

**ORDINANCE NO. 4042**

**AN ORDINANCE AMENDING CHAPTER 71 OF THE CITY OF HAYS,  
KANSAS, MUNICIPAL CODE, BEING AN AMENDMENT TO VARIOUS  
SECTIONS TO THE HAYS UNIFIED DEVELOPMENT CODE AS  
ATTACHED HERETO AS EXHIBITS “A, B & C”**

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**WHEREAS**, the City Commission of the City of Hays, Kansas, desires to amend various sections of the Hays Unified Development Code initially implemented by the City of Hays, Kansas, on August 31, 2016; and

**WHEREAS**, the Hays Unified Development Code Amendments, shown on Attached Exhibits “A, B & C” includes amendments from multiple sections of the Hays Unified Development Code; and

**WHEREAS**, the Hays Area Planning Commission held a public hearing on May 15, 2023, duly noticed as prescribed by law, to review the proposed amendments to the Hays Unified Development Code, attached hereto as Exhibits “A, B & C”; at which time all owners of property affected and other citizens of the city were given the opportunity to voice their protests, suggestions, or criticisms, if any and to determine whether such Hays Unified Development Code proposed amendments should be adopted; and

**WHEREAS**, upon conclusion of the Hays Area Planning Commission public hearing on May 15, 2023, the Hays Area Planning Commission unanimously recommended that the City Commission of the City of Hays, Kansas, adopt the proposed amendments to the Hays Unified Development Code, attached hereto as Exhibits A, B & C”; and

**WHEREAS**, the City Commission of the City of Hays, Kansas, held on November 2, 2023, a public work session to discuss the proposed amendments to the Hays Unified Development Code, attached hereto as Exhibits “A, B & C”, duly noticed as prescribed by law; and

**WHEREAS**, the City Commission of the City of Hays, Kansas, held a public meeting on November 9, 2023, to consider adoption of the proposed amendments to the Hays Unified Development Code, attached hereto as Exhibits “A, B & C”.

**NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HAYS, KANSAS:**

**Section 1.** The proposed amendments to the Hays Unified Development Code of the City of Hays, Kansas, a copy of which is attached hereto as Exhibits “A, B & C” are adopted in full for the purposes and intent set forth therein. To accommodate and accurately reflect the adopted amendments per Exhibits “A, B & C”, various modifications to language, tables and illustrations will be required throughout the Hays Unified Development Code.

**IT IS FURTHER ORDAINED BY THE GOVERNING BODY OF THE CITY OF HAYS, KANSAS:**

**Section 2.** Where the Hays Unified Development Code overlaps with other requirements adopted by the City Commission of the City of Hays, Kansas, whichever imposes the more stringent restrictions shall prevail unless otherwise stated in one or the other conflicting law or regulation.

**Section 3.** The sections, paragraphs, sentences, clauses and words of the Hays Unified Development Code are severable, and if any word or words, clause or clauses, sentence or sentences, paragraph or paragraphs, section or sections of the Hays Unified Development Code shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining words, clauses or clauses, sentence or sentences, paragraph or paragraphs, section or sections.

**Section 4.** The aforesaid Ordinance shall take effect and be in force from and after passage and publication on the City of Hays Website, the official city news outlet for legal publication notifications for the City of Hays, Kansas.

PASSED by the Commission on the 9<sup>th</sup> day of November 2023.

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SHAUN MUSIL  
Mayor

ATTEST:

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BRENDA KITCHEN  
City Clerk

(SEAL)

## Exhibit A

### Self-Storage Changes to the Unified Development Code

Changes regarding self-storage facilities include the following:

1. Change to a **Limited** Use within a C-2 and I-2 District – Modify Table 2.2.205 as shown below to allow limited “interior accessible only” self-storage in a C-2 district (within existing structures only south of I-70 that do not have Vine St. frontage or access from Vine St.) and allow as a limited use in an I-2 zoned district.

