

**CITY OF WATHENA, KANSAS
ORDINANCE NO. 673**

AN ORDINANCE AMENDING THE CITY OF WATHENA, KANSAS ZONING REGULATIONS APPLICABLE TO ZONING DISTRICT "B – G" BUSINESS – GENERAL BY PROHIBITING RESIDENTIAL USE ON OR OF THE FIRST FLOOR/GROUND FLOOR OF ANY STRUCTURE OR BUILDING LOCATED ON ST. JOSEPH STREET (COMMONLY REFERRED TO AS MAIN STREET) BETWEEN 2ND STREET AND 5TH STREET.

WHEREAS, the governing body of the City of Wathena has, pursuant to City of Wathena, Kansas Ordinance Number 631, adopted zoning regulations for the city; and,

WHEREAS, the governing body of the City of Wathena has determined it would promote business development and be in the best interest of the city to prohibit residential use on or of the first floor/ground floor of any structure or building located on St. Joseph Street (commonly referred to as Main Street) between 2nd Street and 5th Street; and,

WHEREAS, the City of Wathena zoning regulations applicable to Zoning District "B – G" Business – General adopted pursuant to City Ordinance Number 631 do not provide for the above referenced prohibition regarding residential use; and,

WHEREAS, all proposed amendments to the City of Wathena Zoning Regulations must be submitted to the Doniphan County Planning Commission for review and recommendations; and,

WHEREAS, on October 2, 2023, the governing body of the City of Wathena, Kansas approved Resolution Number 2023 – 6 calling for submission of the above referenced proposed amendment to the Doniphan County Planning Commission; and,

WHEREAS, after giving notice of such, the Doniphan County Planning Commission held a hearing on November 9, 2023 at which it voted to favorably recommend the above referenced proposed amendment.

NOW, THEREFORE, IT IS ORDAINED BY THE GOVERNING BODY OF THE CITY OF WATHENA, KANSAS that the city's zoning regulations applicable to Zoning District "B – G" BUSINESS – GENERAL are hereby amended to prohibit residential use on or of the first floor/ground floor of any structure or building located on St. Joseph Street (commonly referred to as Main Street) between 2nd Street and 5th and that Appendix A of the City's Zoning Regulations reflecting land uses by zoning districts is hereby amended to reflect that residential use on or of the first floor/ground floor of any structures or buildings located on St. Joseph Street (commonly referred to as Main Street) between 2nd Street and 5th Street is prohibited.

IT IS FURTHER ORDAINED that the City of Wathena Zoning Code as adopted by Ordinance No. 631 and Appendix A thereof shall, except as herein amended, remain in full force and effect.

EFFECTIVE Date: This ordinance shall take effect and be in force from and after its publication in The Kansas Chief, the official city newspaper.

Passed by the Governing Body and approved by the Mayor on the 4th day of December, 2023.



John A. Cluck, Mayor

ATTEST:



Tammy Bembrick, City Clerk