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Passed: May 18, 2021
Published: May 21, 2021

ORDINANCE NO 2021 - 10

**AN ORDINANCE AMENDING SECTIONS 27-406.B and 27-406.B.21, OF
CHAPTER 27 OF THE CODE OF THE CITY OF HUTCHINSON, KANSAS**

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HUTCHINSON,
KANSAS:

Section 1. That Article IV, Section 27-406.B. Use Table - Commercial, be amended as follows:

B. Use Table – Commercial

USE CATEGORY Specific Use	RESIDENTIAL					COMMERCIAL				INDUSTRIAL / OTHER				Design Standards & Use Restrictions ¹
	TA R-1 R-2	R-3 R-4	R-5	R-6	MH MP	C-1	C-2	C-3 C-4	C-5	I-1 I-2	I-3 A-1	C-R E-N	P/I	
COMMERCIAL														
ADULT ENTERTAINMENT	N	N	N	N	N	N	N	S	N	S	S	N	N	See 27-406.B.1.
ANIMAL SERVICES, EXCEPT AS LISTED BELOW:	H	H	N	H	N	P	P	P	P	N	N	P	N	See 27-901. & Ch 7 of this Code
Boarding / Shelter / Veterinary Services and Animal Hospitals	D	N	N	N	N	N	N	D	N	N	N	N	D	See 27-406.B.2.
Stables	D	N	N	N	N	N	N	N	N	N	N	N	N	See 27-406.B.3.
EATING & DRINKING ESTABLISHMENTS, EXCEPT AS BELOW:	N	N	D	D	N	P	P	P	P	N	D	D	D	See 27-406.B.4.
Bar/Tavern	N	N	N	N	N	N	N	P	P	N	N	N	P	See Ch 18, Alcoholic Liquors & Beverages
Class A Club	N	S	S	S	N	P	P	P	P	P	P	D	P	See 27-406.B.5.
Drive-In/Thru restaurant	N	N	N	N	N	N	N	D	D	N	N	D	N	See 27-406.B.6.
Mobile vendor park	N	N	N	N	N	D	D	D	D	D	D	D	D	See 27-406.B.7.
MEDICAL CARE, INCLUDING OFFICE, EXCEPT AS BELOW:	N	N	N	N	N	P	P	P	P	N	N	P	P	
Extended care facility	N	N	D	N	N	P	P	P	D	N	N	P	P	See 27-406.B.8.
Hospital	N	N	N	N	N	N	N	P	D	N	N	P	P	
OFFICE, GENERAL	N	N	N	N	N	D	D	P	P	D	D	P	P	See 27-406.B.9.
PARKING FACILITIES:														
Accessory	P	P	P	P	P	P	P	P	P	P	P	P	P	See 27-908.E. & See 27-702.
Principal use	N	N	N	N	N	P	P	P	P	P	P	P	P	

Key: P= Permitted Use S = Special Use C = Conditional Use N = Not Permitted D=Permitted with Design Requirements H=Home Occupation Only

¹Where parking, screening and other standards that are established elsewhere in this Article conflict with the standards established in Sec. 27-406.B.1. through Sec. 27-406.B.33. the provisions of this Section shall prevail.

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	TA R-1 R-2	R-3 R-4	R-5	R-6	MH MP	C-1	C-2	C-3 C-4	C-5	I-1 I-2	I-3 A-I	C-R E-N	P/I	
COMMERCIAL (CONT'D)														
PUBLIC, INSTITUTIONAL & CIVIC FACILITIES, EXCEPT AS BELOW:	D	D	D	D	D	P	P	P	P	P	P	P	P	See 27-406.B.10.
Cemetery	D	N	N	N	N	N	N	D	N	N	N	N	D	See 27-406.B.11.
Cremation	D	N	N	N	N	N	D	D	N	N	N	N	D	See 27-406.B.12.
Child or adult day care center / Day care home (not owner occupied only)	S	S	S	S	N	D	D	D	D	D	D	D	D	See 27-406.B.13. & 27-903
Day care home (owner occupied only)	H	H	H	H	H	H	H	H	H	N	N	H	N	See 27-903
Detention center	N	N	N	N	N	N	N	C	N	N	C	N	C	See 27-406.B.14.
Large-scale assembly (>20,000 SF)	S	S	S	S	N	D	D	D	D	N	N	S	D	See 27-406.B.15.
RECREATIONAL & ENTERTAINMENT FACILITIES, AS LISTED BELOW:														
Passive recreation and small-scale active recreation (< 1 acre)	D	D	D	D	D	P	P	P	P	P	P	P	P	See 27-406.B.16.
Active recreation (1+ acres) and athletic fields	D	D	D	D	D	D	D	D	D	N	N	D	P	See 27-406.B.17.
Stadiums	N	N	N	N	N	N	D	D	D	N	N	D	D	See 27-406.B.18.
Commercial recreation and entertainment, including movie theatres, drive-in theatres and motorized recreation	N	N	N	N	N	N	D	D	D	D	D	D	D	See 27-406.B.19.

