



AGENDA
PLANNING COMMISSION
 Tuesday June 22, 2021 – 5:30 PM
 City Council Chamber, 125 E Avenue B

1. ROLL CALL

- | | | |
|---|-----------------------------------|--|
| <input type="checkbox"/> Richardson | <input type="checkbox"/> Gamber | <input type="checkbox"/> Inskeep |
| <input type="checkbox"/> Leuenberger | <input type="checkbox"/> Hickman | <input type="checkbox"/> Roberts-Ropp |
| <input type="checkbox"/> Calhoun (Vice Chair) | <input type="checkbox"/> Peterson | <input type="checkbox"/> Swearer (Chair) |

2. APPROVAL OF MINUTES – Meeting of May 25, 2021

3. CORRESPONDENCE & STAFF REPORTS – Motion to accept correspondence and staff reports into the official record.

4. PUBLIC HEARINGS - None

5. NEW BUSINESS

a. Study Session: Language Amendment

Request to review multiple language amendment proposals.
(Staff Representative: Ryan Hvitløk, Director of Planning & Development)

6. UPCOMING CASES

a. July 13, 2021

1. **ZA21-000003 – Language Amendments**
2. **SUP21-000001 – Motor Vehicle Repair (Light-Medium)**

7. ADMINISTRATIVE CASES

- a. **SIT21-000001** – Industrial Building Expansion (Pending)
- b. **SIT21-000002** – Self-Service Storage Buildings (Pending)
- c. **SIT21-000003** – Self-Service Storage Building (Pending)

8. COUNCIL ACTION ON CASES

9. OPEN COMMENTS FROM THE AUDIENCE (Please limit comments to five minutes.)

10. ANNOUNCEMENTS

11. ADJOURNMENT

Staff Contacts:	Ryan Hvitløk	620-694-2681	Vacant	620-259-4198
	Amy Allison	620-694-2638	Vacant	620-259-4134
	Charlene Mosier	620-259-4133	Vacant	620-694-2667

1. ROLL CALL

The Planning Commission meeting was called to order at 5:30 pm with the following members present: Rod Calhoun (8/8), Jon Richardson (8/8), Logan Leuenberger (7/8), Robert Hickman (7/8), Dave Inskeep (6/7), Jane Gamber (7/8) and Jackson Swearer (8/8) (Chair). Darryl Peterson (3/8) and Valerie Roberts-Ropp (1/8) were absent.

Planning Staff present were Ryan Hvitløk, Director of Planning & Development; Amy Allison, Senior Planner; and Charlene Mosier, Planning Tech. Izzy Rivera, Building Official, was also in attendance.

2. APPROVAL OF MINUTES

The minutes of the May 11, 2021 meeting were approved on a motion by Inskeep, seconded by Hickman, passed unanimously.

3. CORRESPONDENCE & STAFF REPORTS

The documents and staff reports were accepted into the official record on a motion by Leuenberger, seconded by Richardson, passed unanimously.

4. PUBLIC HEARINGS – None.

5. NEW BUSINESS

a. Study Session: Language Amendment

Hvitløk said in the future, text amendments will be considered twice a year. This will give staff preparation time and allow combining of legal notices which are added costs due to public hearing requirements. Hvitløk reviewed the Planning Commission study session for proposed text changes to allow for accessory structures in front of a principal structure with design requirements.

The Board of Zoning Appeals has heard two recent variance requests to allow for an accessory structure to be in front of the principal structure on a property. The Board denied one variance request and a second one is pending. The Board asked staff to study the issue of permitting accessory structures in front of the principal structure.

The intent of accessory structures is that they are subordinate to the principal building on a parcel. Currently Section 27-503 of the Zoning Ordinance allows placing accessory structures associated with resident development in front of the principal building with an

Administrative Adjustment and the following requirements:

- Property is at least 3 acres in area
- Meets the minimum setbacks of the zoning district
- Constructed of wood or other elements typically associated with residential construction.

