

2

REGULATING PLANS

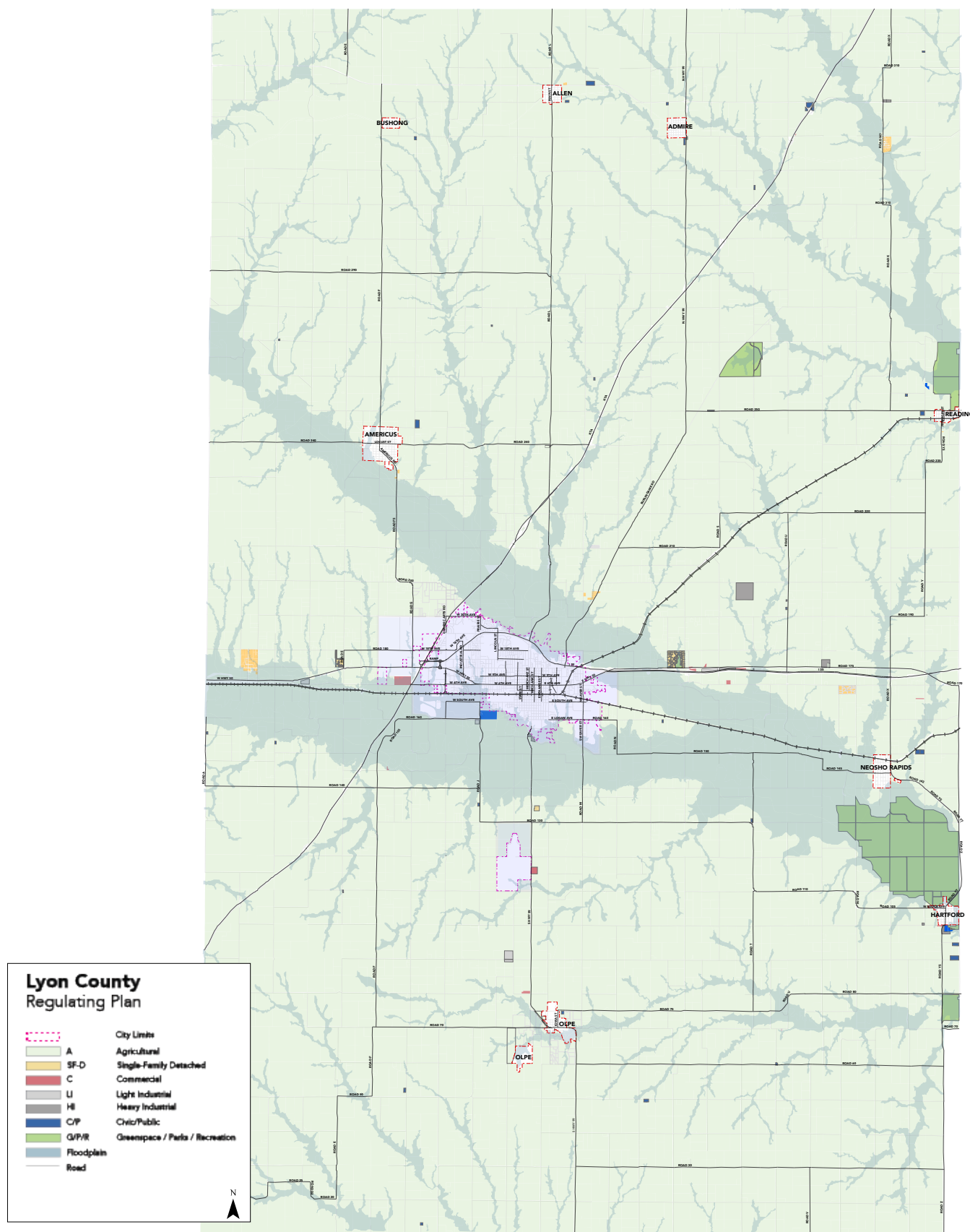
2.1 Purpose

- 2.1.1 This section establishes the Lyon County Regulating Plans, which provide the geospatial framework for the corresponding LC Districts. Through designating parcel typology for each property rather than use, these regulating plans allow flexibility for development to occur while providing that future growth adheres to PlanELC and helps meet the community's goals and vision.

2.2 Applicability

- 2.2.1 The Lyon County Regulating Plan is adopted to replace the 2017 Emporia Metropolitan Planning Area Land Use Map and the existing Lyon County Land Use Map and in unity with the 2017 PlanELC between the City of Emporia and the Lyon County.
- 2.2.2 All new development, redevelopment, substantial modification, and improvement to land, structures, buildings and lots within the LC Districts shall comply with the applicable Regulating Plan and the applicable LC Standards and Supplemental Regulations.

2.3 Lyon County Regulating Plan



2.4 LC Parcel Types

2.4.1 General

- a. This section sets forth the intended key characteristics of each Parcel Type and the categories of permitted uses that the building forms associated with each Parcel Type may support. This classification provides a systematic basis for assigning uses to appropriate Parcel Types with other similar uses. Principal uses are categorized according to their common functionality, product, or physical characteristics.
- b. Each category of permitted uses includes more customary uses and shall not be considered all-inclusive. Uses not explicitly listed are permitted following the approval.
- c. If a proposed principal use is not included in the list of permitted uses of a Parcel Type but is similar to another use listed in that use category, the ZA may consider the proposed use part of said category of permitted uses. When determining whether a proposed use is similar to a listed use, the following criteria shall be considered:
 1. the typical physical characteristics of the proposed use;
 2. the suitability of the lot size and the building forms associated with the applicable Parcel Type in meeting the requirements of the proposed use;
 3. the building layout, site plan, and relative area devoted to the proposed use;
 4. the likely impact on surrounding properties;
 6. the number of vehicle trips generated, types of vehicles, and parking requirements;
 7. the hours of operation, if the proposed use is related to business and services;
 8. the relative number of employees if the proposed use is a place of employment; and
 9. whether the proposed use is likely to be found independent of other uses in the District.
- d. If a proposed principal use not listed is found not to be similar to any other permitted principal use listed for a particular Parcel Type, that proposed use would only be allowed upon the issuance of a Conditional Use Permit as outlined in Section 8.5.
- e. A proposed accessory use not specifically listed in permitted uses is prohibited unless it is determined that the proposed accessory use:
 1. is clearly incidental or customarily complementary to the permitted principal use;
 2. is serving the permitted principal use;
 3. is subordinate in scale, extent, and purpose to the principal use served;
 4. contributes to the comfort, convenience, or needs of occupants or users in the principal use served;
 5. is located on the same lot as the principal use served; and
 6. has the necessary easement waiver.

2.4.2 Flex-Use Low Parcel Type (FL)

- a. *Key characteristics.* Flex-Use Parcel Type allows for the flexible use of buildings, which provides a variety of spaces to meet changing needs and promotes adaptive reuse of existing buildings. Flex-Use Low Parcel Type allows for the lower intensity of uses in an area with lower density. The physical characters of buildings on this Parcel Type should remain consistent while allowing for a range of uses.
- b. *Categories of permitted uses.* Flex-Use Low parcels may be developed as Mixed-Use, Commercial, Multi-Family, or Single-Family Attached buildings. Therefore, allow the uses applicable to the respective Parcel Type, provided that they are compatible with the size and physical characteristics of the lot, the building, and the surrounding Parcel Types. Refer to the applicable Parcel Type for categories of permitted uses.

2.4.3 Commercial Parcel Type (C)

- a. *Key characteristics.* Commercial Parcel Type serves the commerce and service needs of residents. Commercial parcels can be concentrated along major corridors, making them more accessible.