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COMMERCIAL (CONT'D)														
REPAIR, EXCEPT VEHICLE REPAIR:	H	H	H	H	N	D	D	D	D	D	D	D	D	See 27-406.B.20. 27-901
RETAIL RENTAL & SALES:														
Ammunition / Firearms / Gunsmiths *Permitted in I-3 only	H	H	H	H	H	N	N	D	D	D	*D	N	N	See 27-406.B.21.
Large (> 18,000 SF)	N	N	N	N	N	N	N	D	D	N	N	N	N	See 27-911
Medium (3001 – 18,000 SF)	N	N	N	N	N	N	N	P	P	N	N	P	N	
Outdoor retail sales	N	N	N	N	N	D	D	D	D	N	N	D	N	See 27-406.B.22.
Small (up to 3000 SF)	N	N	N	D	N	P	P	P	P	D	D	P	D	See 27-406.B.23.
TRANSIENT ACCOMMODATIONS														
Bed & breakfast	D	D	D	D	N	D	D	D	D	N	N	D	N	See 27-406.B.24.
Recreational Vehicle Park	N	N	N	N	N	N	N	C	N	C	N	N	N	See 27-906
Hotel, Motel, Extended Stay	N	N	D	N	N	D	D	P	P	N	N	D	N	See 27-406.B.25.
SERVICES (PERSONAL), EXCEPT AS BELOW:	H	H	H	H	H	P	P	P	P	D	D	P	D	See 27-406.B.26.
Dry cleaner	N	N	N	N	N	N	P	P	P	N	N	P	N	
STORAGE, SELF-SERVICE	N	N	N	N	N	N	D	D	N	D	D	D	N	See 27-406.B.27.
UTILITIES, EXCEPT AS BELOW:	P	P	P	P	P	P	P	P	P	P	P	P	P	
Wind Energy Conversion Systems	*	*	*	*	*	*	*	*	*	*	*	*	*	*See 27-923
Wireless Communication Facilities (Public ROW)	D	D	D	D	D	D	D	D	D	D	D	D	D	See 27-406.B.28.
Wireless Communication Facilities (Private property)	**	**	**	**	**	**	**	**	**	**	**	**	**	**See 27-921

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COMMERCIAL (CONT'D)														
VEHICLE SALES, SERVICE AND STORAGE, EXCEPT AS NOTED BELOW:	N	N	N	N	N	P	P	P	P	N	N	P	N	
Boat / RV storage	N	N	N	N	N	N	N	D	N	D	D	N	N	See 27-406.B.29.
Car wash, light-medium duty vehicles	N	N	N	N	N	D	D	D	D	D	D	D	D	See 27-901.J.
Fueling station	N	N	N	N	N	N	D	D	D	D	D	D	D	See 27-901.30.
Inoperable vehicle storage, accessory use	N	N	N	N	N	N	N	D	D	D	D	D	D	See 27-406.B.31.
Motor vehicle repair (light- medium)	N	N	N	N	N	N	N	S	S	S	S	S	D	See 27-406.B.32.
Truck stop	N	N	N	N	N	N	N	D	N	D	D	N	N	See 27-406.B.33.

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Section 2. That Article IV, Section 27-406.B.21. Ammunition and Firearms Sales, Design Standards & Use Restrictions of the Hutchinson City Code be amended as follows:

21. Ammunition and Firearms Sales Design Standards & Use Restrictions

Ammunition and firearms sales shall be permitted in the zoning districts noted in Table 27-406.B., pursuant to meeting the following requirements:

- a. All state and federal permits shall be obtained.
- b. In the residential zoning districts, gunsmithing shall be permitted as a Home Occupation. Sales of ammunition shall be prohibited. Internet sales of firearms shall be permitted.
- c. Indoor ranges shall be permitted as an accessory use in the commercial and industrial zoning districts.
- d. Retail sales shall be limited to no more than 3,000 square feet in the industrial zoning districts.

Section 3. That the existing Section 27-406.B. and Section 27-406.B.21. of Chapter 27 of the Code of the City of Hutchinson be repealed.

Section 4. That all other sections of Chapter 27 shall remain in full force and effect.

Section 5. This ordinance shall take effect and be in force from and after its passage and publication once in the official City newspaper.

PASSED BY THE GOVERNING BODY, this 18th day of May, 2021, for the City of Hutchinson, Kansas.

Steven Garza, Mayor

ATTEST:

Karen Weltmer, City Clerk