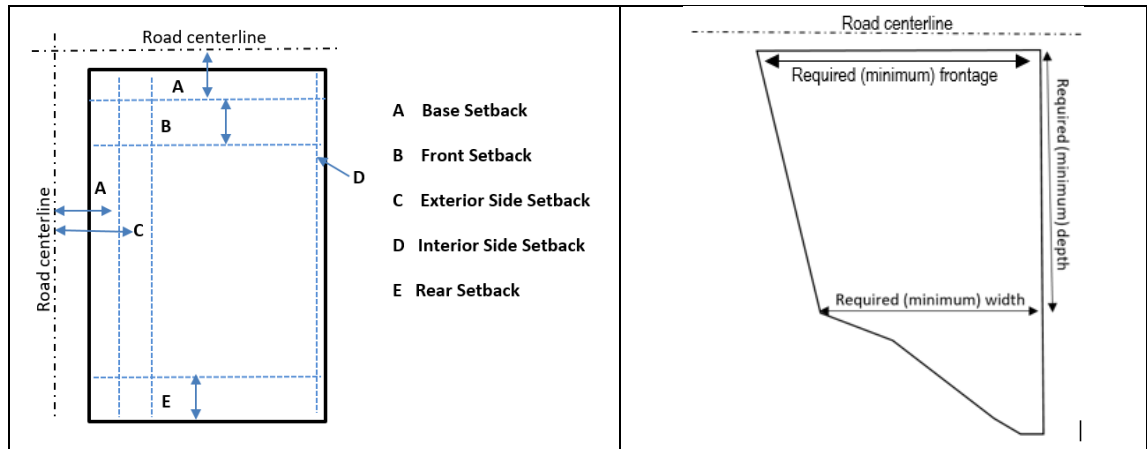
[2] Lot area must comply with Douglas County Sanitary Code requirements.  
a. The minimum area requirement applies to properties divided after the effective date of these regulations. Properties divided prior to the effective date with less than this minimum area, will be subject to the nonconforming lot provisions of Section 12-308-4.

[3] Minimum frontage requirement applies along the road which the property fronts on and takes access to.

[4] 1<sup>st</sup> number is frontage required when the posted or design speed, as determined by the County Engineer, is greater than, or equal to, 55 mph/ 2<sup>nd</sup> number is frontage required when the posted or design speed, as determined by the County Engineer, is less than 55 mph.

[5] Minimum frontage of 50 feet is required for properties that take access from a cul-de-sac. There is no minimum frontage or width requirement for properties that connect to, and take access from, the terminus of a 'dead end' road; however, a means for turnaround of emergency and road maintenance vehicles must be provided at the end of dead end roads, e.g. enough public road right-of-way and a wide entrance to permit 3-point turns, or a bulb cul-de-sac.

[Res. 22-36. Sec 1, A]



**12-303-3.05 Use Specific Regulations**

Use Specific Regulations are noted in the Permitted Use Table in Section 12-304-3 with an asterisk and the pertinent section of the Zoning Regulations is referenced in the column to the right labeled 'Use Standards'. [Res. 22-36. Sec 1, A]

**12-303-3.06 Other Regulations**

There are a number of other regulations that may apply to development in this district including but not limited to the following:

- a. General Development Standards – Section 12-314
- b. Landscaping/Screening – Section 12-305
- c. Off-Street Parking and Loading – Section 12-311
- d. Sign Regulations – Section 12-314
- e. Lighting Standards – Section 12-314
- f. Additional Dimensional Standards-Section 12-305

[Res. No. 22-36, Sec. 1, A]

**12-303-4 LS (LONE STAR LAKE LOT RESIDENTIAL) DISTRICT**

The purpose of the LS (Lone Star Lake Lot Residential) District is to establish a district that recognizes the lake lots or tracts previously created by plat within Douglas County at Lone Star County Lake, which are unique and distinctive from other lake lot developments and which are each served by public water and private sewer, and to maintain overall density and development standards contained within said Douglas County Lake developments. The District is not to be used for the creation of additional lots or tracts of a similar nature.

**12-303-4.01 Permitted Uses**

A building or land shall be used only for the purposes shown in the Permitted Use Table in Section 12-304-3.

**12-303-4.03 Accessory Uses and Structures**

Accessory uses and structures are permitted by right in connection with any lawfully established principal use, except as otherwise expressly provided in these Zoning Regulations. Accessory uses and structures are subject to the same regulations as the principal use and structure.

**12-303-4.04 Dimensional Standards**

Unless otherwise expressly stated, the dimensional standards provided in the chart apply to development in the LS District. Additional dimensional standards are contained in Section 12-305.

<u>LS</u>	<u>Local Road</u>
<b>Front and Exterior Side Setback</b>	<u>20' from the right-of-way line</u>
<b>Interior Side Setback</b>	<u>6'</u>
<b>Rear Setback</b>	<u>10'</u>
<b>Max. Height</b>	<u>35'</u>
<b>Min. Area</b>	<u>1,600 sq ft</u>

**a. Lot Dimensions**

No minimum lot area is established for legal lots of record as of the date of the adoption of these regulations; however, it is anticipated that every such lot shall provide sufficient setbacks as specified herein and still provide adequate building area.

**b. Lot Area**

No minimum lot area is established for legal lots of record as of the date of the adoption of these regulations. Additional area may be required per the Douglas County Sanitary Code for on-site sewage management system.

**12-303-4.05 Use Specific Regulations**

Use Specific Regulations are noted in the Permitted Use Table in Section 12-304-3 with an asterisk and the pertinent section of the Zoning Regulations is referenced in the column to the right labeled 'Use Standards'.

**12-303-4.06 Other Regulations**

There are a number of other regulations that may apply to development in this district including

but not limited to the following:

- a. General Development Standards – Section 12-314
- b. Landscaping/Screening – Section 12-305
- c. Off-Street Parking and Loading – Section 12-311
- d. Sign Regulations – Section 12-314
- e. Lighting Standards – Section 12-314
- f. Additional Dimensional Standards-Section 12-305

**12-303-5 LB (LAKE ORIENTED BUSINESS) DISTRICT**

The LB (Lake Oriented Business) District is intended to accommodate the grouping of uses that serve the users of, or are dependent upon, the recreational lakes in the County (Clinton Lake, Lone Star Lake, Douglas County Lake, Ski Lake, and Lakeview Lake).

**12-303-5.01 Permitted Uses**

A building or land shall be used only for the purposes listed in the Permitted Use Table in Section 12-304-3.

**12-303-5.02 Accessory Uses**

Accessory uses and structures are permitted in connection with any lawfully established principal use, except as otherwise expressly provided in these Zoning Regulations. Accessory uses and structures are subject to the same regulations as the principal use or structure.

