

**AN ORDINANCE AMENDING APPENDIX A, ARTICLE 9- SECTION 902, ARTICLE 10 - SECTION 1003, AND  
ADDING ARTICLE 15 – SECTION 1501 OF THE CODE OF THE CITY OF LEOTI RELATING TO ACCESSORY  
BUILDINGS IN RESIDENTIAL, COMMERCIAL, INDUSTRIAL, AND MOBILE PARK ZONES**

WHEREAS, There is a need to amend the types of storage containers allowed within the city limits of the City of Leoti;

THEREFORE, BE IT ORDAINED, by the governing body of the City of Leoti, Kansas:

Article 9. Section 902.

That the following regulations apply to the uses of any and all building and tracts located in this district, to-wit:

- 1) Yard Requirements: Any building located in the Commercial Zone may be constructed on the property line except for the following:
  - a. Residential buildings constructed in the Commercial Zone shall comply with the area regulations of the “R-2 Residential District.”
  - b. Any commercial building that abuts a residential area shall have a side yard of not less than ten feet (10’).
- 2) Signs, Commercial District:
  - a. Signs shall not be located in the public right-of-way.
  - b. Signs shall not be constructed in such a manner as to create a traffic hazard (Visual Obstruction).
- 3) Up to one twenty foot (20’) or forty foot (40’) shipping container is allowed in the rear of established business and shall not be placed in such a manner as to create a traffic hazard (Visual Obstruction).

Article 10. Section 1003.

There are no specific yard, height, or density regulations for structures located in the Industrial Zone except for:

- 1) Buildings located in the Industrial Zone may be constructed on the property line. Buildings and accessory use buildings, signs, and equipment shall not be constructed in such a manner as to create a traffic hazard (Visual Obstruction).
- 2) Up to one twenty foot (20’) or forty foot (40’) shipping container is allowed in the rear of established business and shall not be placed in such a manner as to create a traffic hazard (Visual Obstruction).

Article 15. Section 1501.

(a.) Shipping Containers Defined.

A Shipping Container is defined as a unit originally or specifically designed or used to store goods or merchandise during shipping or hauling by container upon ships, rail, or other types of transportation and are usually 8' wide and 8'6" high by either 20' or 40' length.

(b.) Shipping Containers Allowed

- 1) Permanent Shipping Containers shall be allowed as dictated in the zoning ordinance for each zone specifically Article 9 – Section 902, Article 10 – Section 1003. General zoning requirements for each zone and all of the requirements for building permits shall apply to shipping containers.
- 2) Temporary Shipping Containers may be allowed in all zoning districts within the City of Leoti. Temporary Shipping Containers may be used in the same location or for a similarly located purpose only for a period not to exceed sixty (60) days or thirty (30) days after the completion of the project requiring such whichever is less
- 3) The following specific rules shall apply to all shipping containers in use:
  - a. Building permits shall be required for any unit being set for more than ten days at any location.
  - b. Shipping containers shall be allowed as an accessory use only and subject to the requirements of the zoning district in which they are located, including all setbacks.
  - c. If the unit is intended to remain in place for longer than 6 months, all signage shall be removed from the unit.
  - d. Vertical stacking and/or the stacking of materials on top of the storage unit is prohibited.
  - e. Containers shall be safe, structurally sound, in good repair, and placed on a stable surface. Any container that becomes unsound, unstable or otherwise dangerous, as determined by the City, shall be immediately repaired or removed by the property owner and at the expense of the property owner.
  - f. Containers shall not be placed in a manner that impedes access to a public right of way, public utility or drainage easement, adjacent structures, or buildings.
  - g. Containers shall not impede site lines required for safe traffic flow.
  - h. At no time shall containers be placed between the main structure and the public street unless being used for a temporary purpose and approved by council.
  - i. Containers shall not connect to utility services, with the exception of electricity, nor shall any other utility services be utilized within a container.

(c.) All units that were legally placed upon property in the City of Leoti prior to the adoption of this article are considered existing nonconforming per the City zoning ordinances.

(d.) Any shipping container legally placed upon property in the City at the time of adoption of this article which does not conform to the requirements of this article shall be required to meet the requirements within 90 days after its adoption.

This Ordinance shall take effect and be in full force from and after its publication in the official City newspaper.

ADOPTED this 4<sup>th</sup> day of May, 2017, by the City Council, City of Leoti, Kansas.

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Cheryl Green, Mayor

ATTEST:

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Ashley Woods, City Clerk