2.4.4 Single-Family Detached Parcel Type (SF-D)

- a. *Key characteristics.* Single-Family Detached Parcel Type allows for the preservation of small-town characteristics of the area, with a traditional grid of one- to three-story single-family housing on small to medium lots, front porches, and attached or detached garages to the side or rear. Accessory dwelling units and alley flats are allowed in blocks with alleys.

2.4.5 Agricultural Parcel Type (A)

- a. *Key characteristics.* Agricultural Parcel Type defines Lyon County's agricultural landscapes, which provide not only economic benefits for the County, but also make rural areas an attractive place to live. This Parcel Type is intended to preserve and protect agricultural resources and is designed to accommodate agricultural operations and compatible uses.
- b. *Conditional uses on Agricultural Parcel Type.* The following uses are not considered to be agricultural purposes and therefore are allowed only upon the issuance of a Conditional Use Permit:
 1. Wholesale or retail sales of any product not raised, grown, or otherwise produced on the premises. Except for instances where such activities are in conjunction with a valid home business in the agricultural parcel type.
 2. Commercial development of natural resources and commercial extraction of raw materials such as rock, gravel, sand, etc.
 3. Livestock sales facilities and auction pavilions, or both, and ancillary facilities including, but not limited to, offices, retail food, and clothing sales, retail and wholesale sale of agricultural supplies and products, feed and fertilizer processing, and commodities brokerage, except for instances where such activities are in conjunction with a valid home business in the agricultural parcel type.
 4. Lands used for commercial, recreational purposes, including golf courses and driving ranges, unless the raising and harvesting of the plants or animals permitted by law, directly serve the primary use.

5. Parcels where the primary function is solely for non-private recreational purposes.
6. Airports and heliports.
7. Any public building or land used by any department of the County, State, or Federal Government.

2.4.6 Industrial-Flex Parcel Type (IF)

- a. *Key characteristics.* Industrial-Flex Parcel Type supports Commercial, Retail, Service, Office, Trade, or Light Industrial buildings, as well as planned employment centers or planned integrated-use development along corridors with pedestrian-oriented interiors, pocket parks, and plazas.
- b. *Categories of permitted uses.* Industrial-Flex parcels may be developed as Commercial or Light-Industrial buildings. Therefore, they allow the uses applicable to the respective Parcel Type, provided that they are compatible with the size and physical characteristics of the lot, the building, and the surrounding Parcel Types. Refer to the applicable Parcel Type for categories of permitted uses.

2.4.7 Light Industrial Parcel Type (LI)

- a. *Key characteristics.* Light Industrial Parcel Type provides spaces for the manufacturing, processing, and fabrication of products and other compatible uses that require little to no outside storage. The effect that it has on adjoining properties is created primarily by traffic generated by goods and employees.

2.4.8 Heavy Industrial Parcel Type (HI)

- a. *Key characteristics.* Heavy Industrial Parcel Type provides spaces for industrial type uses that require large outdoor storage areas of raw and finished materials. Those uses that produce or store materials or goods that may be noxious or offensive due to smoke, dust, noise, odor, fumes, or explosiveness. This type's parcels are typically located near appropriate major transport options such as highways, rail, and airports.

2.4.9 Civic/ Public (C/P)

- a. *Key characteristics.* Places of public assembly that provide governmental, educational, cultural, spiritual, and health and safety services to the general public. Although not strictly regulated by the Building Standards and Landscape Standards, any new development on Civic/Public Parcel Type should reflect the standards applicable to the adjacent Parcel Types.

2.4.10 Greenspace/ Parks/ Recreation (G/P/R)

- a. *Key characteristics.* Natural areas consisting mostly of parks, open space, green corridors, and land preserved for conservation or recreation. This Parcel Type is intended to provide for active and passive recreation needs in the County and protect scenic and sensitive areas. Not all areas in this Parcel Type are open to the public.

2.5 Permitted Uses

Table Key; A=Agricultural, SF-D=Single Family Detached, FL=Flex Use Low, C=Commercial, IF=Industrial Flex, LI=Light Industrial, HI=Heavy Industrial.

CATEGORY OF PERMITTED USE		FL	C	SF-D	A	IF	LI	HI	C/P
Example of specific use									
RETAIL									
General merchandise/retail		•	•			•			
Convenience store, indoor grocery store, open air market		•	•			•			
Vehicle sale/rental		•	•			•	•	•	
Liquor store		•	•			•			
Art gallery		•	•			•			
Pharmaceutical		•	•			•			
Gas station		•	•			•			
Landscape nursery, garden supplies		•	•			•			
Bottled gas		•	•			•	•	•	
Building materials		•	•			•	•	•	
Wholesale establishment						•	•	•	
Auction sale							•	•	
Farm machinery Dealership			•			•	•	•	
Manufactured housing and mobile home							•	•	
Farm supplies, livestock feed		•	•			•	•	•	
RESTAURANT									
Restaurant, diner, cafeteria, fast food joint, outdoor dining		•	•			•			
Bakery, cake shop		•	•			•			
Coffee shop, tea house, juice bar, ice cream or yogurt shop		•	•			•			
Late night entertainment, nightclub bar, cocktail lounge, brewpub, craft brewery, micro-distillery (*provided that it is not located within 200 feet of a dedicated place of worship, school, or hospital)		•	•			•			
SERVICE (Stand-Alone/Storefronts)									
Beauty salon, barber shop, spa		•	•			•			
Animal care		•	•			•			
Fitness center, athletic club/studio		•	•			•			
Art/photography/music studio		•	•			•			

CATEGORY OF PERMITTED USE								
Example of specific use	FL	C	SF-D	A	IF	LI	HI	C/P
Day care facility	•	•			•			
Cleaning service, laundromat, dry cleaning	•	•			•			
Catering service	•	•			•			
Copy center, mailing service	•	•			•			
Medical practitioner, health counseling	•	•			•			
Testing center, tutoring center	•	•			•			
Bank, other financial institutions	•	•			•			
Social services, community center	•	•			•			
General repairs	•	•			•			
Commercial parking	•	•			•			
Call/customer service center	•	•			•			
Motor vehicle body and repair shop	•	•			•	•	•	
Disinfecting/exterminating services					•	•	•	
Landscape, lawn care	•	•			•	•	•	
OFFICE								
Business office: advertising, management, consulting agency, etc.	•	•			•			
Financial office: lending, investment, real estate, insurance agency, etc.	•	•			•			
Professional office: lawyer, accountant, engineer, architect, etc.	•	•			•			
Newspaper publishing, radio/TV station	•	•			•			
Research park					•	•	•	
Large-scale employment facility, corporate office headquarter in a campus-like setting					•	•	•	
SHORT-TERM ACCOMMODATION								
Bed and breakfast	•	•		•	•			
Hotel	•	•			•			
Shelter	•	•			•			