**12-303-5.03 Dimensional Standards**

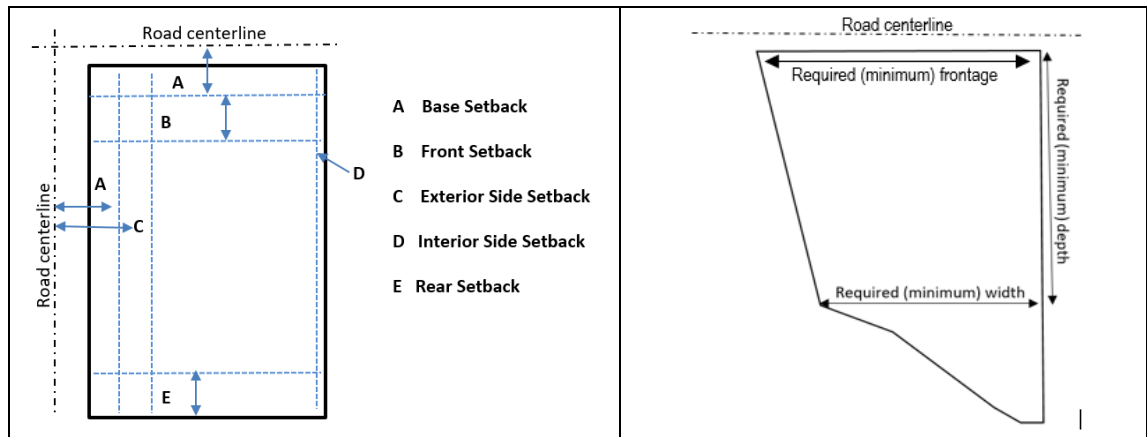
Unless otherwise expressly stated, the Dimensional standards provided in the chart below apply to development in the LB District. Additional dimensional standards are contained in Section 12-305.

<b>LB</b>	<b>Principal Arterial</b>	<b>Minor Arterial</b>	<b>Major Collector</b>	<b>Minor Collector</b>	<b>Local</b>
<b>Base Setback (from road centerline)</b>	75'/60' [1]	50'	40'	35'	35'
<b>Front and Exterior Side Setback (from Base Setback)</b>	80'	40'	40'	40'	40
<b>Interior Side</b>	10'/20/ [2]	10'/20/ [2]	10'/20/ [2]	10'/20/ [2]	10'/20/ [2]
<b>Rear</b>	30'	30'	30'	30'	30'
<b>Minimum Area</b>	15,000 sq ft [3]	15,000 sq ft [3]	15,000 sq ft [3]	15,000 sq ft [3]	15,000 sq ft [3]
<b>Minimum frontage</b>	75' [4]	75' [4]	75' [4]	75' [4]	75' [4][5]
<b>Minimum Depth</b>	125'	125'	125'	125'	125'
<b>Maximum Height</b>	35'	35'	35'	35'	35'

[1] 1<sup>st</sup> number is base setback for principal arterial with median/ 2<sup>nd</sup> number is base setback for principal arterial without median

[2] First number is setback when adjacent to a non-residentially zoned or developed property. Second number is setback when adjacent to a residential use or residentially zoned property.

- [3] Additional area may be required per the Douglas County Sanitary Code for on-site sewage management system for properties platted after the effective date of these regulations.
- [4] Minimum frontage requirements apply along the road which the property fronts on and takes access to.
- [5] Minimum frontage of 50 feet is required for properties that take access from a cul-de-sac. There is no minimum frontage or width requirement for properties that connect to, and take access from, the terminus of a 'dead end' road; however, a means for turnaround of emergency and road maintenance vehicles must be provided at the end of dead end roads, e.g. enough public road right-of-way and a wide entrance to permit 3-point turns, or a bulb cul-de-sac.



#### 12-303-5.04 Use Specific Regulations

Use Specific Regulations are noted in the Permitted Use Table in Section 12-304-3 with an asterisk and the pertinent section of the Zoning Regulations is referenced in the column to the right labeled 'Use Standards'.

#### 12-303-5.05 Other Regulations

There are a number of other regulations that may apply to development in this district including but not limited to the following:

- a. General Development Standards – Section 12-314
- b. Landscaping/Screening – Section 12-305
- c. Off-Street Parking and Loading – Section 12-311
- d. Sign Regulations – Section 12-314
- e. Lighting Standards – Section 12-314
- f. Additional Dimensional Standards-Section 12-305

**12-303-6 RT (RURAL TOURISM BUSINESS) DISTRICT**

The RT District is intended to provide a suitable zoning district for uses associated with Rural Tourism, such as recreation and conference uses. The District is intended to accommodate Rural Tourism uses that occupy significant land areas or that may be more intense or larger in scale than uses than could be permitted as Agritourism or with a Conditional Use Permit. The regulations are designed to offer maximum flexibility for the use while insuring compatibility with nearby land uses and the rural character of the area.

**12-303-6.01 Permitted Uses**

A building or land shall be used only for the principal uses listed in the Permitted Use Table in Section 12-304-3.

- a. The only uses permitted in the RT District are uses that the Zoning and Codes Director has determined constitute Rural Tourism Uses, as defined in this Section, and their accessory uses.
- b. Accessory uses that are associated with the Rural Tourism use but do not constitute a rural-tourism use themselves, are permitted as accessory uses and may be located (operate) on the site only when the Rural Tourism use is present and active.
- c. Rural Tourism uses may exist alone or may be several uses combined, and may include accessory uses. For instance, a corporate retreat (social assembly) may have meeting rooms, recreational facilities, and a restaurant.
- d. Principal Rural Tourism Uses are the uses that make up the Rural Tourism component of the use. These uses include, but are not limited to, uses such as outdoor recreation, parks, areas for picnicking, riding stables, bike paths, hiking trails and other similar uses; open air theater (excluding drive-ins); places of social assembly; lodging such as lodges, cabins, bed and breakfasts, or campgrounds; libraries, museums, art galleries and other similar uses.
- e. Accessory Rural Tourism uses are uses that do not constitute a Rural Tourism use on their own, but may enhance the rural tourism use.
  - 1) These uses shall be incidental to the rural tourism use and must occur in conjunction with a principal rural tourism use.
  - 2) Accessory uses that would enhance rural tourism uses could include, but are not limited to, personal service uses such as beauty salons/spas, photographic or artist studios, restaurants, retail stores (limited), indoor sports or recreation, including billiard parlors, physical fitness centers, swimming pools; residential dwellings when associated with the tourism use as caretaker or manager residence, or as part of a living museum; religious institutions, and community buildings.
- f. A concept plan must be submitted with any rezoning request to the RT District.
  - 1) The site plans submitted for the project, including the concept plan, must clearly identify the principal Rural Tourism uses and the accessory uses as defined in this Section.

- 2) Principal uses in the RT District shall be limited to those, and only those, approved with the rezoning by resolution. Any change in the principal uses shall require rezoning of the property.
- 3) Rural Tourism zoning is intended to accommodate larger scale commercial tourism projects that are compatible with, and benefit from, the rural character of the area.

**12-303-6.02 Site Design Criteria**

- a. Uses in the Rural Tourism District shall integrate with and maintain or enhance the rural character of the area;
- b. Facilities shall be designed to preserve natural resources and integrate with the rural environment through appropriate land use, site design, buffering, or other methods;
- c. A site-specific site plan shall be submitted with rezoning applications to demonstrate that the site design criteria noted above have been met. The following items are required on all site plans for uses in the Rural Tourism District:
  - 1) A minimum 200 ft buffer area provided around the perimeter of the site; and
  - 2) Uses permitted within this buffer area shall be limited to agriculture or other low-impact uses. These uses shall be noted on the site plan along with the party or entity responsible for maintenance of the buffer area.

