

Ordinance No. 2576 Summary

On May 18, 2023, the City of De Soto, Kansas, adopted Ordinance No. 2576, amending the De Soto Zoning Regulations (incorporated as Appendix C to the De Soto City Code via Section 16-201 of Article 2 of Chapter XVI) pertaining to corner lot definition and street tree buffering. A complete copy of this ordinance may be obtained or viewed free of charge at the Office of the City Clerk at City Hall, 32905 West 84th Street, De Soto, Kansas or at www.desotoks.us. This summary is certified by Patrick G. Reavey, De Soto City Attorney pursuant to K.S.A. 12-3001, et seq.

ORDINANCE NO. 2576

AN ORDINANCE ADOPTING THE PLANNING COMMISSION’S RECOMMENDATION TO AMEND ZONING REGULATIONS PERTAINING TO CORNER LOT DEFINITION AND STREET TREE BUFFERING

WHEREAS, the City Planning Commission has recommended that the Governing Body amend the City’s Zoning Regulations pertaining to corner lot definition and street buffering; and

WHEREAS, all newspaper notifications were completed and a public hearing properly held before the City Planning Commission as to the requested text amendments; and

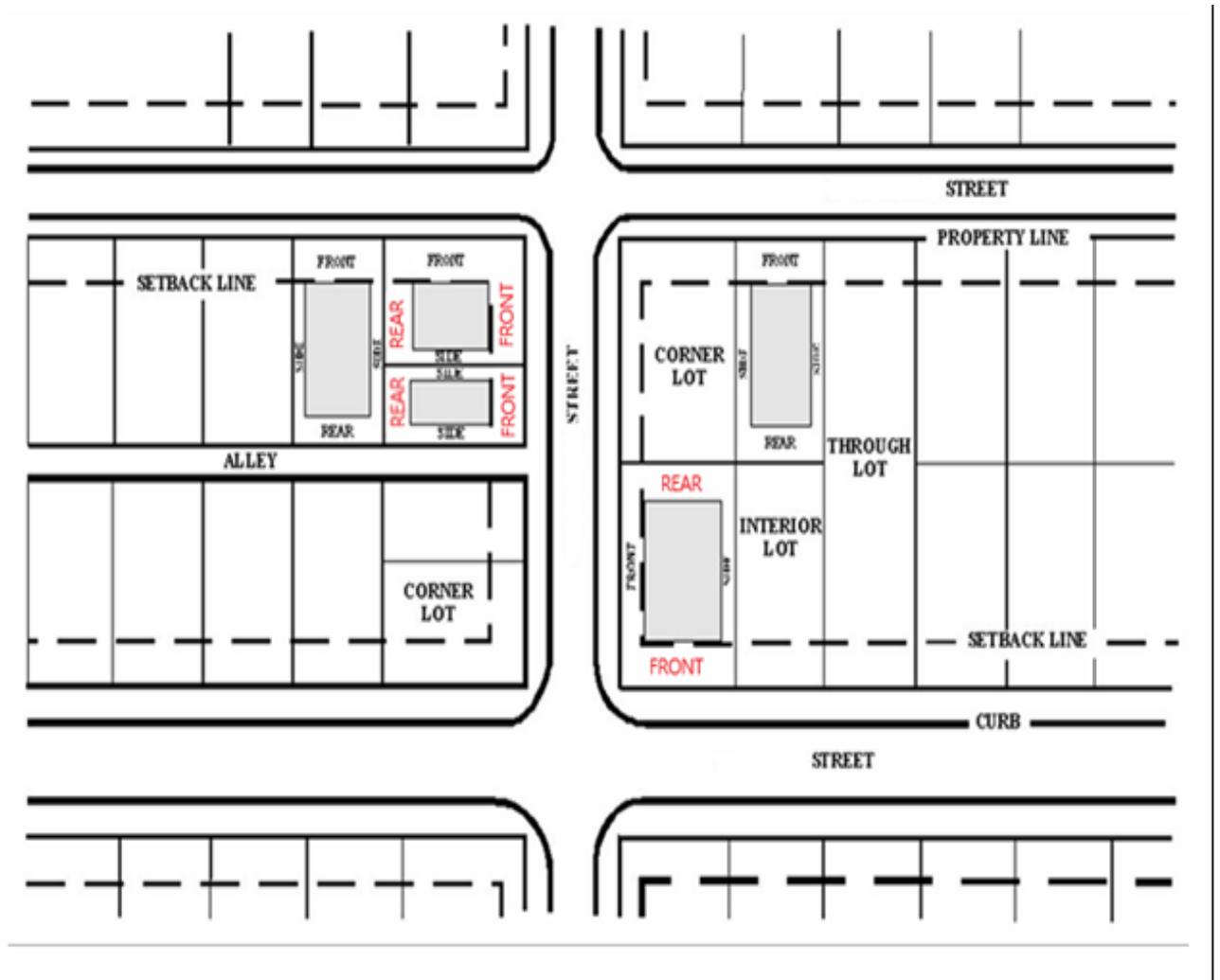
WHEREAS, after review of the proposed text amendments, the Planning Commission recommended that said amendments be made part of the Zoning Regulations

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

Section 1. That the “Rules and Definitions” of Article 2 of the Zoning Regulations (Appendix C of the City Code) are amended to include a revised “Figure 2 – Lot/Tract Types and Setbacks” and definition of “Lot or Tract, Corner” which will appear in Article 2 as follows:

[Remainder of page intentionally left blank]

Figure 2 - Lot/Tract Types and Setbacks



Lot or Tract, Corner: On corner lots, the side with the least distance in measurement will constitute the primary front to determine the rear yard. If in dispute, the front, rear and side will be specified by the Community Development Director."

Section 2. That the "Adjacent Street Buffer" Table in Item (3.) of Subsection C. of Section 5 of Article 8 of the Zoning Regulations (Appendix C of the City Code) is amended to read as follows:

ADJACENT STREET BUFFER				
Buffer Type	Buffer Width	Trees*	Additional**	Other
S1 Local/ Collector	10 feet	1 Large Deciduous Tree every 40' of frontage		
S2 Arterial	10 feet	1 Large Deciduous tree per 40' of frontage	15 additional PU per 100' of frontage	
S3 K-10 Highway	30 feet	1 Large Deciduous tree per 50' of frontage	40 additional PU per 100' of frontage Abutting K-10 right-of-way.	Berms may be used to reduce plant units by Planning Commission approval.

* Large or Small Deciduous or Evergreen Trees.

** Additional PU may be a combination of any trees, shrubs, or other landscaping per Section 6A.

Section 3. City Staff is authorized to revise other portions of the City Code or Zoning Regulations to be consistent with the above text amendment.

Section 4. This ordinance shall take effect and be enforced from and after its publication once in the official city newspaper.

PASSED by the Governing Body of the City of De Soto, Kansas on the 18th day of May 2023.

(Seal)

Rick Walker, Mayor

ATTEST:

Brandon Mills, City Clerk

APPROVED AS TO FORM:

Patrick G. Reavey, City Attorney