An administrative adjustment allows comments from neighbors on the proposed project and the requirements of the administrative adjustment furthers the intent that an accessory structure should not be the dominant feature of a property. Staff recommends removing the 3-acre requirement, which would allow for an accessory structure in front of the principal structure if the accessory structure meets all the required setbacks, including front yard setback and is constructed of materials typically associated with residential construction. This proposal would allow properties residential accessory structure location that have a home not build to the front setback line to have an accessory structure between the plane of the front wall and the front setback line.

The Commission discussed the proposal and the consensus was that this would be a good compromise.

Staff recommends proceeding with amendments to the regulations pertaining to the allowance of accessory structure in front of a principal structure with design requirements.

Motion by Calhoun, seconded by Inskeep to direct staff to proceed with amendments to the Zoning Regulations pertaining to the location of accessory structures.

A public hearing would be held June 22, 2021 and the City Council will hear the case on July 6, 2021.

b. Study Session: Gravel Parking and Drive Aisles in Commercial Zoning Districts

Request for Planning Commission study session to discuss changing the parking pavement requirements.

The Board of Zoning Appeals heard a recent variance request to gravel expanded drive aisles on a commercially zoned property that currently has gravel parking. The Board denied the variance request and asked staff to study the issue of allowing for gravel parking for commercially zoned properties that already have gravel parking.

Gravel parking has been prohibited for commercial zoned properties since 2011. The intent behind prohibiting gravel in commercial areas is an aesthetic and maintenance issue. Gravel can be dusty and tracked out onto the City's right-of-way. Gravel can be an issue in winter weather where the material is difficult to clear off ice and snow. In 2019 the ordinance was amended to allow for existing businesses with gravel or unpaved areas to be allowed to pave with millings and slurry seal rather than concrete or asphalt as required for new construction. Staff would be opposed to any expansion of gravel parking in commercial zones.

The Commission agreed the current regulations are more lenient than prior to 2011 and the goal is to keep improving properties, even if a little at a time. They recommended keeping the regulations as they currently are for paving requirements.

Motion by Richardson, seconded by Calhoun, to direct staff to not proceed with amendments to the Zoning Regulations pertaining to paving standards for commercial parking lots.

6. UPCOMING CASES

a. June 8, 2021

1. Potential Study Session: Language Amendments

Hvitlok asked the commission about the options of placing storage containers in the downtown area. They are not currently allowed in the C-5 zone and there has been a request to locate one downtown. Storage containers are considered an accessory structure if permanently placed on the property. Izzy Rivera pointed out that the structure has to meet building codes and must be anchored to a foundation. This may vary depending on how the structure is used.

The Commission thought storage containers could be utilized in some areas and possibly reviewing using them as an option with a special use permit. Staff will look at this further and bring back at a future meeting.

7. ADMINISTRATIVE CASES

- a. SIT21-000001 – Industrial Building Expansion (Pending)
- b. SIT21-000002 – Self-Service Storage Buildings (Pending)
- c. SIT21-000003 – Self-Service Storage Building (Pending)

8. COUNCIL ACTION ON CASES

- a. SDF21-000002 – SW Bricktown No 1 Addition (Approved)
- b. SDF21-000003 – Meadowlark Dunes Addition (Approved)

9. OPEN COMMENTS FROM THE AUDIENCE

a. None.

10. ANNOUNCEMENTS

a. Hvitlok said City issued I-pads can be updated and if any member needs use of one, let staff know.

