

(Summary Published in The Morning Sun on November 15th, 2013)

ORDINANCE NO. G-1194

AN ORDINANCE creating Article 22 of the Zoning Ordinance of Pittsburg, Kansas, as incorporated by reference in Section 62-81 of the Pittsburg City Code, for the purpose of creating the Downtown Overlay District (DO) and amending the Zoning District Boundary Map and Zoning Ordinance No. G-663, as amended, of the City of Pittsburg, Kansas.

WHEREAS, a public hearing was held on 28th day of October, 2013 to consider the creation of a Downtown Overlay District (DO) and;

WHEREAS, the Planning and Zoning Commission of the City of Pittsburg, Kansas, following said public hearing, has filed its report with the Board of Commissioners of the City of Pittsburg, Kansas, recommending the creation of a Downtown Overlay District (DO) and amendment of the Zoning District Boundary Map.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF PITTSBURG, KANSAS:

Section 1. Article 22 of the Zoning Ordinance of the City of Pittsburg, Kansas, as incorporated by reference in Section 62-81 of the Pittsburg City Code, is hereby created to read as follows:

ARTICLE 22

"DO" Downtown Overlay District

- 22-101 APPLICATION:**
- 22-102 BOUNDARY:**
- 22-103 USE REGULATIONS:**
- 22-104 PLAN APPROVAL GUIDELINES:**
- 22-105 PERFORMANCE STANDARDS:**
- 22-106 PARKING REGULATIONS:**
- 22-107 OFF-STREET LOADING REGULATIONS:**
- 22-108 SIGN REGULATIONS:**
- 22-109 HEIGHT, AREA AND BULK REGULATIONS:**
- 22-110 SUPPLEMENTARY HEIGHT, AREA AND BULK REGULATIONS:**
- 22-111 SUPPLEMENTARY USE REGULATIONS:**
- 22-112 SPECIAL EVENTS:**

22-101 Application:

The regulations set forth in this Article, or set forth elsewhere in this Ordinance when referred to in this Article, are the regulations in the "DO" Downtown Overlay District. The Downtown Overlay District overlays and is designed to function in combination with the underlying District. The two principal functions of this district are: (1) to give the Downtown oriented functions more flexibility than they would have if mapped in another district; and (2) to permit the establishment of the types of uses which ordinarily occur in a city center environment.

22-102 Boundary:

The boundaries of the Downtown Overlay District "DO" shall be 14th Street on the north, Euclid

Street on the south, Pine Street on the west, and Elm Street on the east. Properties on each sides of the boundary streets shall be included in the "DO" District.

22-103 Use Regulations:

In District "DO," no building, structure, land or premises shall be used and building or structure shall be hereafter erected, constructed, reconstructed, moved or altered except according to any use permitted in the underlying District, subject to the requirements of the underlying District.

22-104 Plan Approval Guidelines:

The Plan Approval Guidelines, including site plan submission and content requirements, are contained in Article 23 of this Ordinance, subject to any advisory review as defined through subsequent Ordinance.

22-105 Performance Standards:

The Performance Standards for permitted uses are contained in Article 24 of this Ordinance with the following exceptions:

1. Merchandise and temporary signage which may appropriately be displayed outside a building may be kept on public sidewalks and streets to the extent that it is readily moveable and does not prohibit safe pedestrian traffic. Such merchandise and signage is to be displayed only during business hours.
2. Furnishings intended for the use of the public (including, but not limited to tables, chairs, benches, and bike racks) may be kept on public sidewalks and streets to the extent that they do not pose a threat to public safety or inhibit safe pedestrian traffic. Furnishings cannot be permanently attached to the public right-of-way without approval of the Governing Body.

22-106 Parking Regulations:

The Parking Regulations for permitted uses in District DO are contained in Article 25 of this Ordinance. Parking requirements for any building or structure hereafter erected or structurally altered within this district will be reviewed, amended and approved as part of the development plan.

22-107 Off-Street Loading Regulations:

The Off-Street Loading Regulations for permitted uses are contained in Article 26 of this Ordinance. Off-street loading requirements for any building or structure hereafter erected or structurally altered within this district will be reviewed, amended and approved as part of the development plan.

22-108 Sign Regulations:

The Sign Regulations are contained in Article 27 of this Ordinance and pertain to article 27-106, section 5 Central Business District with the exception of temporary signs allowed under 22-105 Performance Standards.

22-109 Height, Area and Bulk Regulations:

In the "DO" Downtown Overlay District, the height of buildings, the minimum dimensions of lots and yards, and the minimum lot area on any lot shall follow regulations contained in Article 28 of this Ordinance equivalent to the regulations for the underlying District.

22-110 Supplementary Height, Area and Bulk Regulations:

The Supplementary Height, Area and Bulk Regulations are contained in Article 29 of this Ordinance.

22-111 Supplementary Use Regulations:

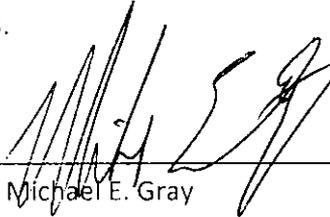
The Supplementary Use Regulations, including permitted Conditional Uses and Accessory Uses, are contained in Article 30 of this Ordinance.

22-112 Special Events:

Regulations for temporary use of land for special events in the DO District are contained in Article 36 of this Ordinance.

Section 2. This Ordinance shall take effect upon its passage and publication in the official City newspaper.

PASSED AND APPROVED this 12th day of November, 2013.



Mayor – Michael E. Gray

ATTEST:



Tammy Nagel – City Clerk