CATEGORY OF PERMITTED USE								
Example of specific use	FL	C	SF-D	A	IF	LI	HI	C/P
RESIDENTIAL								
Medium- to high-density multi-unit living	•							
Medium-density single-unit dwelling, attached	•							
Single-unit dwelling, detached			•	•				
Live/work unit (see Section 7.5 on Home Occupation)	•		•	•				
Group living: boarding house, dormitory, fraternity/sorority, nursing home, etc.	•		•					
Manufactured Home Park			•		•			
Social residential services, transitional housing	•		•					
Accessory Dwelling Unit	•		•	•				
ENTERTAINMENT								
Cinema, performing arts center	•	•			•			
Billiards, bowling, arcade, skating rink	•	•			•			
Museum	•	•			•	•	•	
Conference/convention center	•	•			•	•	•	
Private club, country club	•	•			•			
General recreational facility	•	•			•			
Aquarium					•			
Stadium, large sport arena					•	•	•	
Aircraft storage, equipment maintenance, sales and leasing, passenger and freight terminals							•	
SEXUALLY-ORIENTED BUSINESS Provided such establishments are not located within five hundred (500) feet of each other, and are not located within five hundred (500) feet of any lot where a residential use, school, dedicated place of worship, or public park is permitted.		•			•	•	•	
CIVIC/PUBLIC								
Governmental agency, post office, publicly-owned building								•

CATEGORY OF PERMITTED USE								
Example of specific use	FL	C	SF-D	A	IF	LI	HI	C/P
Fire station, police station, hospital								•
Educational institution (school, university), library, museum								•
Places of worship	•	•	•	•	•	•	•	•
Military administration and defense installation								•
Agricultural								
Animal husbandry				•			•	
Kennel operation				•		•	•	
Commercial Confined Animal Feeding Operation				•			•	
Pasturing livestock				•			•	
Truck farming				•			•	
Field crops, hay, and sod cultivation				•	•	•	•	•
Greenhouses, nurseries, and hydroponic, aquaponic, and aquaculture farms				•	•	•	•	•
Retail of product raised, grown, or produced on the premises				•	•	•	•	•
Growing and harvesting of woodland trees (for wholesale distribution)				•		•	•	•
Accessory uses necessary for the carrying out of farming operations				•	•	•	•	•
INDUSTRIAL								
Low-intensity industrial manufacturing and processing					•	•	•	
High-intensity industrial manufacturing and processing							•	
Artisanal production				•	•	•	•	
Alcohol distillery, brewery, winery				•	•	•	•	
Woodworking				•	•	•	•	
Prefabricated building manufacturing							•	
Lumberyard, sawmill							•	
Meat processing							•	
Foundry							•	

CATEGORY OF PERMITTED USE								
Example of specific use	FL	C	SF-D	A	IF	LI	HI	C/P
Manufacturing and storage of flammable liquid, chemical, fertilizer, and abrasive product							•	
Resource extraction, with appropriate permit				•			•	
WAREHOUSE, STORAGE, AND DISTRIBUTION								
General warehouse and storage						•	•	
Self-service storage						•	•	
Distribution center						•	•	
Motor vehicle storage yard							•	
Freight terminal, truck depot							•	
Trailer, tractor trailer, and rail car storage							•	
Towing/impounding of vehicles							•	
UTILITIES								
Public utility substation							•	•
Utility maintenance yard							•	•
Water storage tower							•	•
Water treatment plant							•	•
Water well drilling services							•	
Electric generation plant							•	•
Recycling center							•	•
Landfill, hazardous waste facility							•	
Salvage yard, junk yard							•	

2.6 LC Districts

2.6.1 General

- a. This section introduces the LC Districts as major components of the Regulating Plans. This introduction provides a window into the intent, desired forms, and general uses of the LC District that are consistent with the community's vision.
- b. The Regulating Plan for Lyon County (Section 2.3) consists of six (6) Districts, Burlingame, Prairie, South, Weaver, West, and the Lyon County District itself.
- c. *Desired forms.* A set of suitable Parcel Types was identified. The result is a selection of building forms and configurations that are in harmony with the existing character of an area.
- d. Parcel Types that are not allowed outright shall go through the zoning process.
- e. Parking shall be provided according to the specific requirements of each Parcel Type and located within the Parking Envelope indicated in the District Regulating Plan, if shown. All parking areas shall adhere to the surfacing requirements established in Section 7.13 of these regulations.

2.6.2

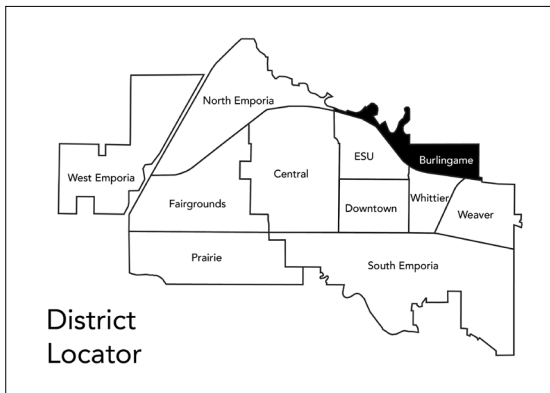
Burlingame District

a. Desired Forms




b. Applicable Parcel Types

1. Single-Family Detached (SF-D)
2. Civic/ Public (C/P)
3. Greenspace/ Parks/ Recreation (G/P/R)
4. Agricultural (A)



Burlingame Regulating Plan

Legend

-  Agricultural
-  Single-Family Detached
-  Civic/Public
-  Greenspace / Parks / Recreation



0ft 250ft 500ft 750ft



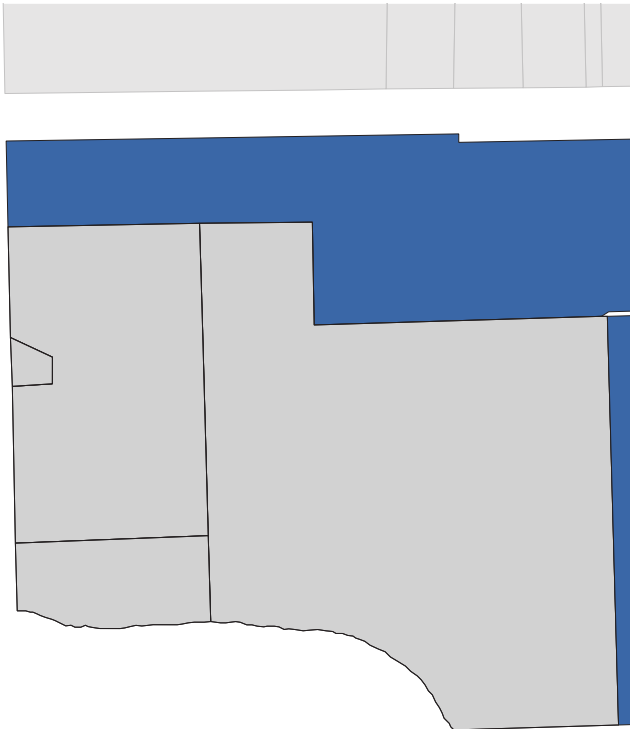
2.6.3 Prairie District

a. Desired Forms



b. Applicable Parcel Types

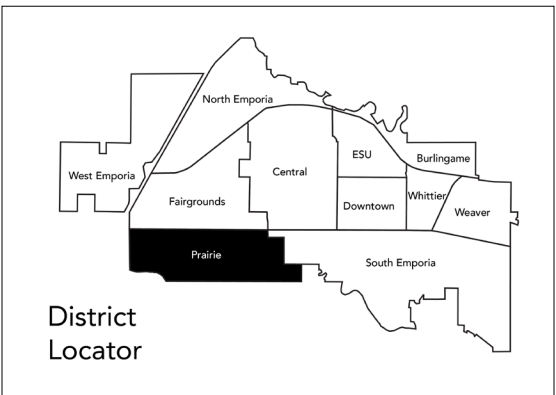
1. Industrial-Flex (IF)
2. Light Industrial (LI)
3. Heavy Industrial (HI)
4. Civic/ Public (C/P)

