

ORDINANCE NO. 782

AN ORDINANCE AMENDING SECTION 1, ARTICLE XXVIOF THE ZONING REGULATIONS FOR THE CITY OF SOLOMON, KANSAS PERTAINING TO SUPPLEMENTAL DISTRICT REGULATIONS.

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

SECTION ONE. Section 1, Article XXVI of the Zoning Regulations for the City of Solomon, Kansas is hereby amended to read as follows:

SECTION 1. QUALIFICATIONS AND SUPPLEMENTATIONS TO DISTRICT REGULATIONS:

The regulations hereinafter set forth in this section qualify or supplement, as the case may be, the district regulations appearing elsewhere in this Ordinance.

1. In districts where public buildings, semi-public buildings, public service buildings, hospitals, institutional buildings, schools, and churches and similar places of worship are permitted, one (1) foot of additional height will be permitted for each one (1) foot of additional building setback provided.

2. Chimneys, cooling towers, elevator headhouses, fire towers, grain elevators, monuments, stacks, stage towers or scenery lofts, tanks, water towers, ornamental towers and spires, church steeples, radio and television towers, or necessary mechanical appurtenances, which do not conflict with airport approach zones, may be erected to a height not to exceed one hundred fifty (150) feet.

3. Accessory buildings shall comply with the following requirements:

- a. No accessory structure shall be erected in any required front yard, and no detached accessory structure shall be erected closer than ten (10) feet to any other structure or property line. Accessory building shall be built in the rear yard and shall be placed up to the middle line of the main dwelling. Accessory structures shall not be closer than five (5) feet to the rear lot line and shall not be closer to the side lot line than the required side yard setback of the district, except that if the structure has a vehicular alley entrance, it should be no closer to the rear lot line than twenty (20) feet.
- b. Any accessory building shall not exceed 1,200 square feet or the overall square footage of the main living floor of the main dwelling and shall not result in exceeding thirty percent (30%) of the total coverage area of the lot, inclusive of all buildings.
- c. No detached accessory building shall be located within five (5) feet of any

dwelling existing or under construction on the building site.

- d. Any detached accessory structure in any residential zoning district and which is constructed on a trenched footing must have perpendicular walls, a roof with minimum pitch of three (3) vertical inches for each twelve (12) horizontal inches (25% slope), and siding materials and color consistent with similar buildings in the residential neighborhood as determined by the Zoning Administrator. Specifically prohibited are high-gloss exterior finishes, including silver or any other highly-reflected materials. These provisions are not applicable to fabricated storage buildings less than 100 square feet in size and detached carports, except that high gloss and highly-reflective finishes are prohibited.
- e. Total roof height of accessory structures shall not exceed twenty (20) feet measured from the lowest level interior floor or not exceed main dwelling height, whichever is less.
- f. Eave overhangs which extended beyond the floor area are required and must be a minimum of twelve (12) inches and terminate in a fascia to cap off and protect the exposed rafter ends and to provide grounds on which to fix gutters excluding the gable ends. The underside of the eaves may be covered with a horizontal soffit fixed at right angles to the wall, but is not required. These provisions are not applicable to fabricated storage buildings less than 100 square feet in size and detached carports.

4. No accessory building shall be constructed upon a lot until the construction of the main building has been actually commenced, and no accessory building shall be used for dwelling purposes.

5. Freight shipping containers, rail cars, semi-trailers boxes, metal storage containers, or any other similar shipping container shall not be used as an accessory building or for storage within any residential zone. The exception may be storage container for moving or storing household goods during a remodel which may be located in the front yard or driveway for no more than 30 days. A permit is required from the city prior to the placement of the container at the cost of \$10.00.

6. The setback line for yard requirements shall be determined by measuring the horizontal distance from the property line to the nearest architectural projection of the building.

On streets where a front yard more than that required by these regulations has been maintained for existing structures on lots having a frontage of 50% or more of the total frontage on one side of that portion of the street line between two intersecting streets, there shall be maintained a front yard setback of not less than the average setback of the existing structures; provided, that these regulations shall not be interpreted to require a front yard setback of more than 50 feet.

On streets where a front yard less than that required by these regulations has been maintained for existing structures on lots having a frontage of 50% or more of the total frontage on one side of that portion of the street line between two intersecting streets, the front yard setback need not be greater than the average setback of the existing structures, provided that these regulations shall not be interpreted to permit a front yard setback of less than 20 feet.

7. Open or lattice-enclosed fire escapes, fireproof outside stairways and balconies opening upon fire towers, and the ordinary projections of chimneys and flues into the rear yard may be permitted by the City Building Inspector for a distance of not more than three-and-one-half (3-1/2) feet provided the same are so placed as not to obstruct light and ventilation.

8. For the purpose of the side yard regulations, a two-family dwelling or a multiple-family dwelling shall be considered as one building occupying one lot.

9. Temporary buildings and temporary construction signs that are used in conjunction with construction work may be permitted in any district during the period that the building is being constructed, but such temporary building and/or sign shall be removed upon completion of the construction work.

10. No side yards are required where dwelling units are erected above commercial structures, and front, side, and rear yard requirements shall not apply to the interior walls of dwelling units established under the Kansas Apartment Ownership Act or under the Kansas Townhouse Ownership Act.

11. Whenever the number of employees is restricted in connection with any use in the commercial districts, such maximum number applies only to employees principally engaged in processing, selling, or treating materials or products on the premises and not to employees engaged in delivery or off-site similar activities.

