

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

ORDINANCE NO. G-1195

AN ORDINANCE, amending Section 1-104 of Article 1 of the Zoning Ordinance of Pittsburg, Kansas, as incorporated by reference in Section 62-81 of the Pittsburg City Code, to add the Downtown Overlay District (DO) as a zoning district in the City of Pittsburg, Kansas and amending and supplementing the Zoning District Boundary Map and Zoning Ordinance No. G-663, as amended, of the City of Pittsburg, Kansas.

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

Section 1. That Section 1-104 of Article 1 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 amended and supplemented to include the Downtown Overlay District as follows:

1-104 Districts:

In order to regulate and restrict the use of land and the location of buildings erected or altered for specific uses, to regulate and limit the height and bulk of buildings hereafter erected or structurally altered, to regulate and limit population density and the intensity of the use of lot areas, and to regulate and determine the areas of yards, courts, and other open spaces surrounding such buildings, the City of Pittsburg, Kansas, is hereby divided into districts of which they shall be in number, known as:

R-1A Single-Family Residential District
R-1B Single-Family Residential District
R-1C Single-Family Residential District
R-2 Two-Family Residential District
RP-3 Planned Medium Density Residential District
RP-4 Planned Apartment House District

UO University Overlay District

CP-O Planned Commercial Office District
CP-1 Planned Neighborhood Commercial District
CP-2 Planned General Commercial District
CP-3 Planned Highway Service Commercial District
CP-4 Planned Central Business District
DO Downtown Overlay District

IP-1 Planned Light Industrial District
IP-2 Planned Medium Industrial District
IP-3 Planned Heavy Industrial District

AP Planned Airport Industrial District
AO Airport Overlay District
FP Floodplain District

1. Such land, and the district classification thereof, shall be shown on the official map designated as the "Zoning District Boundary Map of Pittsburg, Kansas." Such Zoning District Boundary Map, and all symbols, notations, dimensions, and references shown thereon pertaining to such districts shall be as much a part of this Ordinance as if fully they were described herein, and shall be filed as part of this Ordinance with the Zoning Administrator of the City of Pittsburg. Said Map shall be available for inspection in the office of the Zoning Administrator and any later alterations of this Map, adopted by amendment as provided by this Ordinance, shall be filed and made available for public reference. The above stated maps shall hereinafter be referred to as the "map" in this document.
2. When uncertainty exists with respect to the boundaries of the various districts as shown on the map accompanying and made a part of this Ordinance, the following rules shall apply:
 - a. In cases where a boundary line is given a position within a street or alley, or navigable or non-navigable stream, it shall be deemed to be in the center of the street, alley, or stream; and if the actual location of such street, alley, or stream varies slightly from the location as shown on the map, then the actual location shall control.
 - b. In cases where a boundary line is shown as being located a specific distance from a street line or other physical feature, this distance shall control.
 - c. In cases where a boundary line is shown adjoining or coincident with a railroad, it shall be deemed to be in the center of the railroad

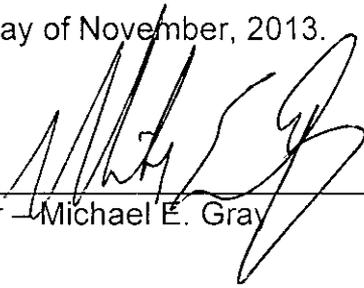
right-of-way and distances measured from a railroad shall be measured from the center of such right-of-way.

- d. Where the district boundaries are not otherwise indicated and where the property has been, or may hereafter be, divided into blocks and lots, the district boundaries shall be construed to be the lot lines, and where the districts designated on the map accompanying and made a part of this Ordinance are bounded approximately by lot lines, said lot lines shall be construed to be the boundary of such districts unless said boundaries are otherwise indicated on the map or by Ordinance.
- e. In unsubdivided property, unless otherwise indicated, the district boundary line on the map accompanying and made a part of this Ordinance shall be determined by the use of the scale contained on such map.
- f. When a district boundary line divides a lot held in one ownership on the effective date of this Ordinance, the entire lot shall be construed to be within the less restrictive district.
- g. Where a district boundary follows a street, alley, watercourse or other right-of-way, in case of the vacation of said street, alley, watercourse or other right -of-way, the abutting zoning classification of each side thereof shall automatically be extended to the center line of said vacated street, alley, watercourse or right-of-way.
- h. Two districts shall be deemed to adjoin even though separated by a public way or portion thereof.

Section 2. That Section 1-104 of Article 1 of the Zoning Ordinance of Pittsburg, Kansas, as incorporated by reference in Section 62-81 of the Pittsburg City Code, and Zoning Ordinance No. G-663, as amended, including the Zoning District Boundary Map adopted on May 28, 1991, and periodically revised, is hereby amended and supplemented to include the Downtown Overlay District (DO) as set out in the preceding section.

Section 3. This Ordinance shall take effect and be in force from and after its passage and publication in the official City newspaper.

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



Mayor - Michael E. Gray

ATTEST:



City Clerk - Tammy Nagel