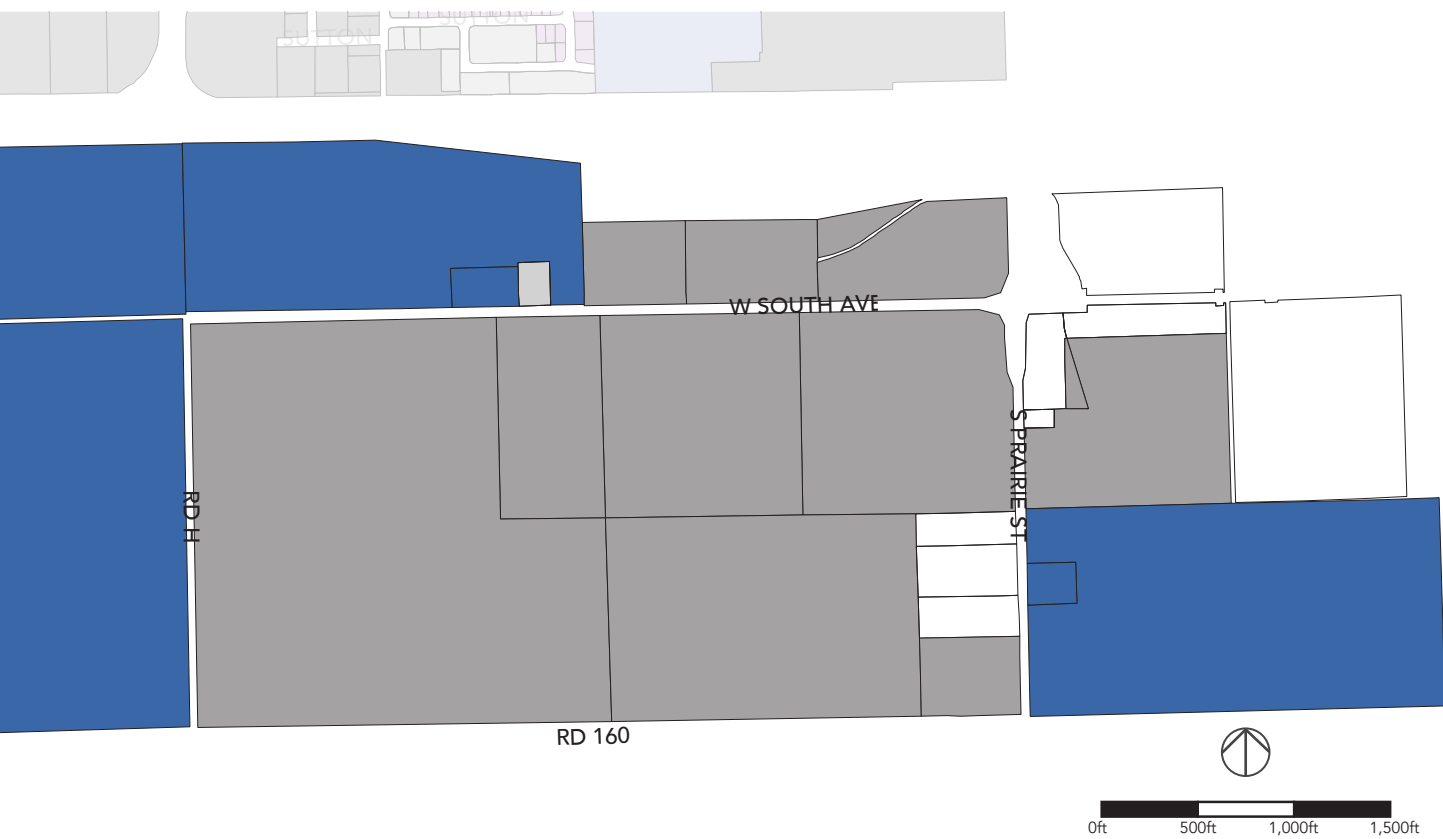


Prairie
Regulating Plan

Legend

- Industrial-Flex
- Light Industrial
- Heavy Industrial
- Civic/Public





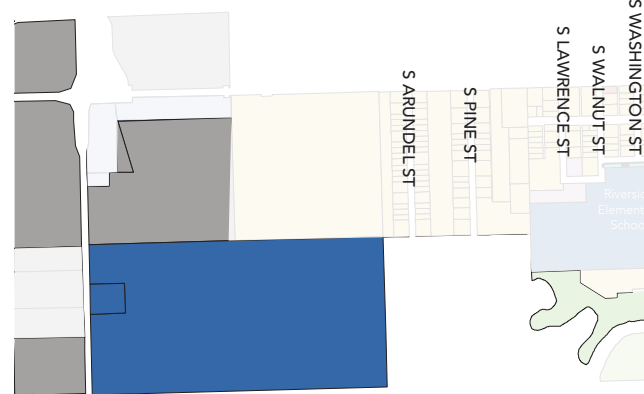
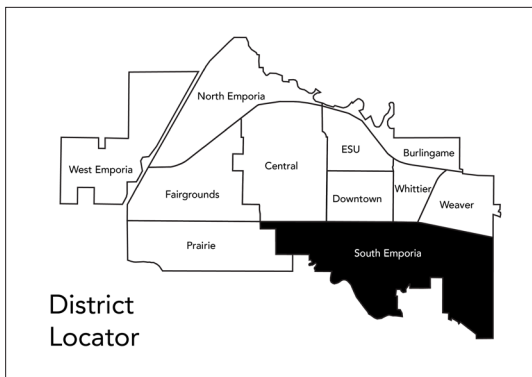
2.6.4 South District

