

**ORDINANCE NO. S-3214**

**AN ORDINANCE AMENDING SECTION 400.280 OF THE MUNICIPAL CODE OF THE CITY OF JUNCTION CITY, KANSAS; *PERMITTED OBSTRUCTIONS IN REQUIRED YARDS***

**WHEREAS**, the Junction City/Milford/Geary County Metropolitan Planning Commission did on January 9, 2020, conduct a public hearing on the proposed amendment to the Junction City Zoning Regulations pertaining to amending a section of said Zoning Regulations regarding permitted obstructions in required yards; and, by unanimous vote recommended an amendment to the Zoning Regulations of the City of Junction City pertaining thereto; and,

**WHEREAS**, the City Commission has reviewed the record of said Junction City/Milford/Geary County Metropolitan Planning Commission meeting and thoroughly discussed the recommendation made therein.

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

**Section 1.**       *That Section 400.280, PERMITTED OBSTRUCTIONS IN REQUIRED YARDS, existing section A.1 shall be repealed; and new section A.1 shall be adopted to read as follows:*

**SECTION 400.280- PERMITTED OBSRUCTIONS IN REQUIRED YARDS**

A. The following shall not be considered to be obstructions when located in a required yard:

1. *In All Yards.* Open terraces, decks and/or a porch not over thirty (30) inches above the average level of the adjoining ground; provided however, no terrace, deck or porch shall be permitted to be permanently roofed; steps thirty (30) inches or less above grade which are necessary for access to a permanent structure or for access to a lot or to a lot from a street or alley; ramps and/or landings required for handicapped access to a building or structure; fences when authorized by and constructed in conformance with the provisions of Section 410.030 of the Code; signs when permitted by Chapter 650 of this Code; structures known as Blessing Boxes and/or Little Free Libraries when constructed in conformance with the following provisions:
  - (a) Shall not be located within three (3) feet of, completely within, or overhang the public street right-of-way or any public easement; Shall not obstruct vehicular, bicycle or pedestrian traffic, either physically, or by a person utilizing the structure; Shall not obstruct access aisles or paths utilized by persons in wheelchairs or for ADA accessibility; Enclosure shall be sized and arranged such that no person or child is able to enter and shall not exceed two (2) feet wide, three (3) feet tall, eighteen (18) inches deep and with the top of the structure not to exceed five (5) feet above the average level of the adjoining ground; Shall be anchored to the ground or otherwise securely attached to something having a permanent location on the ground.

**Section 2.**       *This Ordinance shall be in full force and effect from and after its publication once in the Junction City Daily Union.*

**PASSED AND ADOPTED THIS 4TH DAY OF FEBRUARY 2020.**

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**Jeff Underhill, Mayor**

**ATTEST:**

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**Tammy Melton, City Clerk**