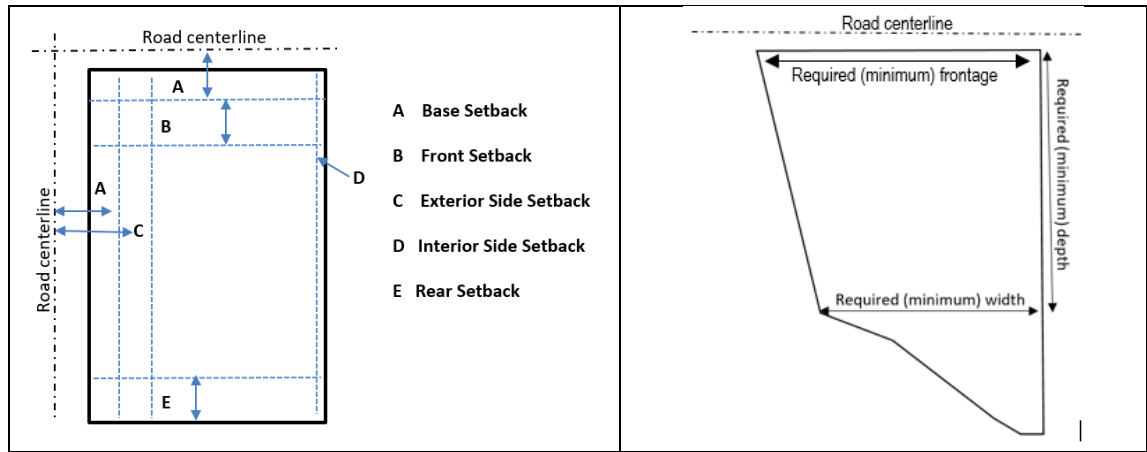
**12-303-6.03 Dimensional Standards**

Unless otherwise expressly stated, the dimensional standards provided in the chart apply to development in the RT District. Additional dimensional standards are contained in Section 12-305.

<b>RT</b>	<b>Principal Arterial</b>	<b>Minor Arterial</b>	<b>Major Collector</b>	<b>Minor Collector</b>	<b>Local</b>
<b>Base Setback (from road centerline)</b>	75'/60' [1]	50'	40'	35'	35'
<b>Front and Exterior Side Setback (from Base Setback)</b>	40'	40'	40'	40'	40'
<b>Interior Side</b>	20'	20'	20'	20'	20'
<b>Rear</b>	30'	30'	30'	30'	30'
<b>Minimum Area</b>	10 acres	5 acres	5 acres	3 acres	3 acres
<b>Min. Frontage</b>	1320' [2]	500' [2]	500' / 660' [2] [3]	330' [2]	250' [2][4]
<b>Max. Height</b>	35'	35'	35'	35'	35'



- [1] 1<sup>st</sup> number is base setback for principal arterial with median/ 2<sup>nd</sup> number is base setback for principal arterial without median
- [2] Minimum frontage requirement applies along the road which the property fronts on and takes access to.
- [3] 1<sup>st</sup> number is frontage required when the posted or design speed, as determined by the County Engineer, is greater than, or equal to, 55 mph/ 2<sup>nd</sup> number is frontage required when the posted or design speed, as determined by the County Engineer, is less than 55 mph.
- [4] Minimum frontage of 50 feet is required for properties that take access from a cul-de-sac. There is no minimum frontage or width requirement for properties that connect to, and take access from, the terminus of a 'dead end' road; however, a means for turnaround of emergency and road maintenance vehicles must be provided at the end of dead end roads, e.g. enough public road right-of-way and a wide entrance to permit 3-point turns, or a bulb cul-de-sac.



**12-303-6.06 Use Specific Regulations**

Use Specific Regulations are noted in the Permitted Use Table in Section 12-304-3 with an asterisk and the pertinent section of the Zoning Regulations is referenced in the column to the right labeled 'Use Standards'.

**12-303-6.07 Other Regulations**

There are a number of other regulations that may apply to development in this district including but not limited to the following:

- a. General Development Standards – Section 12-314
- b. Landscaping/Screening – Section 12-305
- c. Off-Street Parking and Loading – Section 12-311
- d. Sign Regulations – Section 12-314
- e. Lighting Standards – Section 12-314
- f. Additional Dimensional Standards-Section 12-305

**12-303-7 GB (GENERAL BUSINESS) DISTRICT**

The purpose of the GB District is to provide commercial space in appropriate locations for a variety of business, commercial, and service uses along principal arterials and other major thoroughfares where a general mixture of commercial and service uses now exists, or where the businesses could serve the motoring public or residents in the area. General Business uses are not characterized by extensive warehousing; frequent heavy trucking activity; open storage of material, equipment or merchandise; or the nuisance factors of dust, odor, and noise associated with manufacturing.

**12-303-7.01 Access**

The district is intended for application along higher classification roads such as principal arterials or at the intersections of principal arterials with major collector or minor arterial roads, as designated in the Douglas County Access Management Map.

**12-303-7.02 Permitted Uses**

A building or land shall be used only for the purposes listed in the Permitted Use Table in Section 12-304-3.

**12-303-7.03 Accessory Uses**

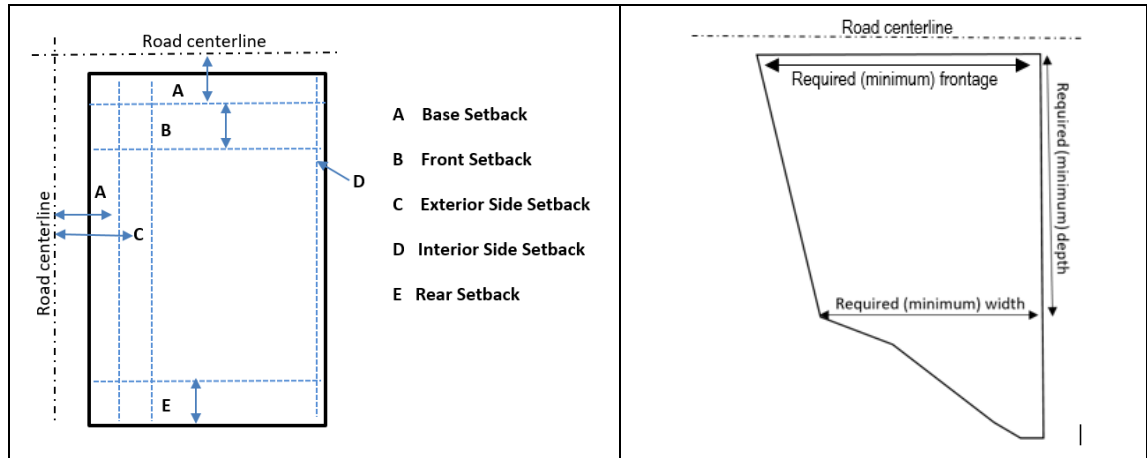
Accessory uses and structures are permitted in connection with any lawfully established principal use, except as otherwise expressly provided in these Zoning Regulations. Accessory uses and structures are subject to the same regulations as the principal use and structure.

**12-303-7.04 Dimensional Standards**

Unless otherwise expressly stated, the dimensional standards provided in the chart apply to development in the GB District. Additional dimensional standards are contained in Section 12-305.

