

**CITY OF OSAGE CITY
PLANNING AND ZONING**

**Regular Meeting
September 24, 2025**

7:00 PM

City Council Room – 221 S. 5th – Osage City, Kansas

TEAMS Meeting Information:

Please join my meeting from your computer, tablet or smartphone.

<https://tinyurl.com/3vcmfccy>

Meeting ID: 277 842 764 545 9

Passcode: YU778XY9

You can also dial in using your phone. (If using a landline there may be long distance charges)

United States: 1 872-215-6905

Phone Conference ID: 267 130 090#



I. Call To Order:

Casey Mussatto _____ Loren DeBaun _____ Teresa Nell _____

Gail Lohmeyer _____ Maurice Koch _____ Colton Jenkins _____

Colton Williams _____

II. Consent Agenda

1. Approval August 20, 2025 Regular Meeting Minutes

III. Regular Business

1. Public Hearing for Planned Unit Development (PUD) Overlay District for Huffman II, Block 1 project—Joseph Thomas, Heartland Design+Build
2. Public Hearing for Planned Unit Development (PUD) Overlay District for Osage City Legacy project (13th & Brant)—Joseph Thomas, Heartland Design+Build

3. Consideration of approval or denial of the Planned Unit Development (PUD) Overlay District for the Huffman II, Block 1 project
4. Consideration of approval or denial of the Planned Unit Development (PUD) Overlay District for the Osage City Legacy project
5. Article 15 Industrial Districts
 - a. Storage Definition Discussion

IV. Adjournment

**PLANNING AND ZONING COMMISSION
OSAGE CITY, KANSAS
MINUTES
August 20, 2025**

ROLL CALL: Now on this 20th day of August 2025 the Planning and Zoning Commission met at 7:00 p.m. at the City Council Chambers in said City, the following members being present and participating to wit, Commissioners: Loren DeBaun, Teresa Nell, Gail Lohmeyer, Maurice Koch, and Colton Williams. Commissioners Casey Mussatto and Colton Jenkins were absent. Officials present: City Manager Katie Hodge, City Treasurer Sadie Boos, Utility Director Dale Schwieger, and Planning and Zoning Clerk Lindsay Bandy. Excused: City Clerk Amy Woodward. Others present: Joseph Thomas.

APPROVAL OF THE CONSENT AGENDA:

1. Approval of June 18, 2025, Regular Meeting Minutes
2. Approval of July 16, 2025, No Meeting

*Motion made by Nell, second by Lohmeyer to approve the consent agenda.
The motion was declared carried.*

REGULAR BUSINESS:

1. Article 15 Industrial Districts
 - a. Storage Definition Discussion

City Manager, Katie Hodge, discussed the current storage definition for Industrial Districts. She also provided new proposed language for the definition and the process to adopt said language.

Motion made by Williams, second by Nell to table for further discussion until the next planning and zoning meeting on September 24, 2025. The motion was declared carried.

2. Planned Unit Development (PUD) Overlay District Preliminary Application- Joseph Thomas, Heartland Design + Build

The Planning & Zoning Committee reviewed the PUD Applications for Huffman II, Block 1 and Osage City Legacy, submitted by Joseph Thomas with Heartland Build + Design. Joseph was present to answer any questions and provided a brief explanation of the PUD Replat.

Motion made by Nell, second by Koch to cancel Wednesday September 17, 2025, regular meeting and reschedule for Wednesday September 24, 2025, at 7:00PM. The motion was declared carried.

Motion made by Koch, second by Williams to set the Public Hearing for Wednesday, September 24, 2025, at 7:00 p.m. for a Planned Unit Development Preliminary Application for Huffman II, Block 1 and a lot depth deviation of 3.5 times the lot width instead of 2.5 times, as requested by Joseph Thomas with Heartland Build + Design. The motion was declared carried.

Motion made by Koch, second by Lohmeyer to set the Public Hearing for Wednesday, September 24, 2025, at 7:00 p.m. for a Planned Unit Development Preliminary Application for Osage City Legacy and a lot depth deviation of 3.5 times the lot width instead of 2.5 times, as requested by Joseph Thomas with Heartland Build + Design. The motion was declared carried.

ADJOURN: *Motion made by Koch, second by Nell to adjourn. The motion was declared carried*

APPROVED: _____ **ATTEST:** _____
Casey Mussatto, Chairman Amy Woodward, City Clerk

This 24th day of September 2025

(SEAL)

CITY OF OSAGE CITY

REQUEST FOR CITY PLANNING & ZONING ACTION

DATE
9/24/2025

TIME
7:00 P.M.