a. Desired Forms



b. Applicable Parcel Types

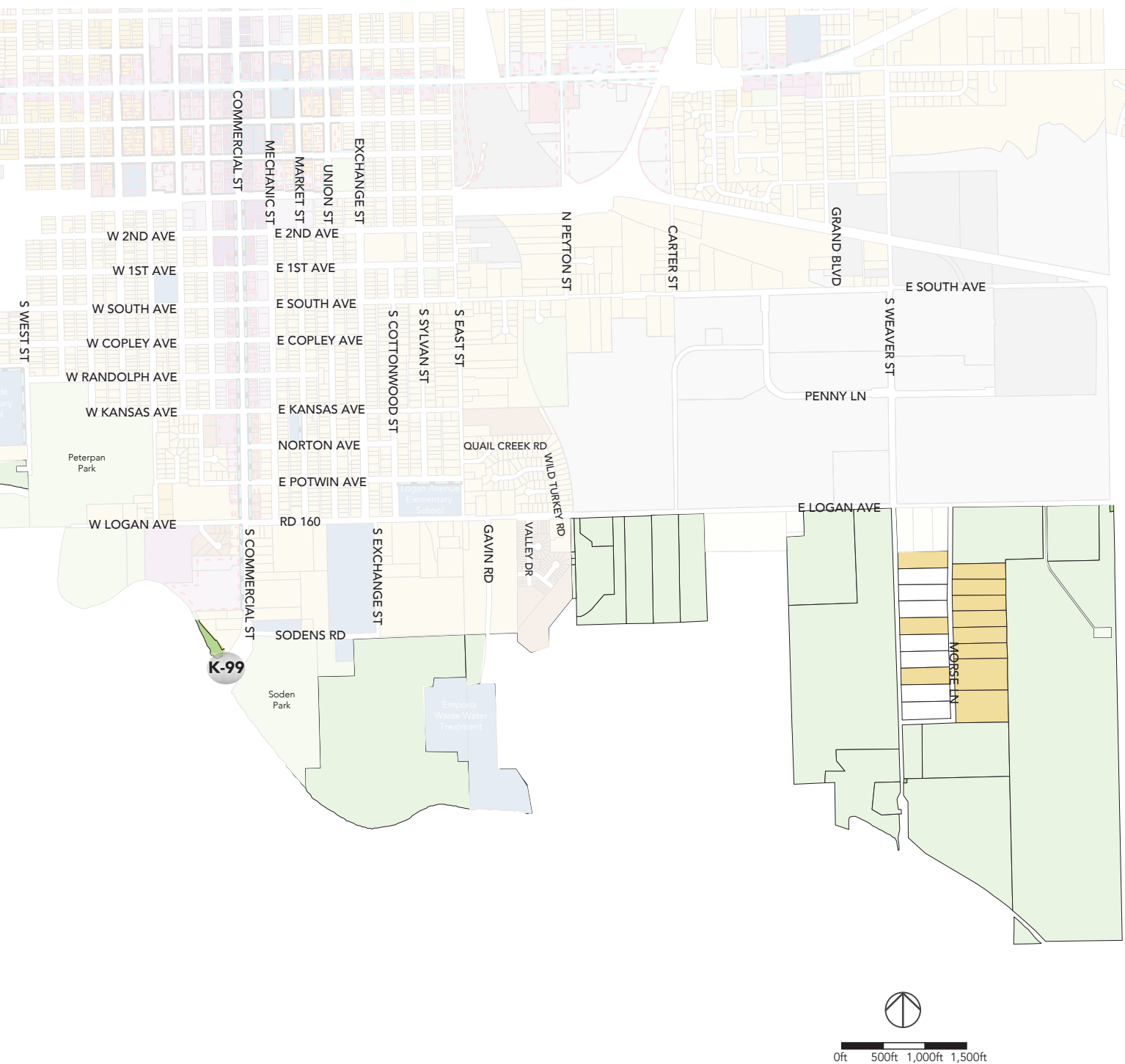
1. Single-Family Detached (SF-D)
2. Commercial (C)
3. Flex-Use Low (FL)
4. Light Industrial (LI)
5. Heavy Industrial (HI)
6. Civic/ Public (C/P)
7. Greenspace/ Parks/ Recreation (G/P/R)
8. Agricultural (A)



South Regulating Plan

Legend

	Agricultural		Light Industrial
	Single-Family Detached		Heavy Industrial
	Commercial		Civic/Public
	Flex-Use Low		Greenspace / Parks / Recreation



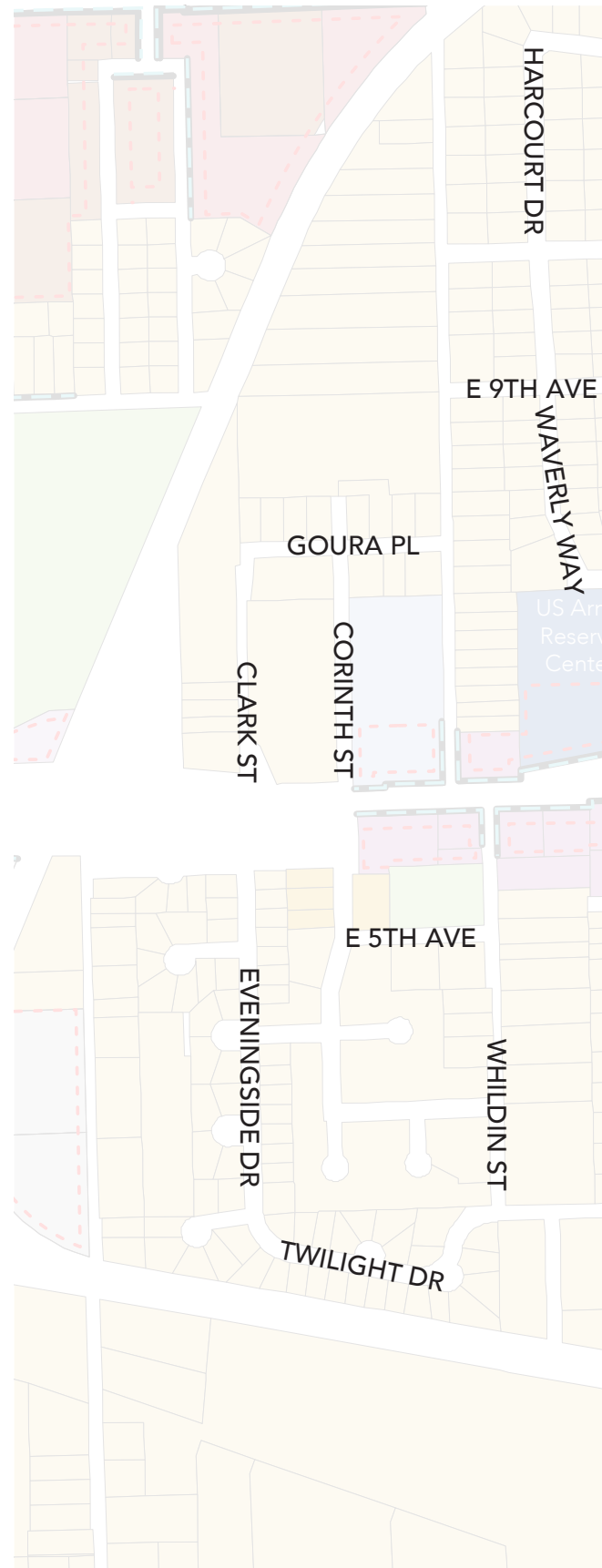
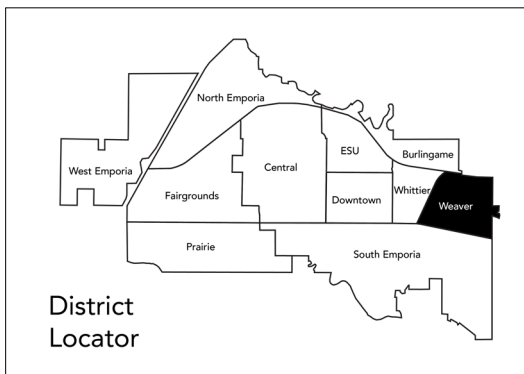
2.6.5 Weaver District