<b>GB</b>	<b>Principal Arterial</b>	<b>Minor Arterial</b>	<b>Major Collector</b>	<b>Minor Collector</b>	<b>Local</b>
<b>Base Setback (from road centerline)</b>	75'/60' [1]	50'	40'	35'	35'
<b>Front and Exterior Side Setback (from Base Setback)</b>	80'	40'	40'	40'	40'
<b>Interior Side</b>	10'/20' [2]	10'/20' [2]	10'/20' [2]	10'/20' [2]	10'/20' [2]
<b>Rear Setback</b>	30'	30'	30'	30'	30'
<b>Minimum Area</b>	15,000 sq ft [3]	15,000 sq ft [3]	15,000 sq ft [3]	15,000 sq ft [3]	15,000 sq ft [3]
<b>Minimum frontage</b>	75' [4]	75' [4]	75' [4]	75' [4]	75' [4]
<b>Min. Depth</b>	75'	75'	75'	75'	75'
<b>Max. Height</b>	45'	45'	45'	45'	45'

- [1] 1<sup>st</sup> number is base setback for principal arterial with median/ 2<sup>nd</sup> number is base setback for principal arterial without median
- [2] First number is setback when adjacent to a non-residentially zoned or developed property. Second number is setback when adjacent to a residential use or residentially zoned property.
- [3] Additional area may be required per the Douglas County Sanitary Code for on-site sewage management system for properties platted after the effective date of these regulations.
- [4] Minimum frontage requirements apply along the road which the property fronts on and takes access to.



**12-303-7.05 Use Specific Regulations**

Use Specific Regulations are noted in the Permitted Use Table in Section 12-304-3 with an asterisk and the pertinent section of the Zoning Regulations is referenced in the column to the right labeled ‘Use Standards’.

**12-303-7.06 Other Regulations**

There are a number of other regulations that may apply to development in this district including but not limited to the following:

- a. General Development Standards – Section 12-314
- b. Landscaping/Screening – Section 12-305
- c. Off-Street Parking and Loading – Section 12-311
- d. Sign Regulations – Section 12-314
- e. Lighting Standards – Section 12-314
- f. Additional Dimensional Standards-Section 12-305

**12-303-8 LI (LIGHT INDUSTRIAL) DISTRICT**

The purpose of the Light Industrial District is to provide space in appropriate areas and locations for industrial and manufacturing uses that are relatively free from offense and are compatible with less-intense commercial and residential uses. This district is intended primarily for light manufacturing, fabricating, service industries, warehousing, and wholesale trade and distributing in areas with access by major thoroughfares or railroads.

**12-303-8.01 Access**

The district is intended for properties with access on arterial roads and highways and/or railroads.

**12-303-8.02 Permitted Uses**

A building or land shall be used only for the purposes shown in the Permitted Use Table in Section 12-304-3.

**12-303-8.03 Accessory Uses**

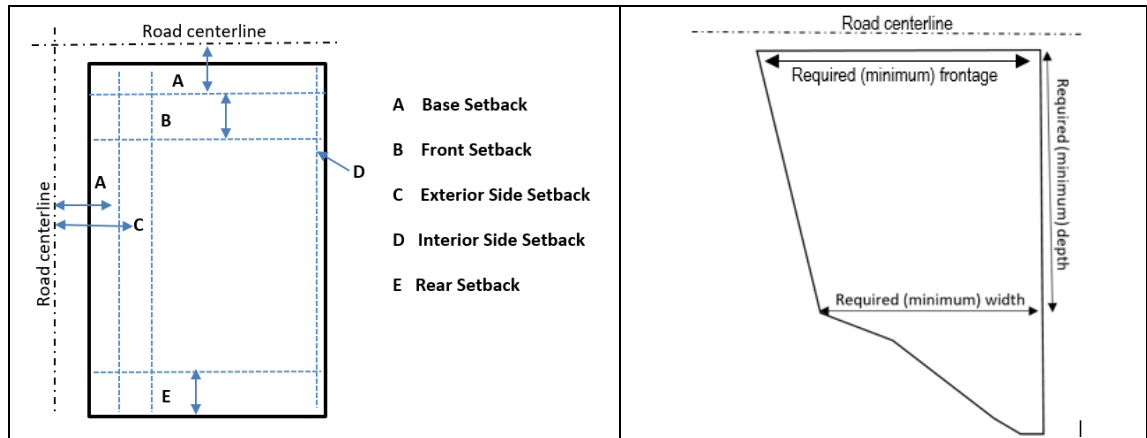
Accessory uses and structures are permitted in connection with any lawfully established principal use, except as otherwise expressly provided in these Zoning Regulations. Accessory uses and structures are subject to the same regulations as the principal use and structure.

**12-303-8.04 Dimensional Standards**

Unless expressly stated, the dimensional standards provided in the chart apply to development in the LI District. Additional dimensional standards are contained in Section 12-305.

<b>LI</b>	<b>Principal Arterial</b>	<b>Minor Arterial</b>	<b>Major Collector</b>	<b>Minor Collector</b>	<b>Local</b>
<b>Base Setback (from road centerline)</b>	75'/60' [1]	50'	40'	35'	35'
<b>Front and Exterior Side Setback (from Base Setback)</b>	80'	50'	50'	50'	50'
<b>Interior Side Setback</b>	20'	20'	20'	20'	20'
<b>Rear Setback</b>	30'	30'	30'	30'	30'
<b>Minimum Area</b>	20,000 sq ft [2]	20,000 sq ft [2]	20,000 sq ft [2]	20,000 sq ft [2]	20,000 sq ft [2]
<b>Minimum frontage</b>	75' [3]	75' [3]	75' [3]	75' [3]	75' [3]
<b>Minimum Depth</b>	200'	200'	200'	200'	200'
<b>Maximum Height</b>	55'	55'	55'	55'	55'

- [1] 1<sup>st</sup> number is base setback for principal arterial with median/ 2<sup>nd</sup> number is base setback for principal arterial without median
- [2] Additional area may be required per the Douglas County Sanitary Code for on-site sewage management system for properties platted after the effective date of these regulations.
- [3] Minimum frontage requirements apply along the road which the property fronts on and takes access to.



### 12-303-8.05 Use Specific Regulations

Use Specific Regulations are noted in the Permitted Use Table in Section 12-304-3 with an asterisk and the pertinent section of the Zoning Regulations is referenced in the column to the right labeled 'Use Standards'.

### 12-303-8.06 Other Regulations

There are a number of other regulations that may apply to development in this district including but not limited to the following:

- a. General Development Standards – Section 12-314
- b. Landscaping/Screening – Section 12-305
- c. Off-Street Parking and Loading – Section 12-311
- d. Sign Regulations – Section 12-314
- e. Lighting Standards – Section 12-314
- f. Additional Dimensional Standards-Section 12-305

**12-303-9 GI (GENERAL INDUSTRIAL) DISTRICT**

The purpose of the General Industrial District is to accommodate moderate- and high-impact industrial uses for which space is not available or the use is not appropriate for location within the urbanized areas of the county, including large-scale or specialized industrial operations requiring good transportation access, and ready access to public facilities and services

**12-303-9.01 Access**

This district is intended for application along principal arterial roads and freeways, as designated in the Douglas County Access Management Map.

**12-303-9.02 Permitted Uses**

A building or land shall be used only for the purposes shown in the Permitted Use Table in Section 12-304-3.