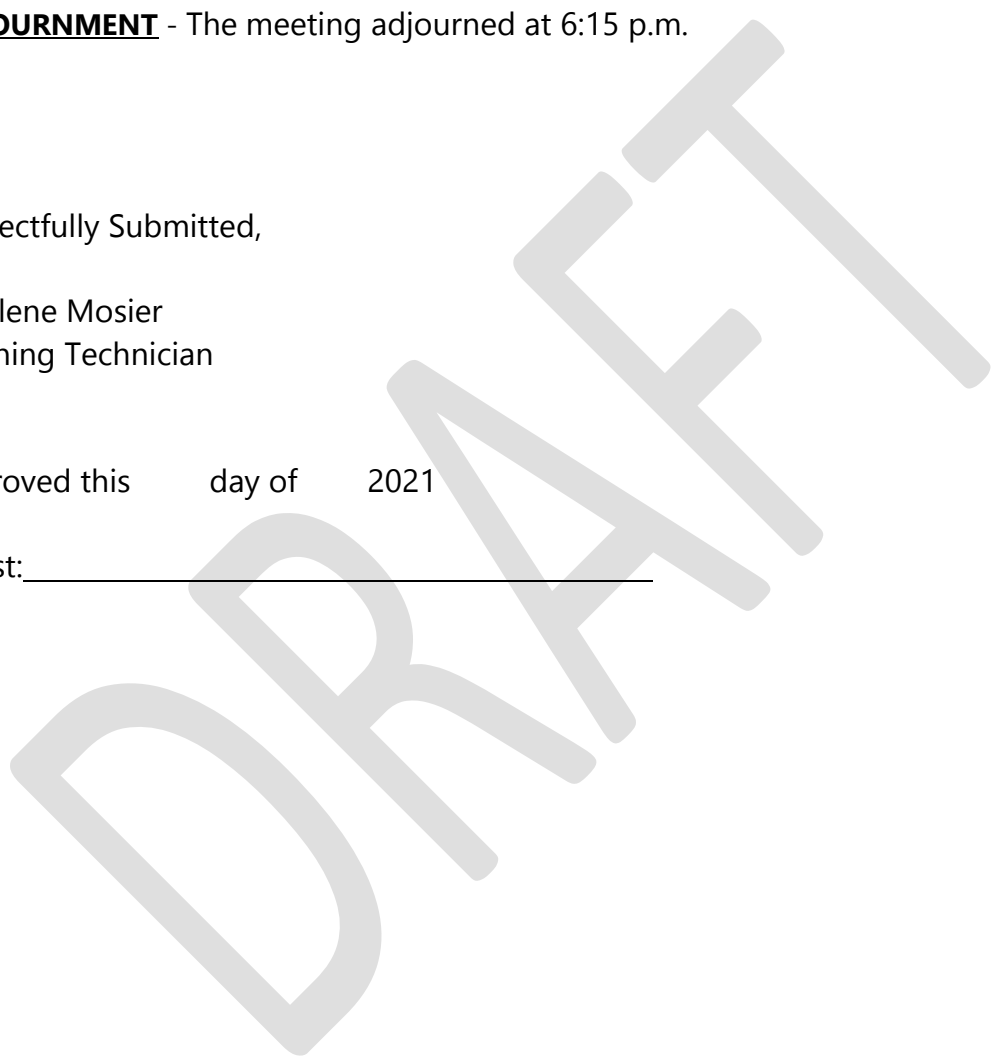
11. ADJOURNMENT - The meeting adjourned at 6:15 p.m.

Respectfully Submitted,

Charlene Mosier
Planning Technician

Approved this day of 2021

Attest: _____





**Planning Commission Staff
Report**

Public Hearing: July 13, 2021

DATE: June 16, 2021

TO: Hutchinson Planning Commission

FROM: Ryan Hvitløk, AICP
Director of Planning & Development

THROUGH: Jeff Cantrell
City Manager

**SUBJECT: STUDY SESSION:
Portable Storage Units for Long-Term or Permanent Use**

FOR MEETING: June 22, 2021

REQUEST:

Request for Planning Commission study session to review proposed text changes for supplemental standards for portable storage units for long-term or permanent use.

Staff Recommendation:

Staff recommends proceeding with amendments to the regulations pertaining portable storage units for long-term or permanent use.

Motion:

Motion to direct staff to (proceed / modify and proceed / not proceed) with amendments to the Zoning Regulations for portable storage units.

BACKGROUND:

Prior to the 2018 Table of Land Uses amendment to the Zoning Ordinance portable storage units for long-term or permanent use were permitted by right in the I-1, I-2, and I-3 zoning districts and by a Conditional Use Permit in the C-4, C-5, and EN zoning districts, as an accessory use. The only design standards for this accessory use were that the unit must comply with setbacks and that units shall be permanently anchored to the ground. This section was inadvertently repealed in 2018 with the intent that design requirements would be implemented. With staffing changes this was never revisited and currently the design requirements in the use table direct to the repealed section.