a. Desired Forms



b. Applicable Parcel Types

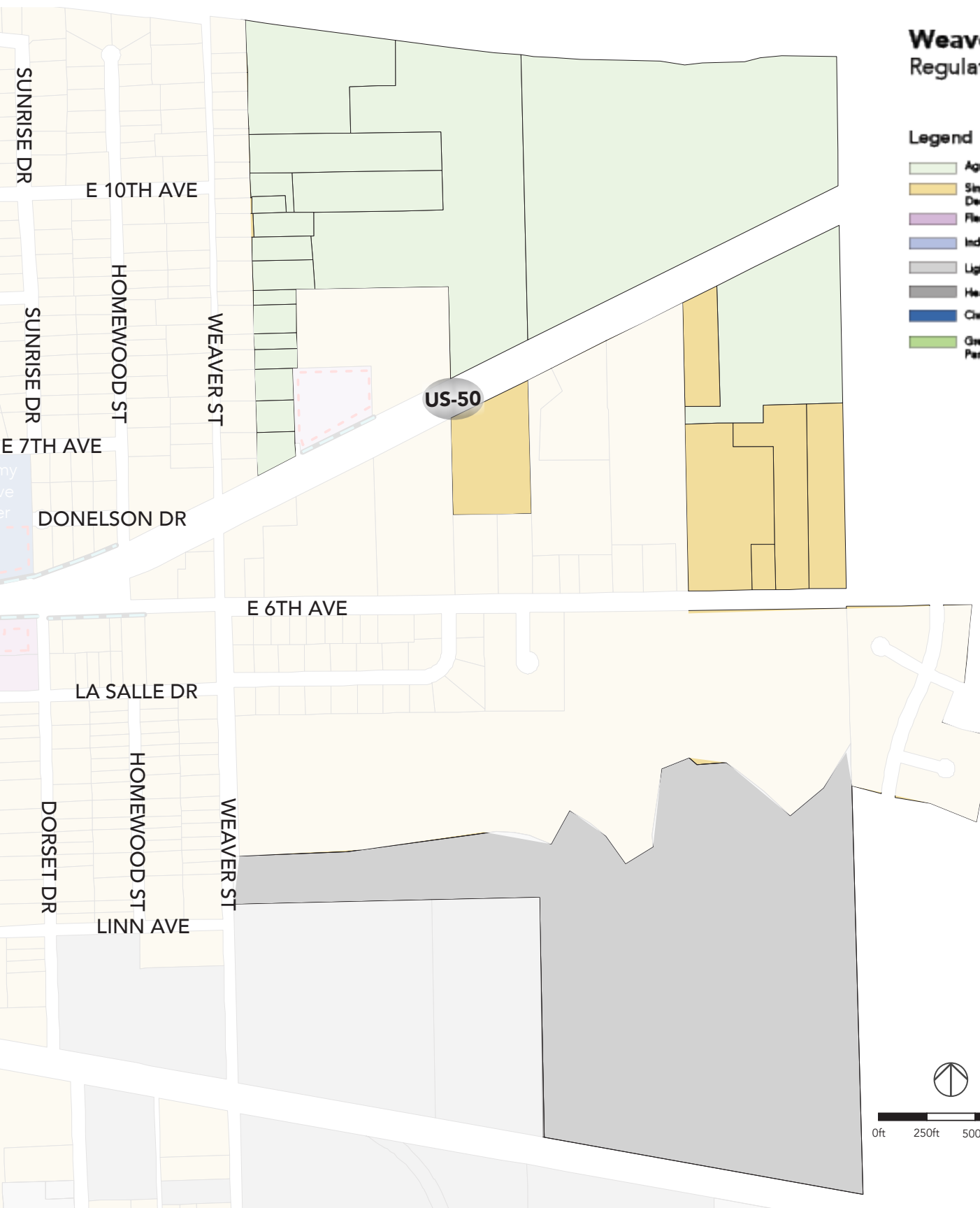
1. Agricultural (A)
2. Single-Family Detached (SF-D)
3. Flex-Use Low (FL)
4. Industrial-Flex (IF)
5. Light Industrial (LI)
6. Heavy Industrial (HI)
7. Greenspace/ Parks/ Recreation (G/P/R)



Weaver Regulating Plan

Legend

-  Agricultural
-  Single-Family Detached
-  Flex-Use Low
-  Industrial-Flex
-  Light Industrial
-  Heavy Industrial
-  Civic/Public
-  Greenspace / Parks / Recreation



2.6.6 West District

a. Desired Forms



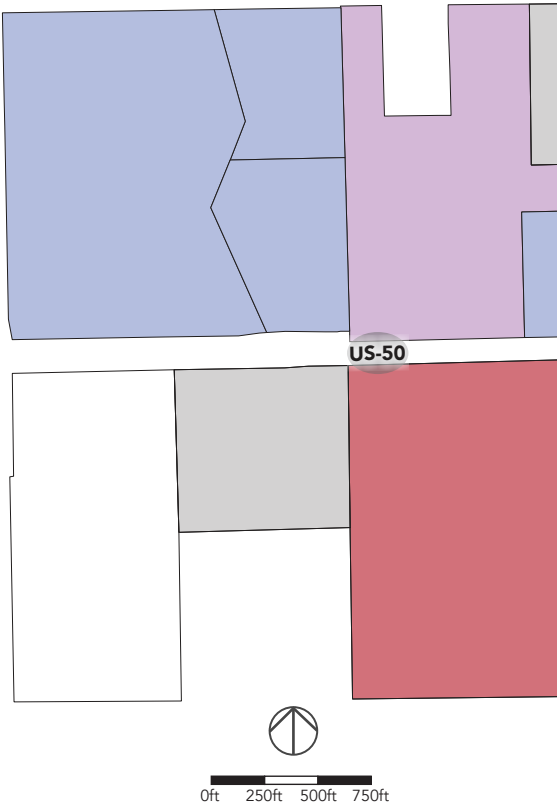
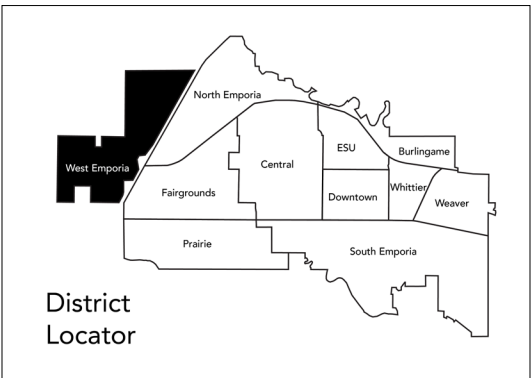
West Regulating Plan

