

ARTICLE 16  
PERFORMANCE STANDARDS

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16-101 Purpose: The regulations set forth in this Article, or set forth elsewhere in this Ordinance when referred to in this Article, are the performance standards for uses permitted within this Ordinance. The standards established herein are intended to provide guidance in the development or redevelopment of property in Valley Falls for the purpose of encouraging and requiring orderly development at a quality level generally equal to or exceeding that commonly found elsewhere in the community. The standards stated within this Article are the minimum required or maximum permitted, whichever the case may be, for the uses permitted in this Ordinance.

16-102 Performance Standards - Districts "R-1A", "R-1B", R-1C" and "R-2": The following are the performance standards for the "R-1A" Single-Family Residential District, "R-1B" Single-Family Residential District, "R-1C" Single-Family Residential District, and the "R-2" Two-Family Residential District:

1. No main or accessory building or structure shall project beyond the property line. Nothing shall be allowed to be placed in any public right-of-way without the express permission of the City.
2. Residential real estate sales offices are subject to the following standards:
  - a. There shall be only one residential sales office in any one subdivision.
  - b. All sales shall be limited to the sale of new properties located within that subdivision.
  - c. Any sales office within a subdivision shall be located within a permanent residential structure with a minimum dwelling size equal to or greater than that of the zoning district. Manufactured homes, mobile homes, and construction trailers shall not be permitted.
  - d. No additional parking facilities other than adjacent on-street parking or customary driveway parking shall be permitted.
  - e. Upon issuance of any final approval of construction for 90% of the lots within the subdivision, the sales office shall be terminated.

- f. A model home complex operated in conjunction with a residential sales office may include a decorative fence in the front yard enclosing or defining the extent of the complex. To qualify as a decorative fence, the surface of the fence must be at least 50 percent open, the fence cannot be constructed of chain link or other wire materials, and the fence cannot exceed 4 feet in height. The front yard fence shall be removed upon the termination of the sales office.
3. In order for residential-design manufactured homes, when installed, to have substantially the appearance of an on-site, conventionally built, single-family dwelling in this City, the following criteria and standards shall apply:
    - a. The pitch of the roof of the manufactured home has a minimum vertical rise of 3 inches for each 12 inches of vertical run, and the roof is finished with a type of shingle that is commonly used in standard residential construction in the City.
    - b. All roof structures shall provide an eave projection of no less than one (1) foot, which may include a gutter.
    - c. The exterior siding consists predominantly of vinyl or metal horizontal lap siding (whose reflectivity does not exceed that of gloss white paint), wood, or hardboard, comparable in composition, appearance and durability to the exterior siding commonly used in residential construction in the City.
    - d. The manufactured home is set up in accordance with the recommended installation procedures of the manufacturer and the standards set by the National Conference of States on Building Codes and Standards and published in "Manufactured Home Installations, 1987" (NCS BCS A225.1), and a continuous, permanent masonry foundation or masonry curtain wall, unpierced except for required ventilation and access which may include walk-out basements and garages, is installed under the perimeter of the manufactured home.
    - e. Stairs, porches, entrance platforms, ramps and other means of entrance and exit to and from the manufactured home shall be installed or constructed firmly to the primary structure and anchored securely to the ground. All said construction shall be in accordance with the adopted building codes of Valley Falls, Kansas.
    - f. The moving hitch, wheels and axles, and transporting lights shall be removed.

**16-103 Performance Standards - Districts "RP-3" and "RP-4":** The following are the performance standards for uses in the "RP-3" Planned Medium Density Residential District and the "RP-4" Planned Apartment House District:

1. Pedestrian circulation systems (sidewalks, walkways and paths) shall be located and designed to provide separation from automobile traffic along all public and private streets, drives and parking areas.

2. Site drainage patterns shall be designed, graded and constructed to prevent surface drainage from collecting on or flowing across pedestrian paths, walks and sidewalks.
3. The maximum lot coverage shall be sixty percent (60%) for properties zoned "RP-3" and sixty-nine percent (69%) for properties zoned "RP-4".
4. A minimum of ten percent (10%) of landscaped open space shall be provided on each site as common or semi-common areas open for use and available to all persons who may reside on the premises.

