

**ORDINANCE NO. 2024-07**

**AN ORDINANCE AMENDING THE ZONING ORDINANCE FOR THE CITY OF ST. GEORGE**

**WHEREAS**, on the 17<sup>th</sup> day of October 2024, the Planning Commission of the City of St. George, after giving proper statutory notice, met to consider a proposed amendment for Article XII of the Zoning Ordinance of the City of St. George, holding a public hearing thereon; and

**WHEREAS**, at its regularly scheduled meeting, the Planning Commission voted to recommend to the City Council for approval, the proposed ordinance and zoning map; and

**WHEREAS**, at the City Council’s November 7<sup>th</sup>, 2024, meeting, the City Council reviewed the Resolution of the Planning Commission and the Amendment to the Zoning Ordinance, and took public comment thereon; and

**WHEREAS**, the City Council voted, pursuant to the provisions of K.S.A. 12-756-7, to adopt such recommended amended Zoning Ordinance as set forth below, the roll call vote being 5 in favor and 0 against, with 0 persons abstaining.

**THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ST. GEORGE, KANSAS:**

**Section 1.** The relevant stated provisions of the Zoning Ordinance for the City of St. George are amended as follows:

**Section 3- Parking Regulations**

...

4. Regulations Governing Secondary or Accessory Drives

a. Authorization

In addition to driveways established for primary use on a property, at the time of obtaining a zoning permit, or thereafter by approval of a permit before the Planning Commission, a property owner can request allowance to construct a secondary or accessory driveway for any residential property. Except as allowed by these regulations, no secondary or accessory drives may be constructed.

b. Drives Allowed

An owner may apply for construction of a secondary or accessory drive if the following requirements are met:

1. The secondary or accessory drive may be for the use of accessory structures, as long as the structure is in compliance with this Code regarding accessory structures.
2. The drive shall be no wider than 20 feet.


3. The drive must be at least 30 feet from any street intersection or stop sign/line. This will be measured from the edge of the road surfacing, adjacent to the proposed drive. The measurement will start at the nearest point of the driving surface that is adjacent to the start of the proposed drive.
  4. No part of the drive may be placed in right-of-way so as to interfere with the safe use of the streets by the public, nor can the placement or use of the drive interfere with any public sidewalk.
  5. The drive, if placed on property with a sidewalk, must have an interior depth sufficient to ensure a parked vehicle does not obstruct use of the sidewalk.
  6. The drive must be constructed of asphalt, asphalt millings, cement, or similar dust-free surfacing.
- c. Application and Review. A permit allowing a secondary or accessory drives may be obtained by application, with said application providing:
1. A Site Plan, drawing or similar exhibit that shows the lot, the existing structures and the location and dimensions of the proposed drive. This site plan must include precise measurements showing the distance of the drive from any stop sign, intersection, or adjoining lot.
  2. A list of materials to be used for surfacing and any alterations of curbing.
  3. If curbing is to be installed, a drawing or profile of the proposed installation showing location and dimensions.

No fee will be required with the application. The Application and Site Plan will be reviewed by the Chairman of the Planning Commission for Compliance with the Zoning Code and these regulations. If determined appropriate, the same may be approved by the Planning Commission at a regular or special meeting. If necessary for evaluation of the application, the Chairman may engage the City Engineer to review the application and site plan, but before doing so shall advise the owner of the need, and any charge to be assessed for said review. If the owner wishes to proceed and pays any fees due, the review and recommendation will be provided to the Chairman and the Owner. The Owner agrees that any allowance of a permit after said review is contingent upon meeting the requirements of the Engineer as approved by the Commission.

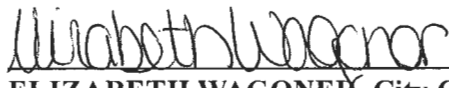
**Section 2.** All Code sections and Ordinances in conflict with this Ordinance are hereby repealed. This Ordinance shall become effective upon its publication in the official City newspaper.

PASSED BY THE COUNCIL this 7<sup>th</sup> day of November, 2024.

APPROVED BY THE MAYOR this 7<sup>th</sup> day of November, 2024.

  
DEBBY WERTH, Mayor

ATTEST:

  
ELIZABETH WAGONER, City Clerk