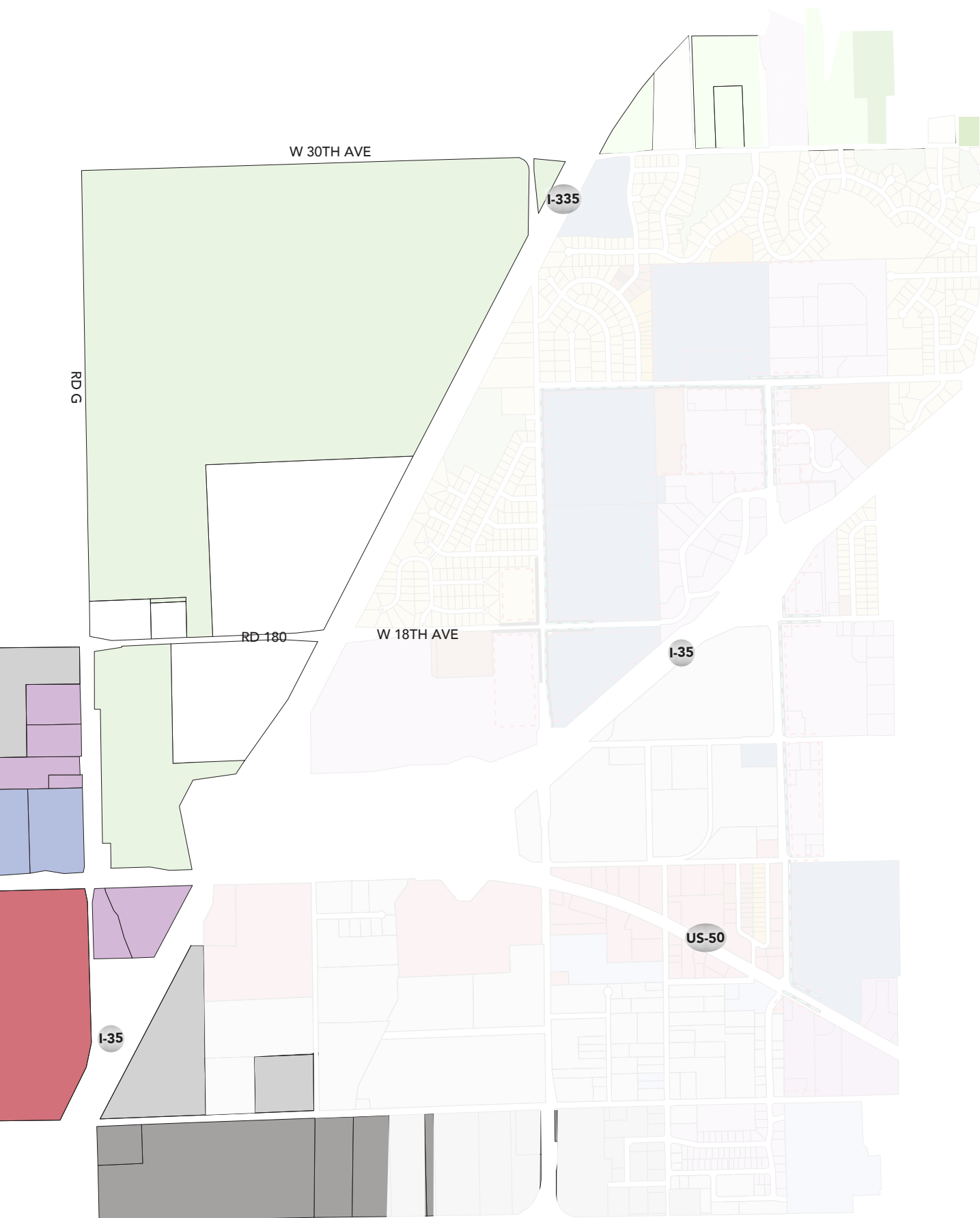
Legend

- Commercial
- Flex-Use Low
- Industrial-Flex
- Light Industrial
- Civic/Public
- Greenspace / Parks / Recreation
- Agricultural

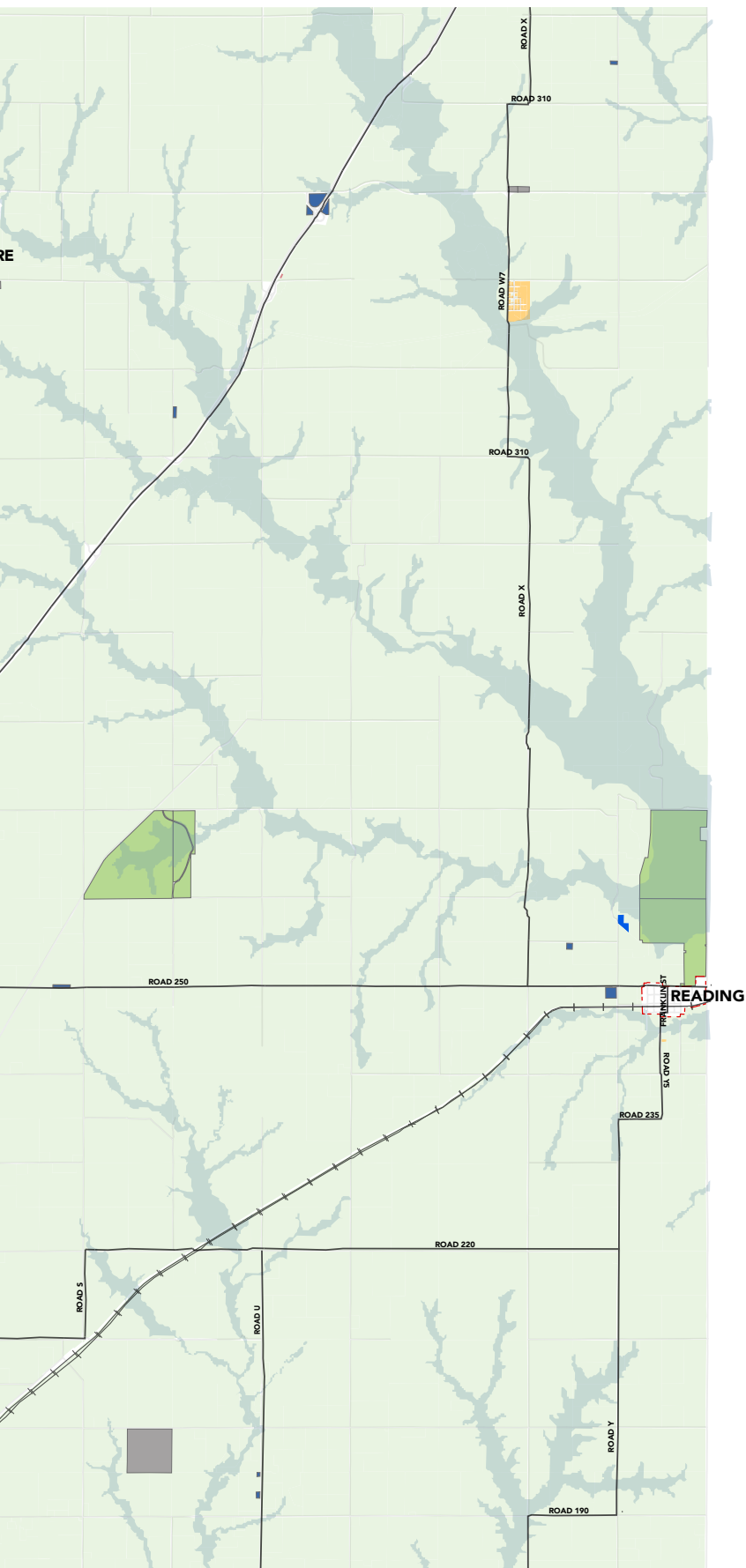
b. Applicable Parcel Types

1. Commercial (C)
2. Flex-Use Low (FL)
3. Industrial Flex (IF)
4. Light Industrial (LI)
5. Civic/ Public (C/P)
6. Greenspace/ Parks/ Recreation (G/P/R)
7. Agricultural (A)