**16-104 Performance Standards - Districts "CP-0" and "CP-1":** The following are the performance standards for uses in the "CP-0" Planned Commercial Office District and the "CP-1" Planned Neighborhood Commercial District:

1. Light sources shall be controlled or hooded so that light is directed away from any adjoining residentially zoned property or public streets.
2. No smoke, radiation, vibration or concussion, or heat shall be produced that is perceptible outside a building, and no dust, fly ash, or gas that is toxic, caustic or obviously injurious to humans or property shall be produced.

**16-105 Performance Standards - Districts "CP-2" and "CP-3":** The following are the performance standards for uses in the "CP-2" Planned General Commercial District and the "CP-3" Planned Highway Service Commercial District:

1. Light sources shall be controlled or hooded so that light is directed away from any adjoining residentially zoned property or public streets.
2. No smoke, radiation, vibration or concussion, or heat shall be produced that is perceptible outside a building, and no dust, fly ash, or gas that is toxic, caustic or obviously injurious to humans or property shall be produced.
3. Merchandise which may be appropriately displayed or stored outside a building shall be kept off the public sidewalks and streets, and shall not reduce the capacity of a parking lot below that specified in Article 25 herein. In addition, the outdoor storage or display area shall occupy an area no greater than twenty percent (20%) of the ground floor area of the building. Automobiles and trucks for sale may be stored or displayed outside a building, but must maintain a setback of at least 10 feet from a street right-of-way, or 6 feet from a side or rear lot line.
4. Any manufacturing or assembly of products shall be entirely within a totally enclosed building.

**16-106 Performance Standards - District "CP-4":** The following are the performance standards in the "CP-4" Planned Central Business District:

1. Only that property which is designated "CP-4" on the official zoning map shall be subject to the requirements of the "CP-4" Zoning District.

2. Light sources shall be controlled or hooded so that light is directed away from any adjoining residentially zoned property or public streets.
3. No smoke, radiation, vibration or concussion, or heat shall be produced that is perceptible outside a building, and no dust, fly ash, or gas that is toxic, caustic or obviously injurious to humans or property shall be produced.
4. Merchandise which may appropriately be displayed or stored outside a building shall be kept off the public sidewalks and streets, except during special promotional activities and sales approved by the Governing Body with a special event permit.

16-107 Performance Standards - District "IP-1": The following are the performance standards in the "IP-1" Planned Light Industrial District:

1. Light sources shall be controlled or hooded so that light is directed away from any adjoining residentially zoned property or public streets.
2. No emission of air contaminants from any source within the boundaries of any lot or tract shall exceed emission rates established by the Kansas Secretary of Health and Environment pursuant to K.S.A. 65-3001 et seq., or amendments thereto, and any administrative regulations adopted thereunder.
3. No activity shall be permitted that creates any off-site electrical disturbance.
4. Areas devoted to retail sales of commodities manufactured, processed, fabricated, assembled, warehoused, or stored on the premises shall not exceed ten percent (10%) of the gross floor area of the main use, and in no event shall such areas exceed 5,000 square feet.

~~16~~<sup>16</sup>-108 Performance Standards - Districts "IP-2": The following are the performance standards in the "IP-2" Planned Medium Industrial District:

1. Light sources shall be controlled or hooded so that light is directed away from any adjoining residentially zoned property or public streets.
2. No emission of air contaminants from any source within the boundaries of any lot or tract shall exceed emission rates established by the Kansas Secretary of Health and Environment pursuant to K.S.A. 65-3001 et seq., or amendments thereto, and any administrative regulations adopted thereunder.
3. No activity shall be permitted that creates any off-site electrical disturbance.
4. Areas devoted to retail sales of commodities manufactured, processed, fabricated, assembled, warehoused, or stored on the premises shall not exceed ten percent (10%) of the gross floor area of the main use, and in no event shall such areas exceed 5,000 square

16-109 Performance Standards - Conditional Uses: The following are the performance standards for Conditional Uses authorized by this Ordinance.

1. No smoke, radiation, vibration or concussion, or heat shall be produced that is perceptible outside a building, and no dust, fly ash, or gas that is toxic, caustic or obviously injurious to humans or property shall be produced.
2. Any manufacturing or assembly of products shall be entirely within a totally enclosed building.
3. No emission of air contaminants from any source within the boundaries of any lot or tract shall exceed emission rates established by the Kansas Secretary of Health and Environment pursuant to K.S.A. 65-3001 et seq., or amendments thereto, and any administrative regulations adopted thereunder.
4. No activity shall be permitted that creates any off-site electrical disturbance.
5. Light sources shall be controlled or hooded so that light is directed away from any adjoining residentially zoned property or public streets.