

(Published on the City of Augusta website, www.augustaks.org
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THE CITY OF AUGUSTA, KANSAS

ORDINANCE No. 2193

AN ORDINANCE AMENDING THE ZONING REGULATIONS OF THE CITY OF AUGUSTA, KANSAS, 2020, BY AMENDING ARTICLE 10 AND REPEALING ANY PROVISIONS OF SUCH ZONING REGULATIONS OR OTHER ORDINANCES OF SAID CITY IN CONFLICT WITH AMENDED SECTIONS.

WHEREAS the Augusta City Council adopted the Augusta Action Zoning Regulations via Ordinance No. 2170 on October 24, 2020; and

WHEREAS the Augusta City Council adopted the first amendment to the Augusta Action Zoning Regulations via Ordinance No. 2182 on November 15, 2022; and

WHEREAS the Augusta Planning Commission authorized Planning and Zoning Staff to pursue text amendments to the adopted zoning regulations on April 25, 2022; and

WHEREAS the Augusts Planning Commission conducted a public hearing on May 23, 2022 to take input on the proposed zoning amendments pursuant to K.S.A. 12-747, where the Augusta Planning Commission voted to recommend approval to the Augusta City Council.

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

SECTION 1: Amendments. The following sections of the zoning regulations shall be amended as follows:

Article 10 (Specific Use Standards), Section 10.08 (Bar or Tavern; Brewpub) shall be amended as follows:

- “10.08 Bar or Tavern; Brewpub*
A. Shall not be located within two hundred fifty (250) feet, as measured between the closest points on any property line, of

religious meeting places; elementary or secondary schools; day care centers or institutional day cares; residential land uses or zoning districts (R-R, R-1, R-2, R-3, or R-4). Distance restrictions shall not apply to establishments located within the C-1 (Main Street Commercial) District.

B. Outdoor seating areas shall be allowed as an accessory use when located in commercial districts (M-1, C-1, C-2, or C-3) subject to the following:

1. Shall not have a fence or barrier, which measures at least four (4) feet in height around the entire perimeter, the purpose of which is to delineate the area. Such barriers shall not be subject to screening design provisions of these regulations but shall be required to meet all applicable provisions of any other federal, state, and local regulations.

2. Lighting in such areas shall be “fully shielded” or “full cutoff” light fixtures equipped with shut off controls to turn off lights during non-operational hours.”

Article 10 (Specific Use Standards), Section 10.40 (Tattoo or Body Piercing Studio) shall be amended as follows:

“10.40 *Tattoo or Body Piercing Studio*

A. No body art activities (tattooing, body piercing, etc.) shall be viewable from waiting/reception areas or outside the primary structure.

C. Shall not be located within two hundred fifty (250) feet, as measured between the closest points on any property line, of religious meeting places; elementary or secondary schools; day care centers or institutional day cares; public parks or libraries; bars, taverns, or night clubs. Distance restrictions shall not apply to establishments located within the C-1 (Main Street Commercial) District.”

SECTION 2: Repeal. All provisions of the zoning regulations and other ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 3: Effective Date. This ordinance shall be in full force and effect from and after its publication in the official City newspaper.

Passed by the City Council this 6th day of June 2022.

Approved by the Mayor this 6th day of June 2022.




MIKE L. RAWLINGS, MAYOR

ATTEST:


ERICA L. JONES, CITY CLERK