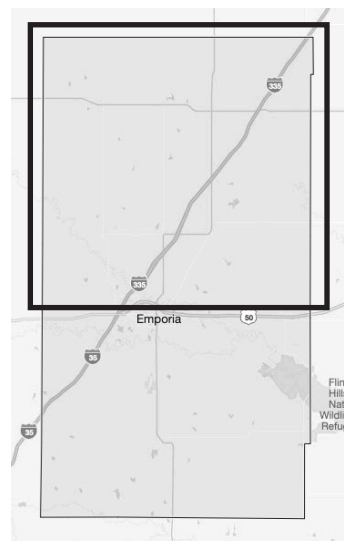


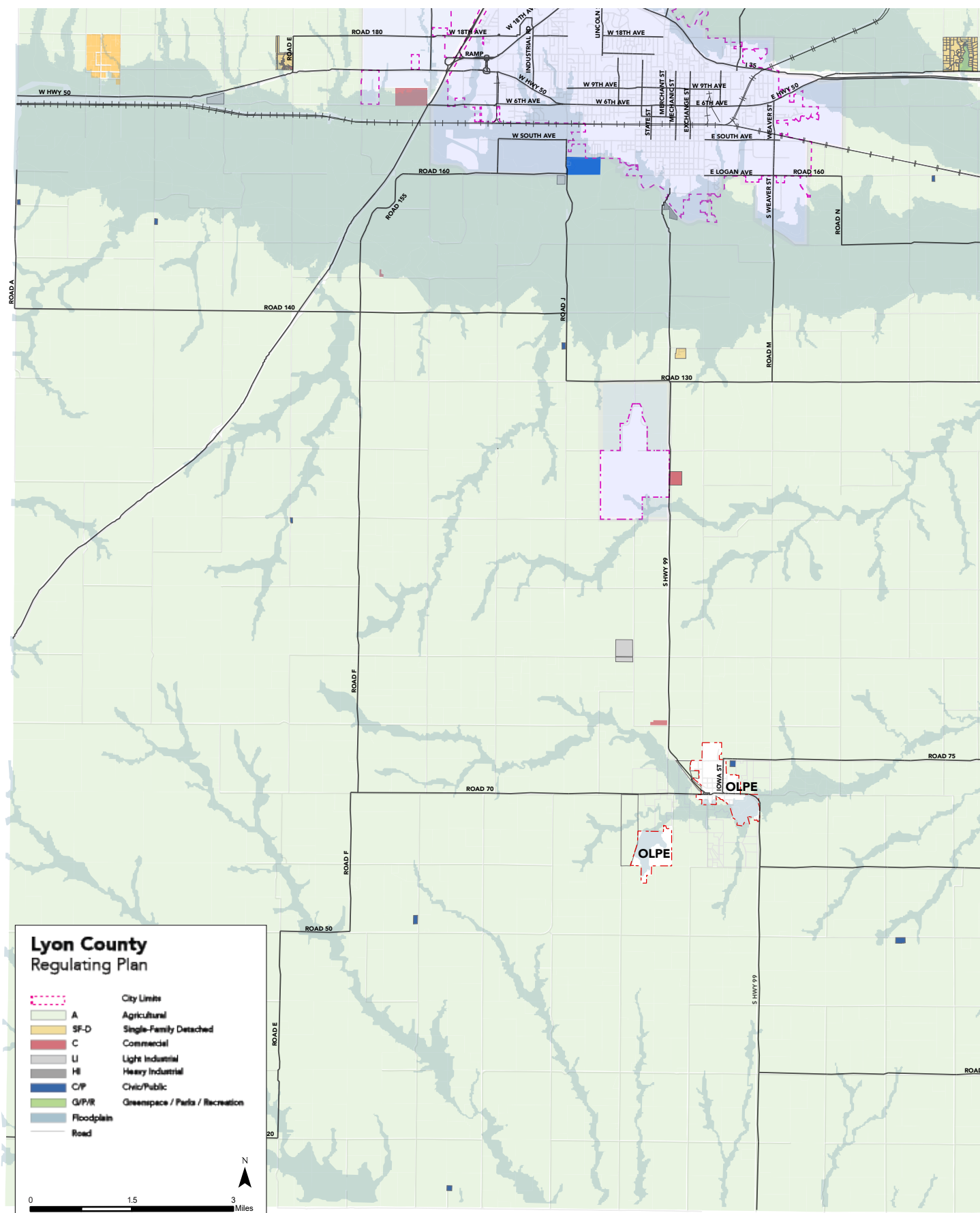
a.

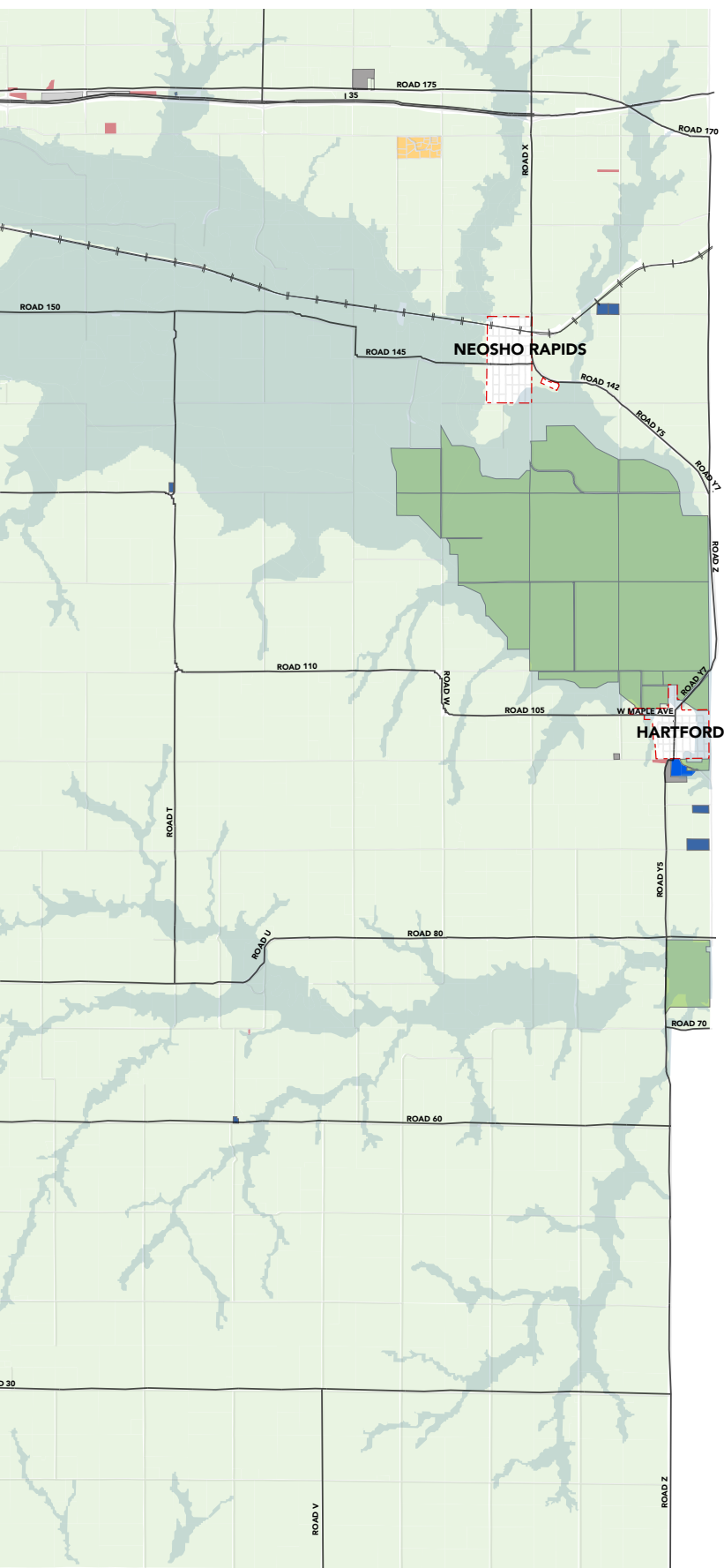
Applicable Parcel Types

1. Agricultural (A)
2. Single-Family Detached (SF-D)
3. Commercial (C)
4. Light Industrial (LI)
5. Heavy Industrial (HI)
6. Civic/ Public (C/P)
7. Greenspace/ Parks/ Recreation (G/P/R)

Lyon County



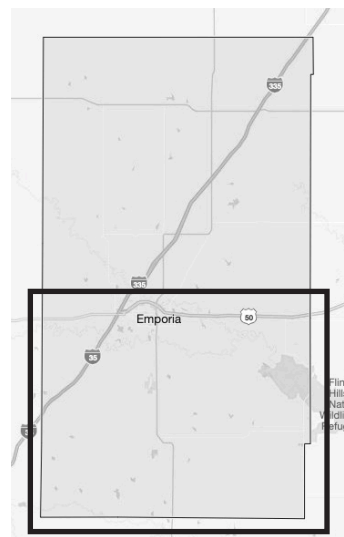




a. Applicable Parcel Types

1. Agricultural (A)
2. Single-Family Detached (SF-D)
3. Commercial (C)
4. Light Industrial (LI)
5. Heavy Industrial (HI)
6. Civic/ Public (C/P)
7. Greenspace/ Parks/ Recreation (G/P/R)

Lyon County



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