AGENDA SECTION NO: III	ORIGINATING DEPARTMENT: Administration	APPROVED FOR AGENDA:
ITEM 1 2 NO. 3 & 4	BY: Katie Hodge, City Manager	BY: KH

ITEM:

Planned Unit Development (PUD) Overlay District preliminary applications for housing projects Huffman II, Block 1 (Huffman Addition) and Osage Legacy (13th & Brant).

BACKGROUND:

These housing projects are funded through the Department of Commerce's Moderate-Income Housing Grant program. The contractor for the projects is Joseph Thomas of Heartland Design+Build.

Mr. Thomas is requesting approval of a Planned Unit Development (PUD) Overlay District (Chapter 16 of the Planning & Zoning Regulations) as a procedural requirement for subdividing one lot into multiple lots. Under the City's Planning & Zoning Regulations, a single lot may be divided into two lots through the lot split process. Minor plat regulations permit a maximum division of one lot into five lots. To subdivide a lot into more than five lots, the PUD Overlay District is the only available mechanism.

FISCAL NOTE:

\$0

PLANNING & ZONING ACTION:

The Planning and Zoning Committee is requested to deliberate and take formal action on the Huffman II Block1 and Osage Legacy preliminary plans.

ACTION:

1. Approve (send to the council, recommending approval)
2. Disapprove
3. Approve with amendments, conditions, or restrictions (send to the council, recommending approval with identified amendments, conditions, or restrictions)

City of Osage City, Kansas

Planned Unit Development (PUD) – Preliminary Plan Application

(Per Article 16, Section 16-5 (501) Zoning & Subdivision Regulations)

Project Information

Project Name: Huffman II, Block 1	
Applicant / Agent Name: Heartland Design Build, LLC	
Mailing Address: 1104 W 19th Street Ottawa, KS 66067	
Phone: 785-565-3236	Email: HeartlandDB@gmail.com
Property Owner(s): Heartland Property Development, LLC	
Mailing Address: 1104 W 19th Street Ottawa, KS 66067	
Phone: 785-565-3236	Email: HeartlandDB@gmail.com

Application Statement

- I understand that this PUD application will be processed in the same manner as a rezoning request, including notice, public hearing advertisement, protest procedures, and adoption.
- If lots are to be platted for sale, I understand that this preliminary plan shall also be considered a preliminary subdivision plat.

Required Preliminary Development Plan Information

- Contours at 2-foot intervals
- General location, size, and use of all proposed structures with setbacks shown OR individual lot design with lot/block/easements/public ROW
- Points of ingress/egress, driveways, parking lots, parking spaces, service areas
- All streets adjoining property with existing ROW width
- All proposed public/private streets, required/proposed sidewalks, pedestrian ways
- Areas for public open space with planned facilities noted
- Intensity of use for each space
- Location of natural features (ponds, tree clusters, etc.)
- Location and type of all required/proposed screening

Additional Documentation

- Full legal description of PUD boundaries
- Vicinity map (showing streets and land uses within 1,000 ft)
- Statement describing care/maintenance of common areas
- If non-governmental entity will own/operate common areas – include articles of incorporation & bylaws
- Phasing schedule (time & sequence for final approval of each section if multi-year)

Development Standards & Modifications

List requested deviations from standard zoning requirements:

Requested Deviation: Maximum lot depth of residential lots shall not exceed three and one-half (3.5) times the lot width. Article 4-401(c) standard is 2 1/2.

Infrastructure & Utilities

Water: Utilize Existing
Sanitary Sewer: Utilize Existing
Stormwater: Utilize Existing

Public Open Space & Amenities N/A

Phasing & Implementation

Phase 1: 6 Home Construction	Start: May 2025	Completion: Aug 2026
Phase 2: N/A	Start:	Completion:
Additional Phases: N/A		

Pre-Application Meeting

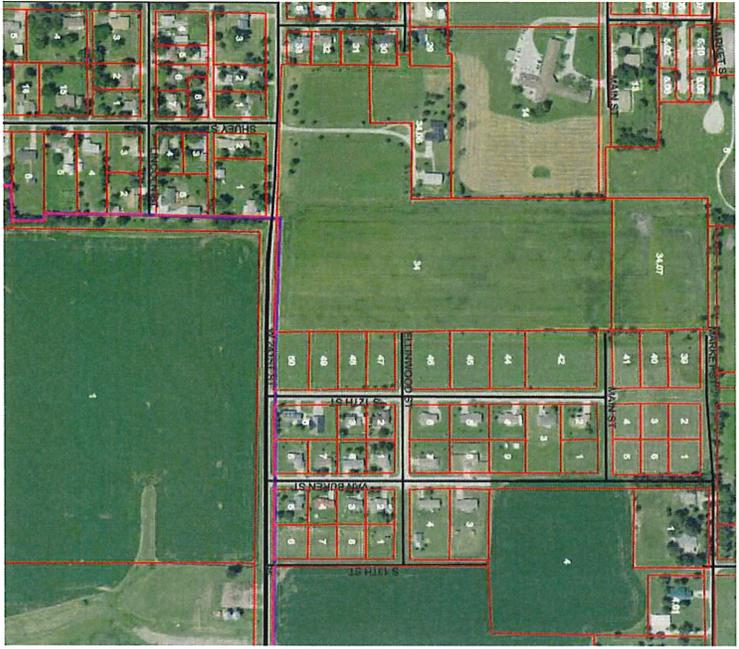
Date: N/A	Staff Contact: N/A
Summary of feedback: N/A	

