

BILL NO. 19-34

ORDINANCE NO. 5166

AN ORDINANCE AMENDING CHAPTER 25 OF THE CODE  
OF ORDINANCES OF THE CITY OF CAPE GIRARDEAU,  
MISSOURI, REGARDING DRIVEWAY SPACING  
REQUIREMENTS

---

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CAPE  
GIRARDEAU, MISSOURI, AS FOLLOWS:

ARTICLE 1. Section 25-1003 of Article X of Chapter 25 of  
the Code of Ordinances of the City of Cape Girardeau, Missouri,  
reading as follows:

Sec. 25-1003. - Driveway spacing requirements;  
multifamily residential and nonresidential uses.

Only one (1) driveway shall be allowed for a multifamily  
residential or nonresidential use on a lot with less than  
three hundred (300) feet of frontage. No more than two (2)  
driveways shall be allowed for a multifamily residential or  
nonresidential use on a lot with at least three hundred  
(300) feet of frontage. The distance between driveways is  
measured from the ends of the radii or flares at the  
curbline as shown in the city's standard specifications and  
drawings. Where a lot lacks sufficient frontage to meet the  
requirements outlined in the city's standard specifications  
and drawings, the property owner may: 1) seek an exception,  
or 2) establish a common driveway with an adjacent owner in  
accordance with section 25-911(a). The required spacing  
between driveways may be waived due to elevation  
differences between them, as approved by the city manager.

is hereby repealed in its entirety and a new Section 25-1003 of  
Article X of Chapter 25 of the Code of Ordinances of the City of  
Cape Girardeau, Missouri, is hereby enacted in lieu thereof, in  
words and figures, to read as follows, to-wit:

Sec. 25-1003. - Driveway spacing requirements; multifamily  
residential and nonresidential uses.

For multifamily residential and nonresidential uses, one  
(1) driveway shall be permitted for each full one hundred  
fifty (150) foot section of lot frontage along an arterial  
street or each full seventy-five (75) foot section of lot  
frontage along a collector or local street. A lot frontage  
less than one hundred fifty (150) feet along an arterial  
street or seventy-five (75) feet along a collector or local

street shall be permitted one (1) driveway. A circular driveway shall count as two (2) driveways. The minimum distance between driveways shall be per the city's standard specifications and drawings. Where a lot lacks sufficient frontage to meet the requirements in this section or in the city's standard specifications and drawings, the property owner may: 1) seek an exception, or 2) establish a common driveway with an adjacent lot in accordance with section 25-911(a). The required spacing between driveways may be waived due to topographical constraints, as approved by the city manager.

ARTICLE 2. Section 25-1004 of Article X of Chapter 25 of the Code of Ordinances of the City of Cape Girardeau, Missouri, reading as follows:

Sec. 25-1004. - Driveway spacing requirements; single-family detached, townhouse, and two-family (duplex) residential uses.

Only one (1) driveway shall be allowed for a single-family detached or townhouse residential use on a lot with less than eighty (80) feet of frontage. No more than two (2) driveways shall be allowed for a single-family detached or townhouse residential use on a lot with at least eighty (80) feet of frontage. No more than one (1) driveway shall be allowed for each unit in a two-family (duplex) residential dwelling. Driveways shall be a minimum of ten (10) feet apart, measured from the ends of the radii or flares at the curblines as shown in the city's standard specifications and drawings. The required spacing between driveways may be waived due to elevation differences between them, as approved by the city manager.

is hereby repealed in its entirety and a new Section 25-1004 of Article X of Chapter 25 of the Code of Ordinances of the City of Cape Girardeau, Missouri, is hereby enacted in lieu thereof, in words and figures, to read as follows, to-wit:

Sec. 25-1004. - Driveway spacing requirements; single-family detached, townhouse, and two-family (duplex) residential uses.

For single-family detached, townhouse, and two-family (duplex) residential uses, one (1) driveway shall be permitted for each full eighty (80) foot section of lot frontage along an arterial, collector, or local street. A lot frontage less than eighty (80) feet along an arterial, collector, or local street shall be permitted one (1) driveway. A circular driveway shall count as two (2) driveways. The minimum distance between driveways shall be

per the city's standard specifications and drawings. Where a lot lacks sufficient frontage to meet the requirements in this section or in the city's standard specifications and drawings, the property owner may: 1) seek an exception, or 2) establish a common driveway with an adjacent lot in accordance with section 25-911(a). The required spacing between driveways may be waived due to topographical constraints, as approved by the city manager.

ARTICLE 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.


ARTICLE 4. It is the intention of the governing body and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the City of Cape Girardeau, Missouri, and the sections of this Code may be renumbered to accomplish such intention.

ARTICLE 5. This ordinance shall be in full force and effect ten days after its passage and approval.

PASSED AND APPROVED THIS 4th DAY OF March, 2019.

  
\_\_\_\_\_  
Bob Fox, Mayor

ATTEST:

  
\_\_\_\_\_  
Bruce Taylor, Deputy City Clerk