ANALYSIS:

The Zoning Ordinance intends for portable storage and multi-modal containers to be an accepted accessory use for storage uses in certain zoning districts. Staff reviewed several ordinances around the state including Wichita, Hays, Gardner, and Leoti and they all permit this use as accessory only and have design and locational requirements. The allowance for these containers for long-term or permanent uses is typically limited to heavy commercial and industrial areas. Staff recommends that the usage of a portable storage container or multi-modal shipping container as an accessory storage use is permitted by right in the I-1, I-2, and I-3 zoning districts and with a special use permit in the C-4 and C-5 zoning districts. In addition, this use would have the following supplemental regulations regardless of the district it is permitted in:

- Subject to a plan review by the DRC
- No more than one container per lot, a maximum of two containers on platted lots larger than one acre
- Shall be located at least five feet behind the front wall line of the principal building on the site
- Shall meet all yard and setback regulations
- All signage on the cargo container shall be removed and the cargo container shall match the colors of the principal building or painted an earth tone color that complements and appears inconspicuous against the color of the principal building
- The container shall be permanently anchored to the ground, and must be maintained so that the container is safe, structurally sound, stable, and in good repair
- Vertical stacking of containers and/or stacking materials on top of the container shall be prohibited
- Containers shall not be modified for habitation, are prohibited from having windows, heating and cooling, plumbing, or multiple entrances. Electric and ventilation systems are permitted to meet minimum codes and standards for lighting and air circulation for storage purposes.

NEXT STEPS:

The following tentative schedule is proposed.

June 22, 2021 – Study Session

July 13, 2021 – Public Hearing

July 20, 2021– City Council Adoption



**Planning Commission Staff
Report**

Public Hearing: July 13, 2021

DATE: June 16, 2021

TO: Hutchinson Planning Commission

FROM: Ryan Hvitløk, AICP
Director of Planning & Development

THROUGH: Jeff Cantrell
City Manager

SUBJECT: STUDY SESSION:
Fuel Storage Tanks; Fuel Storage and Dispensing (non-commercial) in the C-4 zoning district

FOR MEETING: June 22, 2021

REQUEST:

Request for Planning Commission study session to review proposed text changes for the allowance of fuel storage tanks and non-commercial fuel dispensing as an accessory use in the C-4 zoning district.

Staff Recommendation:

Staff recommends proceeding with amendments to the regulations pertaining to non-commercial fuel storage and dispensing.

Motion:

Motion to direct staff to (proceed / modify and proceed / not proceed) with amendments to the Zoning Regulations for non-commercial fuel storage and dispensing.

BACKGROUND:

Currently the Zoning Ordinance only permits non-commercial fuel storage and dispensing in the industrial and P/I zoning districts as an accessory use with design requirements. Staff received a request from a local car dealership regarding placing above ground tanks with a gas pump to fuel the vehicles they sell. The need to fuel vehicles they sell is an incidental and subordinate part of their business and staff believes this is an appropriate accessory use.

ANALYSIS:

The Zoning Ordinance allows for non-commercial fuel storage and dispensing in industrial districts. The reasoning is that this use has typically been more associated with industrial uses. Because of the limit to industrial districts, the design requirements are minimal and limited to location, setback, and dust-free surfaces for access. Staff is recommending size, location, and screening limitations/requirements in the C-4 zoning district, like other mechanical equipment. Furthermore, KDHE and the Fire Code have additional requirements and standards for aboveground storage tanks. Staff proposes the following design requirements for aboveground non-commercial fuel storage tanks and dispensing in the C-4 zoning district:

- Accessory to a permitted use
- No larger than 1,100 gallons capacity per aboveground tank

- Located in a non-required rear or interior side yard, setback a minimum of 20 feet from the property lines, and that does not abut a residential zoning district
- Shall meet all the City of Hutchinson's fire protection code and building codes, as well as any State of Kansas and federal regulations related to such use
- Aboveground tanks shall be enclosed and screened on all four sides from public view with a solid fence of wood or vinyl, or a solid wall which completely conceals the tank from public view. Chain link with vinyl slats may be used for the gate or doorway to the enclosure.

NEXT STEPS:

The following tentative schedule is proposed.

June 22, 2021 – Study Session

July 13, 2021 – Public Hearing

July 20, 2021– City Council Adoption