Attachments Checklist

- Site Plan (per Article 16-5 (501))
- Legal Description
- Vicinity Map (1,000 ft radius)
- ~~Infrastructure Plan~~
- ~~Ownership/Maintenance Statement & Bylaws~~
- Phasing Schedule
- ~~Traffic Study (if required)~~
- ~~Environmental/Natural Features Map~~
- ~~Screening/Landscaping Plan~~

Authorization & Signatures

Owner's Signature:	<i>Joseph J. Thun</i>	Date: 08/18/2025
Applicant/Agent Signature:	<i>Joseph J. Thun</i>	Date: 08/18/2025



VICINITY MAP
3/16" = 1" = 0"

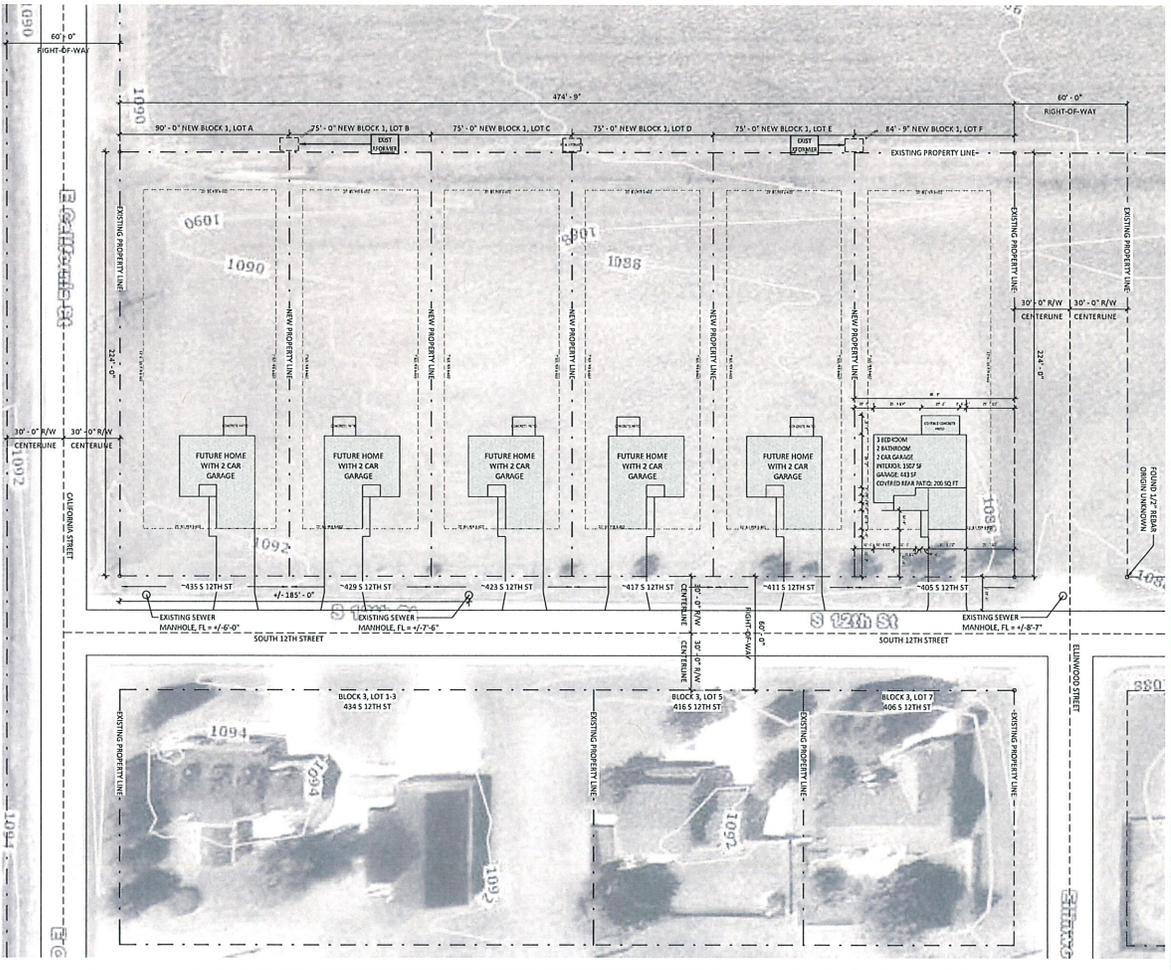
3

Huffman II, Block 1, A Replat of Block 1, Huffman Addition to the City of Osage City, Kansas