**12-303-9.03 Accessory Uses**

Accessory uses and structures are permitted in connection with any lawfully established principal use, except as otherwise expressly provided in these Zoning Regulations. Accessory uses and structures are subject to the same regulations as the principal use and structure.

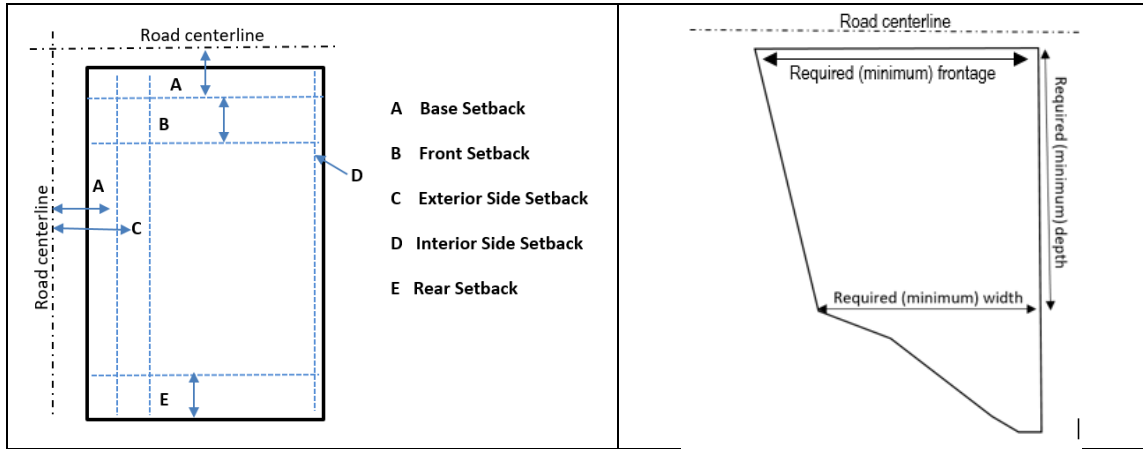
**12-303-9.04 Dimensional Standards**

Unless expressly stated, the Dimensional standards provided in the chart apply to development in the GI District. Additional dimensional standards are contained in Section 12-305.

<b>GI</b>	<b>Principal Arterial</b>	<b>Minor Arterial</b>	<b>Major Collector</b>	<b>Minor Collector</b>	<b>Local</b>
<b>Base Setback (from road centerline)</b>	75'/60' [1]	50'	40'	35'	35'
<b>Front and Exterior Side Setback (from Base Setback)</b>	150'	100'	100'	75'	50'
<b>Interior Side</b>	15'/25/ [2]	15'/25/ [2]	15'/25/ [2]	15'/25/ [2]	15'/25/ [2]
<b>Rear Setback</b>	20'/30' [2]	20'/30' [2]	20'/30' [2]	20'/30' [2]	20'/30' [2]
<b>Minimum Area</b>	15,000 sq ft [3]	15,000 sq ft [3]	15,000 sq ft [3]	15,000 sq ft [3]	15,000 sq ft [3]
<b>Minimum frontage</b>	100' [4]	100' [4]	100' [4]	100' [4]	100' [4]
<b>Minimum Depth</b>	150'	150'	150'	150'	150'
<b>Maximum Height</b>	75'	75'	75'	75'	75'

[1] 1<sup>st</sup> number is base setback for principal arterial with median/ 2<sup>nd</sup> number is base setback for principal arterial without median

- [2] First number is setback when adjacent to a non-residentially zoned or developed property. Second number is setback when adjacent to a residential use or residentially zoned property.
- [3] Additional area may be required per the Douglas County Sanitary Code for on-site sewage management system for properties platted after the effective date of these regulations.
- [4] Minimum frontage requirements apply along the road which the property fronts on and takes access to.



**12-303-9.05 Use Specific Regulations**

Use Specific Regulations are noted in the Permitted Use Table in Section 12-304-3 with an asterisk and the pertinent section of the Zoning Regulations is referenced in the column to the right labeled 'Use Standards'.

**12-303-9.06 Other Regulations**

There are a number of other regulations that may apply to development in this district including but not limited to the following:

- a. General Development Standards – Section 12-314
- b. Landscaping/Screening – Section 12-305
- c. Off-Street Parking and Loading – Section 12-311
- d. Sign Regulations – Section 12-314
- e. Lighting Standards – Section 12-314
- f. Additional Dimensional Standards-Section 12-305

**12-303-10 V (VILLAGE) DISTRICT**

The purpose of the V (Village) District is to encourage the continued existence of small unincorporated towns by establishing a unique set of dimensional and density standards and allowing a variety of uses without the requirement to rezone. Any non-residential development proposed in the Village District shall be evaluated for compatibility with the historic character of the unincorporated town.

- a. The development of new villages is not contemplated under these provisions.
- b. The boundaries of the village zoning district shall be as established with these zoning regulations. Expansion of villages is not encouraged but may occur when the expansion is squaring off the Village District boundary or allows for the expansion of an existing use onto an undeveloped adjacent parcel.

**12-303-10.01 Permitted Uses**

A building or land shall be used only for the purposes shown in the Permitted Use Table in Section 12-304-3.

**12-303-10.03 Accessory Uses And Structures**

Accessory uses and structures are permitted in connection with any lawfully established principal use, except as otherwise expressly provided in these Zoning Regulations. Accessory uses and structures are subject to the same regulations as the principal use and structure.

**12-303-10.04 Dimensional Standards**

Unless otherwise expressly stated, the dimensional standards provided in the chart apply to development in the V District. Additional dimensional standards are contained in Section 12-305.

<b>V</b>	<b>Principal Arterial</b>	<b>Minor Arterial</b>	<b>Major Collector</b>	<b>Minor Collector</b>	<b>Local</b>
<b>Base Setback (from road centerline)</b>	75/60 [1]	50'	40'	35'	35'
<b>Front and Exterior Side Setback (from Base Setback)</b>	25'	25'	25'	25'	25'
<b>Interior Side Setback</b>	10'	10'	10'	10'	10'
<b>Rear Setback</b>	30'	30'	30'	30'	30'
<b>Min. Area</b>	10,000 sq ft [2]	10,000 sq ft [2]	10,000 sq ft [2]	10,000 sq ft [2]	10,000 sq ft [2]
<b>Min. frontage</b>	75' [3]	75' [3]	75' [3]	75' [3]	75' [3][4]
<b>Min. depth</b>	120	120	120	120	120
<b>Max. Height</b>	35'	35'	35'	35'	35'

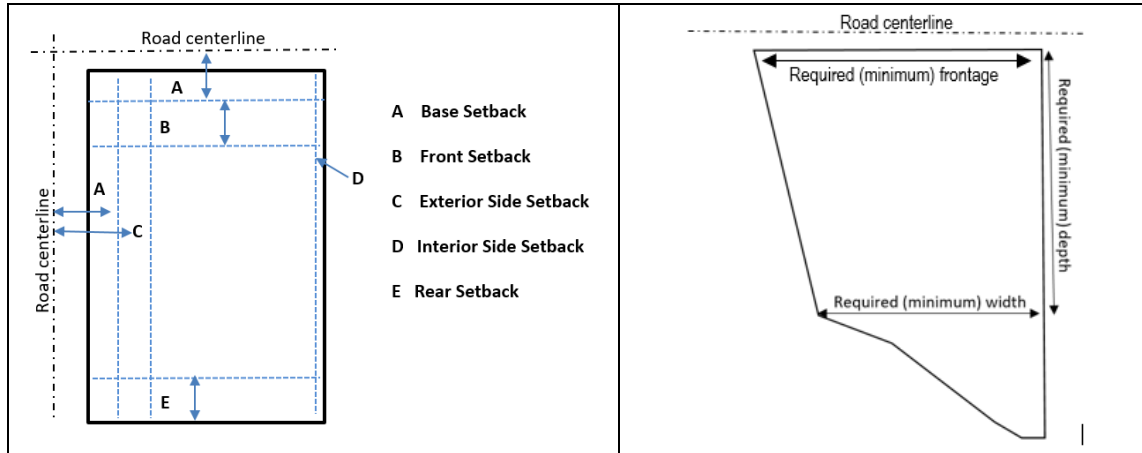
[1] 1<sup>st</sup> number is base setback for principal arterial with median/ 2<sup>nd</sup> number is base setback for principal arterial without median.

