

ORDINANCE NO. 8277

AN ORDINANCE ENACTING SECTIONS 20-223, 20-541, 20-542, 20-543 AND 20-1108 AND AMENDING SECTIONS 20-403, 20-503, 20-507, 20-509, 20-511, 20-517, 20-518, 20-519, 20-525, 20-526, 20-534, 20-601, 20-908, 20-1005, 20-1701 AND 20-1734 PERTAINING TO THE CREATION OF A MIXED USE ZONING DISTRICT BY INCORPORATING BY REFERENCE THE "DEVELOPMENT CODE OF THE CITY OF LAWRENCE, KANSAS, MIXED USE ZONING DISTRICT TEXT AMENDMENTS TA-04-05-07 EDITION" PREPARED BY THE LAWRENCE-DOUGLAS COUNTY METROPOLITAN PLANNING OFFICE, AND REPEALING THE EXISTING SECTIONS

WHEREAS, the Lawrence-Douglas County Metropolitan Planning Commission has previously approved text amendments to enact Sections 20-223, 20-541, 20-542, 20-543, 20-1108 and amend sections 20-403, 20-503, 20-507, 20-509, 20-511, 20-517, 20-518, 20-519, 20-525, 20-526, 20-534, 20-601, 20-908, 20-1005, 20-1701 and 20-1734 of the Development Code of the City of Lawrence, to create a mixed use zoning district pursuant to the authority granted by the Kansas Statutes; and

WHEREAS, after due and lawful notice and hearing, the Lawrence-Douglas County Metropolitan Planning Commission, on April 23, 2008 recommended that the Development Code of the City of Lawrence, Kansas be amended to incorporate said mixed use zoning district; and

WHEREAS, The City Commission approved said amendments to the Development Code of the City of Lawrence, Kansas on May 13, 2008; and

WHEREAS, pursuant to the provisions of K.S.A. Chapter 12, Article 7, and further pursuant to K.S.A. 12-741 *et seq.*, K.S.A. 12-3009 through 12-3012, K.S.A. 12-3301 *et seq.*, and the Home Rule Authority of the City as granted by Article 12, § 5 of the Kansas Constitution the City of Lawrence is authorized to adopt by ordinance and by incorporation by reference, planning and zoning laws and regulations; and

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LAWRENCE, KANSAS:

SECTION I. The above stated recitals are by reference incorporated herein, and shall be as effective as if repeated verbatim.

SECTION II. The Governing Body of the City of Lawrence, Kansas hereby finds that the statutory provisions for the adoption of Development Code text amendments has been fully complied with, in consideration and adoption of the "Development Code of the City of Lawrence, Mixed Use Zoning District Text Amendments TA-04-05-07, Edition" is hereby adopted as presented to the Governing Body of the City .

SECTION III. That the "Development Code of the City of Lawrence, Mixed Use Zoning District Text Amendments TA-04-05-07 Edition" prepared compiled, published and promulgated by the Lawrence-Douglas County Metropolitan Planning Office is hereby incorporated by reference as if fully set forth herein, and shall be known as the "Development Code of the City of Lawrence, Mixed Use Zoning District Text Amendments TA-04-05-07 Edition. At least one copy of said text amendments shall be marked or stamped as "Official Copy as Adopted by Ordinance No. 8277" with all sections or portions thereof intended to be omitted clearly marked to show any such omission or showing the sections, articles, chapters, parts or portions that are incorporated, as the case may be, and to which shall be attached a copy of this ordinance, and filed with the City Clerk, to be open to inspection and available to the public at all reasonable business hours. The police department, municipal judge, and all administrative departments of the City charged with the enforcement of the ordinance shall be supplied, at the cost of the city, such number of official copies of such "Development Code of the City of Lawrence, Text Amendments TA-04-05-07 Edition" marked as may be deemed expedient.

SECTION IV. That sections 20-403, 20-503, 20-507, 20-509, 20-511, 20-517, 20-518, 20-519, 20-525, 20-526, 20-534, 20-601, 20-908, 20-1005, 20-1701 and 20-1734 of the

Development Code of the City of Lawrence, and all heretofore adopted amendments thereto are hereby repealed it being the intent that the provisions of this ordinance supersede the repealed code provisions.

SECTION V. If any section, clause, sentence, or phrase of this ordinance is found to be unconstitutional or is otherwise held invalid by any court of competent jurisdiction, it shall not affect the validity of any remaining parts of this ordinance.

SECTION VI. This ordinance shall take affect and be in force from and after its passage and publication as provided by law.

Passed by the Governing Body this ____ day of May, 2008.

APPROVED:

Michael Dever
Mayor

ATTEST:

Frank S. Reeb, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Toni Ramirez Wheeler
Director of Legal Services

Publish one time and return one Proof of Publication to the City Clerk and one to the Director of Legal Services.