Commencing at the Southeast Corner of the Northwest Quarter of Section 25, Township 15 South, Range 14 East of the 6th Principal Meridian, Said point being within the Osage City Corporate Limits, Thence 88°32'32" W, 127.00 feet to the Southeast Corner of said Northwest Quarter 689.58 feet, Thence 90°00'00" W, 127.00 feet to the Southeast Corner of California Street, Thence 90°00'00" W, 127.00 feet to the Southeast Corner of what was "Block 41 Huffman Addition", Said Point being 0.18 feet west of an existing iron rebar. This same point being the POINT OF BEGINNING, Thence continuing N01°30'43"W, 474.81 Feet to a 1/2" Iron Bar, Thence S88°29'50"W, 223.73 feet to a 1/2" Iron Bar, Thence S58°29'03"E, 474.81 feet to an existing 1/2" Iron Bar, Thence N88°29'32"E, 223.56 feet to the Point of Beginning, The above described Addition containing 3,058.53 Square feet.

PUD DESCRIPTION
1/2" = 1" = 0"

2



HUFFMAN II, BLOCK 1 SITE PLAN (~405-435 S 12TH)
1" = 30' = 0"

1

HUFFMAN II, BLOCK 1
Planned Unit Development
~405-435 S 12th Street
Osage City, KS 66523

General Contractor:
Heitland Design Build, LLC
Ottawa, KS
heitlanddb@gmail.com

SITE PLAN
PUD-1
PRELIMINARY APP

PROJECT NO.: 3025-PUD1
DATE: AUGUST 30, 2023

REVISIONS	DATE

City of Osage City, Kansas

Planned Unit Development (PUD) – Preliminary Plan Application

(Per Article 16, Section 16-5 (501) Zoning & Subdivision Regulations)

Project Information

Project Name: Osage City Legacy	
Applicant / Agent Name: Heartland Design Build, LLC	
Mailing Address: 1104 W 19th Street Ottawa, KS 66067	
Phone: 785-565-3236	Email: HeartlandDB@gmail.com
Property Owner(s): Heartland Property Development, LLC	
Mailing Address: 1104 W 19th Street Ottawa, KS 66067	
Phone: 785-565-3236	Email: HeartlandDB@gmail.com

Application Statement

- I understand that this PUD application will be processed in the same manner as a rezoning request, including notice, public hearing advertisement, protest procedures, and adoption.
- If lots are to be platted for sale, I understand that this preliminary plan shall also be considered a preliminary subdivision plat.

Required Preliminary Development Plan Information

- Contours at 2-foot intervals
- General location, size, and use of all proposed structures with setbacks shown OR individual lot design with lot/block/easements/public ROW
- Points of ingress/egress, driveways, parking lots, parking spaces, service areas
- All streets adjoining property with existing ROW width
- All proposed public/private streets, required/proposed sidewalks, pedestrian ways
- Areas for public open space with planned facilities noted
- Intensity of use for each space
- Location of natural features (ponds, tree clusters, etc.)
- Location and type of all required/proposed screening

Additional Documentation

- Full legal description of PUD boundaries
- Vicinity map (showing streets and land uses within 1,000 ft)
- Statement describing care/maintenance of common areas
- If non-governmental entity will own/operate common areas – include articles of incorporation & bylaws
- Phasing schedule (time & sequence for final approval of each section if multi-year)

Development Standards & Modifications

List requested deviations from standard zoning requirements:

Requested Deviation: Maximum lot depth of residential lots shall not exceed three and one-half (3.5) times the lot width. Article 4-401(c) standard is 2 1/2.