Table 2.2.205 Agriculture, Industrial, Transportation, Utility, and Communication Uses												
P = Permitted Use; L = Limited Use; E = Exception; -- = Prohibited Use												
Land Use	Limited Use and Exception Standards	Zoning Districts										
		Agriculture	Residential			Nonresidential						
		A-L	R-S	R-G	R-M	C-1	C-2	C-3	I-1	I-2	M-U	P-I
Storage, Self	Sec. 2.2.308	--	--	--	--	--	L	--	L	L	--	--

2. Modify UDC Section 2.2.308 *Industrial Use Compatibility Standards* to allow limited “interior accessible only” self-storage in a C-2, and permit storage units in I-2 zoned district as follows:

Section 2.2.308, Subsection C (8)

- a. District: I-1, I-2 and C-2
- b. Location: I-1 and I-2
  - i. The minimum size of a self-storage facility is one acre.
- c. Design:
  - i. I-1 and I-2
    1. No storage buildings may open into required front yards adjacent to public street right of way or any abutting district.
    2. All driveways within the facility shall provide an improved hard surface with a minimum width of 30 feet.
    3. Fencing and gates will be constructed of decorative metal. Barbed wire and chain-link fencing will not be installed, unless not visible from any property line.
  - ii. C-2
    1. All self-storage facilities shall be located inside of an existing structure, with all units only being accessible from the interior of the building.
    2. No storage units may be located north of I-70 or on properties with Vine St. frontage or that have direct access from Vine St.

d. Other:

- i. Activities within the facility shall be limited to the rental of storage cubicles or garages and the administration and maintenance of the facility.
- ii. All storage must be within enclosed buildings and shall not include the storage of hazardous materials.

## Exhibit B

### Planned Development Regulation Changes to the Unified Development Code

Changes to Planned Development regulations include the following:

<b>Table 3.1.201 Residential Development Standards</b>					
District and Neighborhood Type	Development Standards				
Residential General District (R-G)	Minimum Lot Size	Minimum Open Space Ratio	Maximum Gross Density	Minimum Area of Development	Utility Requirement
Planned (Mixed Housing Types)	1500 sf	10%	16.5	N/A	Public (water and sewer available)

<b>Table 3.1.202A Single Family Detached Lot and Building Standards</b>							
District and Neighborhood Type	Minimum						Maximum Building Height
	Lot Dimension		Setbacks				
	Area	Width	Front	Interior Side	Street Side	Rear	
(Planned) R-S	15,000 sf.	75'	25'	7'	15'	15'	Unlimited
(Planned) R-G	1,500 sf.	30'	0'  See Note 3	3'	10'	10'	Unlimited

**TABLE NOTES:**

1. The maximum building height for non-agricultural buildings is 35'. As set out in Division 2.2.200, Permitted, Limited, Exception, and Prohibited Uses, the Institutional, Recreation, and Amusement; Commercial; and Agriculture, Industrial, Transportation, Utility, and Communication uses allowed in the A-L district are permitted two feet of additional height for each one foot of additional building setback. The required front yard shall apply on both streets for double-frontage lots.
2. The front yard shall be the greater of 30' or 70' from the centerline of collector streets and the greater of 30' or 80' from the centerline of arterial streets.
3. The front yard setback can be zero (0), however, no structure can be located within a utility easement.
4. This minimum lot size does not prevent a named lot owner from deeding a tract of land of less than five acres for the purposes of a single-family detached house; provided, however, that a permit is obtained from the Department and both tracts meet the applicable setback requirements set out in Table 3.1.203A, Single-Family Detached Lot and Building Standards.
5. The interior side yard for a planned neighborhood in the Residential General (R-G) district is zero feet on the attached side and five feet on the unattached side.
6. For housing types other than single-family detached dwellings, refer to Table 3.1.202B, Single-Family Attached and Multi-Family Lot and Building Standards.

## Attachment C

### Cul-de-Sac Changes to the Unified Development Code

Changes regarding cul-de-sac regulations include the following:

Modify UDC Section 6.2.203 *Cul-de-Sacs and Temporary Turnarounds* as follows:

#### Section 6.2.203 Cul-de-sacs and Temporary Turnarounds

- A. **Generally.** Cul-de-sacs are allowed only as provided in this Section.
- B. **Cul-de-Sacs.** Cul-de-sacs shall meet all of the following standards:
  - 1. Cul-de-sacs shall be no longer than 150 feet in length measured from the nearest curb-line of the intersecting street to the end of the cul-de-sac (see Figure 6.2.203A, Measurement of Cul-de-Sac Length), unless special consideration is granted by the Planning Commission based on special conditions of the proposed platted area. New developments or subdivisions that incorporate cul-de-sacs into the design of the development shall conform to the 150 ft standard maximum length requirement unless special consideration is granted by the Planning Commission. The maximum allowable length for cul-de-sacs, when special consideration is granted, shall be set at 650 ft, measured from the nearest curb-line of the intersecting street to the end of the cul-de-sac.

(Sections 2, 3 & 4 remain the same)