[2] Additional area may be required per the Douglas County Sanitary Code for on-site sewage management system



for properties platted after the effective date of these regulations.

- [3] Minimum frontage requirements apply along the road which the property fronts on and takes access to.
- [4] Minimum frontage of 50 feet is required for properties that take access from a cul-de-sac. There is no minimum frontage or width requirement for properties that connect to, and take access from, the terminus of a 'dead end' road; however, a means for turnaround of emergency and road maintenance vehicles must be provided at the end of dead end roads, e.g. enough public road right-of-way and a wide entrance to permit 3-point turns, or a bulb cul-de-sac.



#### 12-303-10.05 Use Specific Regulations

Use Specific Regulations are noted in the Permitted Use Table in Section 12-304-3 with an asterisk and the pertinent section of the Zoning Regulations is referenced in the column to the right labeled 'Use Standards'.

#### 12-303-10.06 Other Regulations

There are a number of other regulations that may apply to development in this district including but not limited to the following:

- a. General Development Standards – Section 12-314
- b. Landscaping/Screening – Section 12-305
- c. Off-Street Parking and Loading – Section 12-311
- d. Sign Regulations – Section 12-314
- e. Lighting Standards – Section 12-314
- f. Additional Dimensional Standards-Section 12-305

**12-303-11 BSC (BIG SPRINGS COMMUNITY) DISTRICT)**

The purpose of the BSC (Big Springs Community) District is to encourage the continued existence and growth of Big Springs, a mixed use community, by establishing a unique set of dimensional and density standards and allowing a variety of uses without the requirement to rezone.

- a. The boundaries of the Big Springs Community zoning district shall be as established with these zoning regulations. Expansion of the district is not encouraged but may occur when the expansion is squaring off the district boundary or allows for the expansion of an existing use onto an undeveloped adjacent parcel.

**12-303-11.01 Permitted Uses**

A building or land shall be used only for the purposes shown in the Permitted Use Table in Section 12-304-3.

**12-303-11.02 Accessory Uses and Structures**

Accessory uses and structures are permitted in connection with any lawfully established principal use, except as otherwise expressly provided in these Zoning Regulations. Accessory uses and structures are subject to the same regulations as the principal use and structure.

**12-303-11.03 Dimensional Standards**

Unless otherwise expressly stated, the dimensional standards provided in the chart apply to development in the BSC District. Additional dimensional standards are contained in Section 12-305.

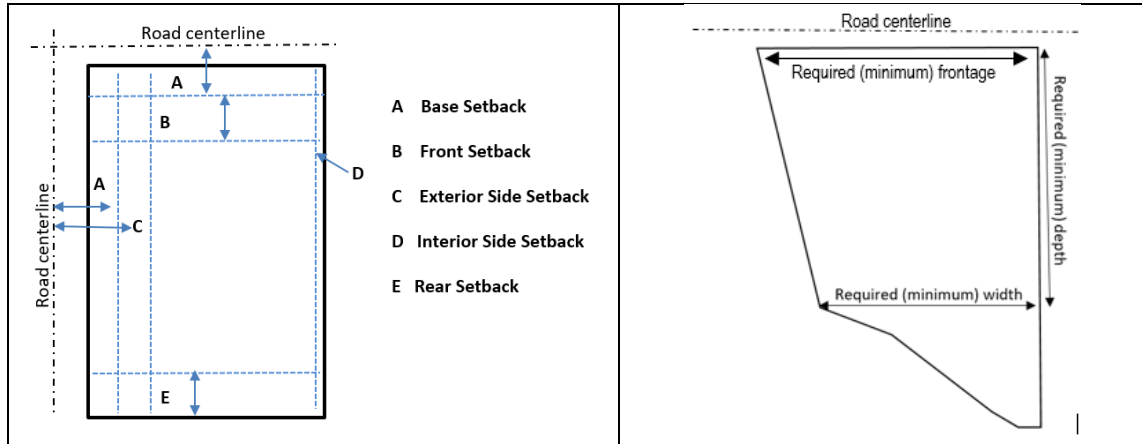
<b>BSC</b>	<b>Principal Arterial</b>	<b>Minor Arterial</b>	<b>Major Collector</b>	<b>Minor Collector</b>	<b>Local</b>
<b>Base Setback (from road centerline)</b>	75/60 [1]	50'	40'	35'	35'
<b>Front and Exterior Side Setback (from Base Setback)</b>	25'	25'	25'	25'	25'
<b>Interior Side Setback</b>	10'	10'	10'	10'	10'
<b>Rear Setback</b>	30'	30'	30'	30'	30'
<b>Min. Area*</b>	10,000 sq ft [2]	10,000 sq ft [2]	10,000 sq ft [2]	10,000 sq ft [2]	10,000 sq ft [2]
<b>Min. frontage</b>	75' [3]	75' [3]	75' [3]	75' [3]	75' [3][4]
<b>Min. depth</b>	120	120	120	120	120
<b>Max. Height</b>	35'	35'	35'	35'	35'

[1] 1<sup>st</sup> number is base setback for principal arterial with median/ 2<sup>nd</sup> number is base setback for principal arterial without median.

[2] Additional area may be required per the Douglas County Sanitary Code for on-site sewage management system for properties platted after the effective date of these regulations.

[3] Minimum frontage requirements apply along the road which the property fronts on and takes access to.

- [4] Minimum frontage of 50 feet is required for properties that take access from a cul-de-sac. There is no minimum frontage or width requirement for properties that connect to, and take access from, the terminus of a 'dead end' road; however, a means for turnaround of emergency and road maintenance vehicles must be provided at the end of dead end roads, e.g. enough public road right-of-way and a wide entrance to permit 3-point turns, or a bulb cul-de-sac.



#### 12-303-11.05 Use Specific Regulations

Use Specific Regulations are noted in the Permitted Use Table in Section 12-304-3 with an asterisk and the pertinent section of the Zoning Regulations is referenced in the column to the right labeled 'Use Standards'.