Infrastructure & Utilities

Water: Utilize Existing
Sanitary Sewer: Utilize Existing
Stormwater: Utilize Existing

Public Open Space & Amenities N/A

Phasing & Implementation

Phase 1: 5 Rental Home Construction	Start: Nov 2025	Completion: July 2026
Phase 2: 2 New Home Construction	Start: TBD	Completion: TBD
Additional Phases: N/A		

Pre-Application Meeting

Date: N/A	Staff Contact: N/A
Summary of feedback: N/A	

Attachments Checklist

- Site Plan (per Article 16-5 (501))
- Legal Description
- Vicinity Map (1,000 ft radius)
- ~~Infrastructure Plan~~
- ~~Ownership/Maintenance Statement & Bylaws~~
- Phasing Schedule
- ~~Traffic Study (if required)~~
- ~~Environmental/Natural Features Map~~
- ~~Screening/Landscaping Plan~~

Authorization & Signatures

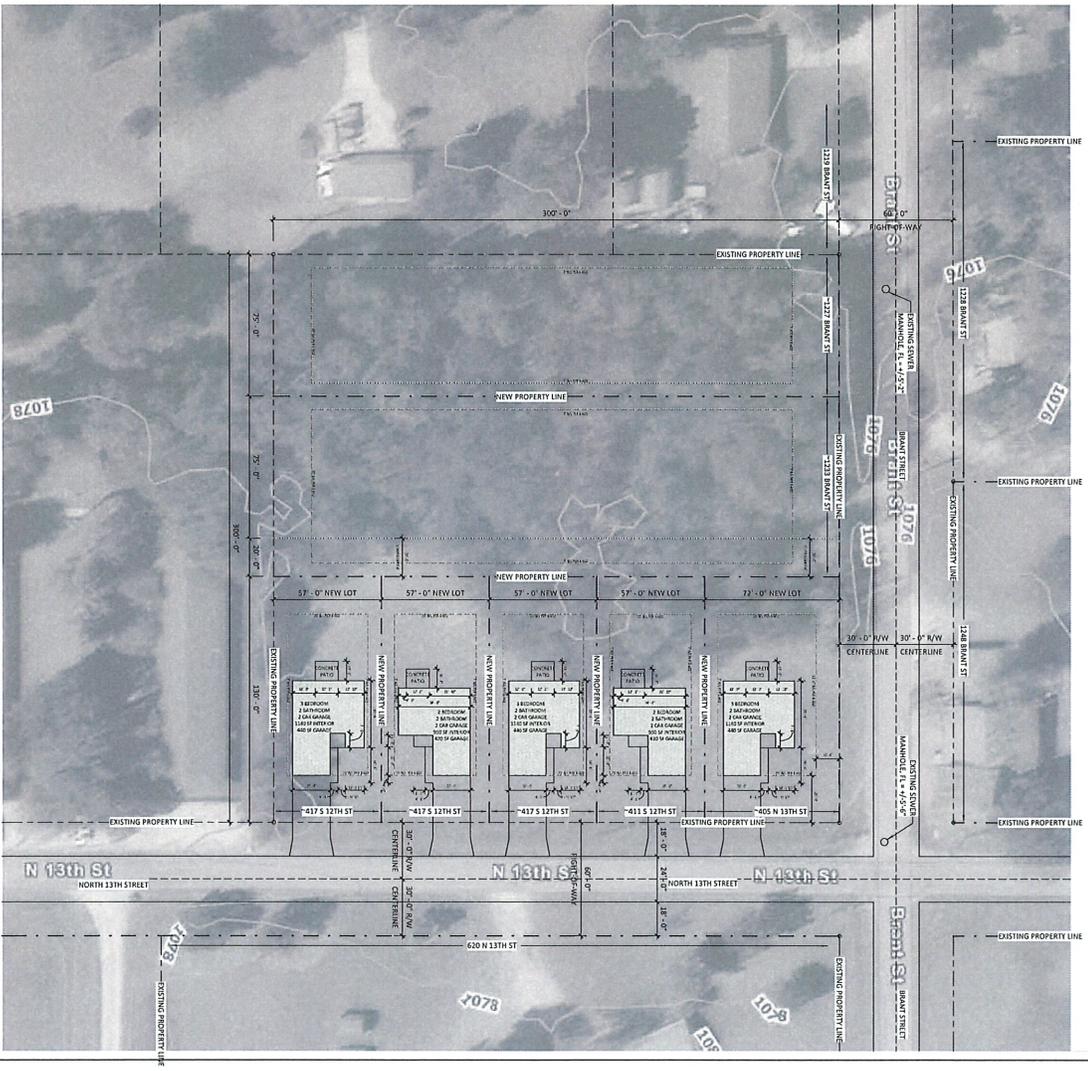
Owner's Signature: <i>Joseph J. Thum</i>	Date: 08/19/2025
Applicant/Agent Signature: <i>Joseph J. Thum</i>	Date: 08/19/2025



VICINITY MAP
1" = 300'-0"

Osage City Legacy Addition, a Replat of The North
1/2 of Lot 5, In Osage Land and Mining Company's
Addition to Osage City, according to the recorded
plat thereof, in Osage County, Kansas