12. Electronic communications towers shall be permitted in any commercial, industrial, or agricultural district providing the height of said towers do not conflict with any airport approach or landing zone or with any other ordinance, and providing that towers within one hundred fifty (150) feet of a residential district shall not exceed eighty (80) feet in height. (Also see Section 13, Wireless Communications Towers.)

13. On a corner lot in any residential district, nothing shall be erected, placed, planted, or allowed to grow in such a manner as materially to impede vision between a height of two-and-one-half (2-1/2) and ten (10) feet above the centerline grades of the intersecting streets in the area bounded by the street lines of such corner lots and a line joining points along said street lines ninety (90) feet from the point of the centerline intersection.

14. In any district, more than one structure housing a permitted or permissible principal use may be erected on a zoning lot, provided that yard and other requirements of this

Ordinance shall be met for each structure as though it were on an individual lot.

15. Every building hereafter erected or moved shall be on a lot adjacent to a public street, or with access to an approved private street, and all structures shall be so located on lots as to provide safe and convenient access for servicing, fire protection and required off-street parking.

16. Privately owned swimming pools shall be enclosed as appropriate to assure privacy and safety.

17. Major recreational equipment such as boats, boat trailers, travel trailers, pick-up campers or coaches, camping buses or converted trucks, and tent trailers shall not be stored in a residential district except within an enclosed building, or behind the front yard setback line.

- a. On a corner lot such equipment shall be kept back of the front yard setback lines on both street sides.
- b. No such recreational equipment shall be utilized for living, sleeping or housekeeping purposes when parked on a residential lot or in any location not approved for such use; provided, however, that the Zoning Administrator may issue a temporary recreational vehicle (RV) permit allowing short-term occupancy by non-resident guests on a temporary, date-specific basis. Such permit shall be prominently posted on the premises, shall not authorize occupancy exceeding a total of fourteen (14) days per calendar year per RV, and shall not be issued for use by any occupant of the primary dwelling located on the lot. No connection to a sanitary sewer system shall be permitted under any temporary RV permit.

18. Conversion of a two-family or multiple-family structure to individually owned single-family dwelling units may be permitted subject to the requirements of the Subdivision Regulations, and to the following:

- a. An application for such unit conversion shall be filed for review and comment by City staff and the Planning Commission and approval by the Governing Body. Such application shall be accompanied by the following information as a minimum:
 - 1) A plot plan showing site and structure arrangements and proposed re-platting.
 - 2) A full legal description of the subject property, including legal descriptions of proposed individual properties after re-platting.
 - 3) A description of proposed structural and utility alterations to provide for individual services and maintenance.

- 4) A description of proposed public access patterns, both vehicular and pedestrian.
 - 5) A copy of protective covenants which shall be written to run with the land in which shall be specified methods for providing for maintenance of shared property and/or easements, responsibilities for shared expenses, and continued use of the property for specified purposes. Such covenants shall be written to provide for the long-term maintenance and use of the premises for residential purposes only, within the overall context of neighborhood development.
 - 6) Any other supplementary information as may be required to assess short- and long-term neighborhood impacts associated with the proposed conversion.
- b. The applicant for unit conversion shall submit with his application a consent agreement signed by seventy-five (75) percent of all owners of property within two hundred (200) feet of the premises whereon the unit conversion is proposed.
 - c. Where a two-family or multiple-family structure is converted to individually owned, single-family dwelling units, a separation of utility service lines is required from each individually owned, single-family dwelling unit to a public utility line or to a utility line, private well, septic system, or lagoon which is located in an area of a lot or building that is owned by or accessible to a party legally responsible for maintenance of utility lines or systems on behalf of the owners of each converted single-family dwelling unit.
 - d. The Planning Commission and Governing Body shall not approve an application for conversion from a two-family or multiple-family structure to individually-owned, single-family dwelling units where it is determined that an existing or proposed utility service line, private well, septic system, or lagoon exists or is proposed to exist in an area where the maintenance of said utilities would require entry into an individually-owned dwelling unit.
 - e. All conversions of two-family or multiple-family structures to individually-owned, single-family dwelling units are subject to all applicable City codes, including building permit application and inspection procedures.
 - f. The above procedures and regulations are applicable even where the conversion does not require new construction.
 - g. After reviewing a conversion application for compliance with all applicable City codes, the Zoning Official/Code Enforcement Officer shall report to the Planning Commission and Governing Body all details of non-compliance with

City codes.

SECTION TWO. Existing Section 1, Article XXVI is hereby repealed.

SECTION THREE. This ordinance shall be in full force and effect following its adoption and publication once in the official city newspaper by the following summary:


Ordinance No. 782 Summary

On May 4, 2026, the City council passed Ordinance No. 782. The ordinance amends Section 1, Article XXVI of the Zoning Regulations for the City of Solomon, Kansas pertaining to supplemental district regulations, to address required separation between accessory and primary buildings, accessory building height requirements, and temporary occupancy of recreational vehicles on residential lots. A complete copy of the ordinance is available online at www.solomon-ks.com or in the office of the City Clerk, 116 W. Main, in Solomon, Kansas, free of charge. This summary is certified by the City's legal counsel.


APPROVED AND PASSED by the City Council of the City of Solomon, Kansas, this 4th day of May, 2026.

(SEAL)

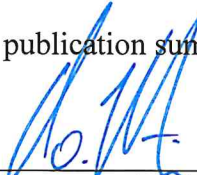
ATTEST


Andrea McCook, City Clerk




Brandy Gray, Mayor

The publication summary set forth above is certified this 4th day of May, 2026.


Aaron O. Martin, Legal Counsel