#### 12-303-11.06 Other Regulations

There are a number of other regulations that may apply to development in this district including but not limited to the following:

- a. General Development Standards – Section 12-314
- b. Landscaping/Screening – Section 12-305
- c. Off-Street Parking and Loading – Section 12-311
- d. Sign Regulations – Section 12-314
- e. Lighting Standards – Section 12-314
- f. Additional Dimensional Standards-Section 12-305

**12-303-12 OVERLAY ZONING DISTRICTS**

The purpose of Overlay Zoning Districts is to provide a tool for addressing special development situations or accomplishing special zoning goals. Overlay districts are a layer of additional performance standards or requirements that are added to, or ‘overlaid’ on top of the requirements in the underlying Zoning District.

**12-303-12.01 Eudora Source Water Protection Overlay District (EWP)**

- a. A Source Water Protection Overlay District has been identified to implement the City of Eudora’s Source Water Protection Plan. The standards and regulations established by the Overlay District shall apply in addition to the underlying zoning district restrictions. Where there is a conflict, the Overlay District standards and regulations shall govern.
- b. This Overlay District encompasses the City of Eudora’s designated public water sources and a two-mile radius around each water source. Only the unincorporated areas within a two-mile radius of the water sources will be subject to the protection measures outlined below. The official Eudora Source Water Protection Overlay District (EWP) map is located in the City of Eudora Source Water Protection Plan, which is available at the Lawrence-Douglas County Planning Office and Eudora City Hall.
- c. For development applications within the City of Eudora’s Source Water Protection Overlay District which include the following uses, the associated water quality protection measures shall be utilized and noted on site plans, certificates of survey, and plats:

Use	Water Quality Protection Measure
Auto Truck Repair Service	Discharge to Publicly Owned Treatment Works (POTW). Manage oil products and used oil so that it is not in contact with water.
Construction and Mining Machinery	Discharge to POTW.
Golf Course	Proper application of fertilizers and pesticides. Proper cleaning of equipment and disposal of chemicals.
Highway and Street Construction	Erosion and sediment control.
Meat Packing Plant Manufacturing	Wastewater pre-treatment and/or discharge to POTW.
Single-family Housing Construction	Proper cleaning and disposal of household hazardous waste. Proper storage, application, and clean up of pesticides and fertilizers.
Veterinary Services, Specialties	Discharge to POTW.
Deciduous Tree Fruit Orchard	Minimize the use of chemicals and pesticides. Maintain good erosion control practices.
Farm Product Warehousing and Storage	Keep the area clean of grain. Use grease traps.
General Farm, Primarily Crop	Maintain good erosion control practices and minimize the use of chemicals.
Repair Services, Not Elsewhere Classified	Discharge to POTW.

[Res 22-20, Sec. 1, E]

**12-303-12.02 Airspace Overlay District (ASO)**

The airspace protection standards and regulations established by this overlay zone shall apply in

addition to the underlying zoning district restrictions. Where there is a conflict, the overlay district standards and regulations shall apply.

**a. Purpose**

The ASO, Airspace Overlay District, is intended to prevent the creation and establishment of hazards to life and property in the vicinity of any public airport within Douglas County, to protect users of the airport, and prevent any unreasonable limitation or impairment on the use and expansion of the airport.

**b. Authority**

The regulations of this District are adopted under the authority granted by K.S.A. Sections 3-701 through 3-713.

**c. Applicability**

The Airspace Overlay District regulations apply to all land or water area lying within the established Airport Control Instrument Approach Zones, Non-Instrument Approach Zones, Transition Zones, Horizontal Zones, and Conical Zones as shown on the Airspace Overlay District Map.

**d. Sub-zones Established**

In order to carry out the provisions of this Overlay District, the following Airspace Zones are established. The Airspace Zones shall be included in the Airspace Overlay District and shown on the Official Zoning District Map.

- 1) Instrument Approach Zone. The Instrument Approach Zone is established at each end of all runways used for instrument landings and takeoffs. The Instrument Approach Zones have a width of 1,000 feet at a distance of 200 feet beyond the end of each instrument runway, widening thereafter uniformly to a width of 16,000 feet at a distance of 50,200 feet beyond each end of the runway, its centerline being the continuation of the centerline of the runway. The Approach Zone extends outward and upward at a slope of 50 ft (horizontal) to 1 ft (vertical) for a horizontal distance of 10,000 ft and at a slope of 40 ft (horizontal) to 1 ft (vertical) to a point 50,200 ft from the end of the runway.
- 2) Non-Instrument Approach Zone. The Non-Instrument Approach Zone is established at each end of all runways used for non-instrument landings and takeoffs. This zone has a width of 500 feet at a distance of 200 feet beyond the end of each non-instrument runway, widening thereafter uniformly to a width of 2,500 feet at a distance of 10,200 feet beyond each end of the runway, its centerline being the continuation of the centerline of the runway. The surface slope is 20 ft (horizontal) to 1 ft (vertical).
- 3) Transition Zone. The Transition Zone is established adjacent to each instrument and non-instrument runway and approach zone as indicated on the Official Zoning District Map. Transition Zones symmetrically located on either side of runways have variable widths as shown on the Official Zoning District Map. Transition Zones extend outward from a line of 250 feet on either side of the centerline of a non-instrument runway for the length of such runway plus 200 feet on each end; and 500 feet on either side of the centerline of an instrument runway for the length of such runway plus 200 feet on each end; and are parallel and level with such runway centerlines. The Transition Zones along such runways slope upward and outward 1 foot vertically for each 7 feet horizontally to the point where they intersect the surface of the Horizontal Zone.

Further, Transition Zones are established adjacent to both Instrument and Non-Instrument Approach Zones for the entire length of these Approach Zones. These Transition Zones have variable widths, as shown on the Official Zoning District Map. Such transition zones flare symmetrically with either side of the runway Approach Zones from the base of such zones and slope upward and outward at the rate of 1 foot vertically for each 7 feet horizontally to the points where they intersect the surfaces of the Horizontal and Conical Zones. Additionally, Transition Zones are established adjacent to the Instrument Approach Zone where it projects through and beyond the limits of the Conical Zone, extending a distance of 5,000 feet measured horizontally from the edge of the Instrument Approach Zones at right angles to the continuation of the centerline of the runway.

4) Horizontal Zone

A Horizontal Zone is that area within a circle with its center at the Airport Reference Point and having a radius of 7,000 feet. The Horizontal Zone does not include the Instrument and Non-Instrument Approach Zones or the Transition Zones.

5) Conical Zone

A Conical Zone is the area that commences at the periphery of the Horizontal Zone and extends outward a distance of 5,000 feet. The Conical Zone does not include the Instrument Approach Zone and Transition Zones.

e. Height Limitations

No structure may be erected, altered, or maintained in any Airspace Zone to a height in excess of the height limit established for such Zone, except as otherwise provided in this section. The following height limitations are hereby established for each of the Airspace Zones:

1) Instrument Approach Zone

One foot in height for each 50 feet in horizontal distance beginning at a point 200 feet from and at the centerline elevation of the end of the instrument runway and extending to a distance of 10,200 feet from the end of the runway; thence 1 foot in height for each 40 feet in horizontal distance to a point 50,200 feet from the end of the runway.

2) Non-Instrument Approach Zone

1 foot in height for each 20 feet in horizontal distance beginning at a point 200 feet from and at the centerline elevation of the end of the non-instrument runway and extending to a point 10,200 feet from the end of the runway.