PUD DESCRIPTION
1" = 30'-0"



OSAGE CITY LEGACY SITE PLAN (13TH & BRANT)
1" = 30'-0"

OSAGE CITY LEGACY
Planned Unit Development
13th & Brant
Osage City, KS 66523

General Contractor:
Heitland Design Build, LLC
Ottawa, KS
heitlanddesignbuild.com
heitlanddb@gmail.com

PROJECT NO.: 2025-0103
DATE: AUGUST 13, 2025
SITE PLAN
PUD-1
PRELIMINARY APP

REVISIONS	DATE

Property Address: Huffman II, Block 1, Lots 1-4

Members of the public are always encouraged to attend Public Hearings and make their opinions known. The basic purpose of this form is to make it easy for people who will not be able to attend the Public Hearing to express their opinions.

Please follow these instructions:

- 1. Mark the box which best expresses your opinion about this request.
- 2. Add comments that will explain your position. Attach additional pages or a letter if necessary.
- 3. Sign and date the form at the bottom.
- 4. Return by the date listed below. Mail back to: PO Box 250, Osage City, KS 66523, or Email to lbandy@osagecity.com.

IN FAVOR
 OPPOSED
 UNSURE

Reasons and/or Comments:

This letter does not tell me very much as to what is wanted. I believe this person should have the same plans as others had to follow and not really sound like it would look very well.

Janice Smart
 Signature of Owner or Authorized Representative

Sept 17, 2025
 Date

Signature of Owner or Authorized Representative

9-17-2025
 Date

In order to have your comments included in the meeting, please return this form to City Hall by:

Lindsay Bandy
4:00 PM on September 18, 2025

If you have any questions, please contact the Osage City Planning & Zoning Clerk, Lindsay Bandy at 785-528-3714.

Date Received: _____

Property Address: Osage City Legacy (Southwest corner of 13th & Brant Street)

Members of the public are always encouraged to attend Public Hearings and make their opinions known. The basic purpose of this form is to make it easy for people who will not be able to attend the Public Hearing to express their opinions.

Please follow these instructions:

1. Mark the box which best expresses your opinion about this request.
2. Add comments that will explain your position. Attach additional pages or a letter if necessary.
3. Sign and date the form at the bottom.
4. Return by the date listed below. Mail back to: PO Box 250, Osage City, KS 66523, or Email to lbandy@osagecity.com.

<input type="checkbox"/> IN FAVOR	<input checked="" type="checkbox"/> OPPOSED	<input type="checkbox"/> UNSURE
-----------------------------------	---	---------------------------------

Reasons and/or Comments:

I live across the road from the proposed property. I was never told nor letter of intent. I believe there is too much traffic and housing issues for another "project". There has been sewer issues in the neighborhood for decades. More housing will compound this issue.

Brenda Dorn
Signature of Owner or Authorized Representative

9-18-2025
Date

Signature of Owner or Authorized Representative

Date

In order to have your comments included in the meeting, please return this form to City Hall by:

4:00 PM on September 18, 2025

If you have any questions, please contact the Osage City Planning & Zoning Clerk, Lindsay Bandy at 785-528-3714.

Date Received: 9/18/2025

CR

Property Address: Osage City Legacy (Southwest corner of 13th & Brant Street)

Members of the public are always encouraged to attend Public Hearings and make their opinions known. The basic purpose of this form is to make it easy for people who will not be able to attend the Public Hearing to express their opinions.

Please follow these instructions:

1. Mark the box which best expresses your opinion about this request.
2. Add comments that will explain your position. Attach additional pages or a letter if necessary.
3. Sign and date the form at the bottom.
4. Return by the date listed below. Mail back to: PO Box 250, Osage City, KS 66523, or Email to lbandy@osagecity.com.

<input type="checkbox"/> IN FAVOR <input checked="" type="checkbox"/> OPPOSED <input type="checkbox"/> UNSURE

Reasons and/or Comments:

Rental property, TAX needs to go down due to putting
 UNITS TO close to my property. I plan on nice homes for my
 property. rentals will devalue my property.
 Social problems, people in out doing bad things.
 They will need storm shelters, no units have them.

J. Thomas G. Howell
 Signature of Owner or Authorized Representative

9-18-25
 Date

 Signature of Owner or Authorized Representative

 Date

In order to have your comments included in the meeting, please return this form to City Hall by:

4:00 PM on September 18, 2025

If you have any questions, please contact the Osage City Planning & Zoning Clerk, Lindsay Bandy at 785-528-3714.

