

ORDINANCE NO. ZRR-2754

AN ORDINANCE RELATING TO THE UNIFIED DEVELOPMENT ORDINANCE FOR THE CITY OF OVERLAND PARK, KANSAS; AMENDING AND REPEALING EXISTING OVERLAND PARK MUNICIPAL CODE SECTION 18.450.100.

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

SECTION 1. Overland Park Municipal Code Section 18.450.100 is hereby amended to read as follows:

**18.450.100 Screening requirements**

Plans for all residential projects containing multi-family dwellings, all non-residential projects in residential districts, and all commercial and industrial projects shall include a detailed drawing of enclosure and screening methods as provided hereinafter.

- A. Trash containers, trash compactors, roll-off recycling containers, and groupings of three or more recycling bins/containers and/or recycling containers larger than 10-cubic yards shall be screened from public view on all four sides with a solid fence, wall, or gate constructed of cedar, redwood, masonry and a gate constructed of or other compatible, durable, low-maintenance building materials, and shall be appropriately landscaped. Plans for these containers may be approved by the Director of Planning and Development Services, or his/her designee. Alternative compatible, durable, material other than masonry may be approved by the Planning Commission through the Final Development Plan approval process.
  
- B. Recycling containers of 10-cubic yards or smaller in size may be located on the property without meeting the screening requirements as stipulated in 18.450.100 A, under the following conditions. All such recycling containers shall be:
  - 1. Located at or behind the front line of the building and be screened 80 percent or more from view from adjacent residentially zoned properties and the public rights-of-way or located 150 feet or more from any such properties and rights-of-way.
  
  - 2. Where screening is required under Section B.1, such screening shall be accomplished by the use of a solid fence, wall, or gate constructed of cedar, redwood, masonry, vinyl, or steel, earthen berm, and/or landscaping. Such fencing or wall may be subject to required building permits.
  
  - 3. Placed on a paved or other solid surface.
  
  - 4. Limited to a maximum of two such recycling containers, which must be

grouped at one location on the property.

5. Restricted from collecting hazardous materials such as paint and chemicals or glass.

6. Located so as not to impede normal traffic circulation on the site.

7. If not practical to meet part or all of the above conditions for such recycling containers, applicants may submit a screening plan for approval by the Director of Planning and Development Services, or his or her designee, which substantially screens the recycling containers from all residentially zoned properties and public rights-of-way and substantially meets conditions 2 through 6.

BC. Exterior ground-mounted or building-mounted equipment including, but not limited to, mechanical equipment, utilities and banks of meters, shall be screened from public view with landscaping or with an architectural treatment compatible with the building architecture.

CD. All rooftop equipment shall be screened from public view with an architectural treatment which is compatible with the building architecture.

1. For purposes of this ~~s~~Section, the phrase "screened from public view" means not visible from any adjoining properties or any street right-of-way.

2. For purposes of this ~~s~~Section, the phrase "architectural treatment compatible with the building architecture" shall not include painted mechanical units or prefinished mechanical units. For mechanical units not adequately screened by the parapet, supplementary screening shall be provided by the use of prefinished architectural metal panels, stucco panels, masonry walls, or other similar building materials. The height of the screen shall be no lower than the height of the unit as measured from the roof surface.

DE. All buildings or additions thereto in commercial or industrial districts shall provide a solid screen fence or wall not less than ~~6~~six feet in height along all rear and side property lines which are common to property zoned for residential purposes, except that such screening shall not extend in front of the building line or adjacent dwellings. Such screening shall not be required where similar screening exists on the abutting residential property.

SECTION 2. Existing Overland Park Municipal Code Section 18.450.100 is hereby repealed.

SECTION 3. This ordinance shall take effect and be in force from and after its publication in an official City newspaper.

PASSED by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2008.

APPROVED by the Mayor this \_\_\_\_ day of \_\_\_\_\_, 2008.

---

Carl Gerlach, Mayor

ATTEST:

---

Marian Cook  
City Clerk

APPROVED AS TO FORM:

---

J. Bart Budetti  
Senior Assistant City Attorney