3) Transition Zone

One foot in height for each 7 feet in horizontal distance beginning at any point 125 feet normal to (perpendicular) and at the elevation of the centerline of non-instrument runways, extending 200 feet beyond each end thereof, and 500 feet normal to (perpendicular) and at the elevation of the centerline of the instrument runway, extending 200 feet beyond each end thereof, extending to a height of 150 feet above Airport elevation. In addition to the foregoing, there are established height limits of 1 foot vertical height for each 7 feet horizontal distance measured from the edges of all Approach Zones for the entire length of the Approach Zones and extending upward and outward to the points where they intersect the horizontal or conical surfaces. Further, where the Instrument Approach Zone projects through and beyond the Conical Zone, a height limit of 1 foot for each 7 feet of horizontal distance shall be

maintained beginning at the edge of the Instrument Approach Zone and extending a distance of 5,000 ft from the edge of the Instrument Approach Zone measured to normal to (perpendicular to) the centerline of the runway extended.

- 4) Horizontal Zone  
Height may not exceed 150 feet above the Airport elevation.
- 5) Conical Zone  
One foot in height for each 20 feet in horizontal distance beginning at the periphery of the Horizontal Zone, extending to a Height of 400 feet above the Airport elevation.

**f. Performance Standards**

Notwithstanding any other provision of this section, no use or development activity may occur on land within any Airspace Overlay District that:

- 1) creates electrical interference with radio communications between the airport and aircraft, including radio and television transmitting towers or studios and large radiation or X-ray equipment;
- 2) includes aboveground storage of petroleum or any other explosive material;
- 3) emits smoke or odor;
- 4) contains lights or signals that may be confused with airport navigational lights;
- 5) results in glare to pilots approaching, leaving or circling the airport or that impairs visibility in the District;
- 6) provides private airfields or runways for the use of aircraft other than those used in the principal airport in the district; or
- 7) otherwise endangers the landing, taking-off, or maneuvering of aircraft.

**g. Nonconformities**

- 1) The regulations set forth in this section do not require the removal, lowering, or other change of any structure not conforming to these regulations or otherwise interfere with the continuance of any nonconforming use, except as provided in Section 12-303-12.04(k), exceptions, and 12-303-12.04(m), hazard marking and lighting.
- 2) The County may require, upon 30-days written notice, any person, firm, association, or corporation owning and maintaining any nonconforming pole or pole line upon the roads and highways immediately adjoining the airport to remove, lower, change, or alter said nonconforming pole or pole line. Prior to the removal, lowering, or changing of the pole or pole line, the owner or owner of the airport, shall pay said person, firm, association or corporation the reasonable and necessary expense of removing, lowering or changing said pole or pole lines; or in lieu thereof shall execute good and sufficient bond with corporate surety thereon as security for the payment of the reasonable and necessary expense of removing, lowering or changing such pole or pole lines. The reasonable and necessary expense of removing, lowering or changing said pole or pole lines may include, among other items of expense, the actual cost of:

- a) constructing underground conduits and the construction of such wires and equipment in such conduits; and
- b) rerouting wires together with the poles, cross arms, and other equipment connected thereto, together with the cost, if any, of new right-of-way made necessary by such rerouting.

**h. Airspace Overlay Permits**

- 1) Except as specifically provided by the exceptions stated in 12-303-12.02(j), no material change may be made in the use of land and no structure may be erected, altered, or otherwise established in any Airspace Overlay District unless an Airspace Overlay District permit (ASO permit) has been applied for and granted.
- 2) Each application for an ASO permit shall indicate the purpose for which the permit is desired, with sufficient information to allow a determination as to whether the resulting use or structure would conform to the regulations set forth in this section. If such determination is in the affirmative, the permit shall be granted.
- 3) No ASO permit may be granted that would allow the establishment or creation of an Airport Hazard or permit a nonconforming use, or structure to be made or become higher, or become a greater hazard to air navigation than it was on the effective date, or the effective date of any amendments hereto, or than it is when the application for a permit is made. Except as provided herein, all applications for permits shall be granted.

[Res. 23-21, Sec. 1,B]

**i. Nonconforming Structures**

Before any nonconforming structure may be replaced, substantially altered or repaired, rebuilt, or increased in height, an ASO permit shall be obtained authorizing such replacement, alteration, change or repair.

**j. Exceptions**

- 1) In the area lying within the limits of the Horizontal Zone and the Conical Zone, no ASO permit will be required for any structure less than 75 feet in vertical height above the ground, except where, because of terrain, land contour or topographic features, such structure would extend above the height limits prescribed for such zones.
- 2) In the areas lying within the limits of the Instrument and Non-Instrument Approach Zones but at a horizontal distance of not less than 4,200 feet from each end of the runways no ASO permit will be required for any structure less than 75 feet in vertical height above the ground, except where, because of terrain, land contour or topographic features, such structure would extend above the height limits prescribed for the Instrument or Non-Instrument Approach Zone.
- 3) In the areas lying within the limits of the Transition Zones beyond the perimeter of the Horizontal Zone, no ASO permit will be required for any structure less than 75 feet in vertical height above the ground except where such structure, because of terrain, land contour or topographic features would extend above the height limit prescribed for such Transition Zones.



- 4) Nothing contained in any of the foregoing exceptions will be construed as permitting or intending to permit any construction, or alteration of any structure in excess of any of the height limits established by this section.

**k. Variances**

Any person desiring to erect any structure or increase the height of any structure, or otherwise use his property in violation of the Airspace Overlay District regulations, may apply to the Board of County Commissioners of Douglas County for a variance from the zoning regulations in question. Such variances will be allowed where a literal application or enforcement of the regulations would result in practical difficulty or unnecessary hardship and the relief granted would not be contrary to the public interest but do substantial justice and be in accordance with the spirit of this section: Provided, that any variance may be allowed subject to any reasonable conditions that the Board of County Commissioners may deem necessary to effectuate the purposes of this section.

**l. Hazard Marking and Lighting**

Any permit or variance granted may, if such action is deemed advisable to achieve the purposes of this section and be reasonable in the circumstances, be so conditioned as to require the owner of the structure in question to permit the City of Lawrence, at its own expense, to install, operate, and maintain thereon such markers and lights as may be necessary to indicate to flyers the presence of an Airport Hazard.

**m. Administration and Enforcement**

For the purposes of this section and pursuant to K.S.A. 3-707, the Lawrence/Douglas County Metropolitan Planning Commission shall be the Airport Zoning Commission and will have responsibility for administering and enforcing the regulations set forth in this section.

- 1) In particular, the Airport Zoning Commission shall review all ASO permit applications and determine if such should be granted. If an application is found to conform to all the Airspace Overlay District regulations, the Airport Zoning Commission shall grant the permit.
- 2) Applications for permits and variances shall be made to the Planning Director upon forms furnished by the Planning Director.
  - a) Applications for permits shall be submitted at least 35 days prior to a regular meeting of the Planning Commission.
  - b) Applications for variances shall be submitted at least 35 days prior to a regular meeting of the Board of County Commissioners.

**n. Conflicting Regulations**

In the event of conflict between the Airspace Overlay District regulations and any other regulations applicable to the same area, whether the conflict be with respect to the height of structures, use of land, or any other matter, and whether such other regulations were adopted by Douglas County or any other unit of local government, the more stringent limitation or requirements as to Airport Hazards will govern and prevail.

[Res. 22-20, Sec 1, E]