Date Received: 9/18/25

Property Address: Huffman II, Block 1, Lots 1-4

Members of the public are always encouraged to attend Public Hearings and make their opinions known. The basic purpose of this form is to make it easy for people who will not be able to attend the Public Hearing to express their opinions.

Please follow these instructions:

1. Mark the box which best expresses your opinion about this request.
2. Add comments that will explain your position. Attach additional pages or a letter if necessary.
3. Sign and date the form at the bottom.
4. Return by the date listed below. Mail back to: PO Box 250, Osage City, KS 66523, or Email to lbandy@osagecity.com.

<input type="checkbox"/> IN FAVOR <input checked="" type="checkbox"/> OPPOSED <input type="checkbox"/> UNSURE

Reasons and/or Comments:

- 1) Weakens protections that preserve our property's character and stability, and may set precedent for future development.
- 2) Increases traffic and safety concerns, potential parking overflow.
- 3) Increases noise pollution (lawnmowers, animals, parties, etc.)
- 4) Reduced privacy with more people, windows, porches, and cars
- 5) Strain on utilities with more houses which may increase our costs, reduce service quality, or require more maintenance

Katrina Bellamy
 Signature of Owner or Authorized Representative

9/17/25
 Date

BACK →

[Signature]
 Signature of Owner or Authorized Representative

9/17/25
 Date

In order to have your comments included in the meeting, please return this form to City Hall by:

4:00 PM on September 18, 2025

If you have any questions, please contact the Osage City Planning & Zoning Clerk, Lindsay Bandy at 785-528-3714.

Date Received: 9/18/2025

- 6) Negative impact on our property value, lower curb appeal, may look overdeveloped
- 7) Construction disruptions - more dust, more debris, more machinery, longer disruption
- 8) Stormwater runoff/drainage - negative impact with increased concrete/roof coverage where drainage could worsen, create standing water, and increase flooding risk

Property Address: Huffman II, Block 1, Lots 1-4

Members of the public are always encouraged to attend Public Hearings and make their opinions known. The basic purpose of this form is to make it easy for people who will not be able to attend the Public Hearing to express their opinions.

Please follow these instructions:

1. Mark the box which best expresses your opinion about this request.
2. Add comments that will explain your position. Attach additional pages or a letter if necessary.
3. Sign and date the form at the bottom.
4. Return by the date listed below. Mail back to: PO Box 250, Osage City, KS 66523, or Email to lbandy@osagecity.com.

<input checked="" type="checkbox"/> IN FAVOR <input type="checkbox"/> OPPOSED <input type="checkbox"/> UNSURE

Reasons and/or Comments:

I see no reason for this ^{work} not to go forward.

Signature of Owner or Authorized Representative

Date

[Handwritten Signature]
 Signature of Owner or Authorized Representative

18. September, 2025
 Date

In order to have your comments included in the meeting, please return this form to City Hall by:

4:00 PM on September 18, 2025

If you have any questions, please contact the Osage City Planning & Zoning Clerk, Lindsay Bandy at 785-528-3714.

Date Received: 9/18/25

Property Address: Osage City Legacy (Southwest corner of 13th & Brant Street)

Members of the public are always encouraged to attend Public Hearings and make their opinions known. The basic purpose of this form is to make it easy for people who will not be able to attend the Public Hearing to express their opinions.

COPY

Please follow these instructions:

1. Mark the box which best expresses your opinion about this request.
2. Add comments that will explain your position. Attach additional pages or a letter if necessary.
3. Sign and date the form at the bottom.
4. Return by the date listed below. Mail back to: PO Box 250, Osage City, KS 66523, or Email to lbandy@osagecity.com.

<input checked="" type="checkbox"/> IN FAVOR <input type="checkbox"/> OPPOSED <input type="checkbox"/> UNSURE

Reasons and/or Comments:

Lindsay Bandy
 Signature of Owner or Authorized Representative

9/18/25
 Date

 Signature of Owner or Authorized Representative

 Date

In order to have your comments included in the meeting, please return this form to City Hall by:

4:00 PM on September 18, 2025

If you have any questions, please contact the Osage City Planning & Zoning Clerk, Lindsay Bandy at 785-528-3714.

Date Received: _____

CITY OF OSAGE CITY

REQUEST FOR CITY PLANNING & ZONING ACTION

DATE
9/24/2025

TIME
7:00 P.M.

AGENDA SECTION NO: III	ORIGINATING DEPARTMENT: Administration	APPROVED FOR AGENDA:
ITEM NO: 5	BY: Katie Hodge, City Manager	BY: KH

ITEM:

Article 15 Industrial Districts—Storage Definition Discussion

BACKGROUND:

Please review Article 2 Rules, Interpretations, and Definitions page 2-19 for the added storage definition

Please review Article 15 Industrial Districts (I-1 and I-2) page 15-5 for the added storage requirements.

The City Attorney has reviewed and approved the “Outside Storage” definition and requirements that I proposed.

FISCAL NOTE:

\$0

PLANNING & ZONING ACTION:

- 1) Approval of the addition of an “Outside Storage” definition to be added to the Article 2 SECTION 2-3 DEFINITIONS and add section 15-9 15.901 “Outside Storage” Requirements” to Article 15 outlining the City’s requirements for storing material outside
- 2) Recommend changes to the “Outside Storage” definition and requirements
- 3) To reject the addition of the “Outside Storage” definition and requirements
- 4) Table the discussion until a later Planning and Zoning meeting

Motor vehicle storage yard. A building or premises where operable, inoperable, abandoned, wrecked or junked vehicles are stored while awaiting final disposition.

Nonconforming lot of record. A lot, whether with or without improvements, which is part of a recorded subdivision or a parcel of land, the deed to which was recorded prior to the adoption of subdivision regulations and neither said lot nor parcel complies with the lot width or area requirements for any permitted uses in the district in which it is located. See also **Lot of record**.

Nonconforming structure. An existing structure which does not comply with the lot coverage, height or yard requirements which are applicable to new structures in the zoning district in which it is located.

Nonconforming use. An existing use of a structure or of land which does not comply with the use regulations applicable to new uses in the zoning district in which it is located.

Nursing homes, retirement homes or convalescent homes. A building operated by an institution or agency licensed by the State of Kansas for the reception, board, care or treatment of three (3) or more unrelated individuals, but not including facilities for the care and treatment of mental illness, or alcohol or narcotics addiction.

Outside Storage means the placement, keeping, or staging of materials, products, equipment, machinery, vehicles, or supplies in an unenclosed area on a parcel zoned for industrial use within the city limits of Osage City. This includes, but is not limited to:

- Construction materials and equipment
- Raw or processed materials (e.g., gravel, mulch, scrap)
- Trailers, shipping containers, and machinery
- Finished products awaiting transport or use

Overlay district. A district which acts in conjunction with the underlying base zoning district.

Owner. Any person, agent, firm or corporation having a legal or equitable interest in the property.

Package liquor store. An establishment in which alcoholic beverages are sold for consumption off the premises.

Section 15-9 – Outside Storage Requirements

15-901 Purpose and Intent.

The purpose of this Section is to establish standards for the placement, maintenance, and screening of outside storage in industrial zoning districts to protect public health, safety, and welfare; maintain the visual quality of the community; and prevent adverse impacts on adjacent properties.

15-902 Definition.

For the purposes of this Section, *Outside Storage* shall mean the placement, keeping, or staging of materials, products, equipment, machinery, vehicles, or supplies in an unenclosed area on a parcel zoned for industrial use within the corporate limits of Osage City.

Outside storage includes, but is not limited to, the following:

- a. Construction materials and equipment;
- b. Raw or processed materials, including but not limited to gravel, mulch, and scrap;
- c. Trailers, shipping containers, and machinery;
- d. Finished products awaiting transport or use.

15-903 Applicability.

The provisions of this Section shall apply to all properties in industrial zoning districts where outside storage is maintained, whether temporary or permanent.

15-904 Standards.

- a. **Accessory Use.** Outside storage shall be clearly incidental and accessory to a principal industrial use located on the same property.
- b. **Location.** Outside storage shall be located to the side or rear of the principal structure. Such storage shall not encroach into any required front yard setback unless expressly approved through the site plan review process.
- c. **Screening.** All outside storage areas shall be screened from public rights-of-way and from adjacent non-industrial zoning districts by a solid fence, wall, or year-round vegetative buffer, each not less than six (6) feet in height.
- d. **Containment of Loose Materials.** Loose materials, including but not limited to soil, gravel, mulch, scrap, or other particulate matter, shall be stored in bins, covered bins, or otherwise securely confined to prevent wind dispersion, runoff, or scattering onto adjacent properties or public rights-of-way.
- e. **Maintenance.** Outside storage areas shall be maintained in a clean, orderly condition, free of debris, weeds, or any condition that constitutes a public nuisance or health hazard.
- f. **Hazardous Materials.** Any hazardous or regulated substances shall be stored in compliance with all applicable federal, state, and local laws and regulations, including containment and spill prevention requirements.

15-905 Enforcement.

Failure to comply with the provisions of this Section shall constitute a violation of the

Osage City Zoning Regulations and shall be subject to the enforcement procedures and penalties provided in **Article 28 – Enforcement, Violation, and Penalty** of this Code.