

ORDINANCE NO. 8289

RESOLUTION NO. _____

JOINT ORDINANCE OF THE CITY OF LAWRENCE, KANSAS, AND
RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
DOUGLAS COUNTY, KANSAS APPROVING AMENDMENTS TO THE
COMPREHENSIVE LAND USE PLAN "*HORIZON 2020*" BY AMENDING
CHAPTER FOURTEEN SPECIFIC PLANS TO ADD A REFERENCE TO
THE LAWRENCE SMARTCODE INFILL PLAN AND ADOPTING AND
INCORPORATING BY REFERENCE "THE LAWRENCE SMARTCODE
INFILL PLAN, MAY 21, 2008 EDITION" PREPARED BY THE
LAWRENCE DOUGLAS COUNTY METROPOLITAN PLANNING
OFFICE.

WHEREAS, pursuant to K.S.A. 12-747, a comprehensive plan or part thereof shall constitute the basis or guide for public action to insure a coordinated and harmonious development or redevelopment which will best promote the health, safety, morals, order, convenience, prosperity and general welfare as well as wise and efficient expenditure of public funds; and

WHEREAS, the City Commission of Lawrence, Kansas (the "City") and the Board of County Commissioners of Douglas County, Kansas (the "Board") have adopted a comprehensive land use plan labeled "*Horizon 2020*"; and

WHEREAS, the Lawrence-Douglas County Metropolitan Planning Commission on May 21, 2008, by Resolution No. 2008-02, recommended the adoption of the amendment to add a reference to and adopt the "Lawrence SmartCode Infill Plan; May 21, 2008 Edition" and

WHEREAS, a certified copy of the Chapter 14 – Specific Plans amendments and the "Lawrence SmartCode Infill Plan; May 21, 2008 Edition" contained in planning staff report CPA-2007-07 adopted by the Planning Commission in Resolution No. 2008-02 on May 21, 2008 together with the written summaries of the public hearings thereon held by the Lawrence-Douglas County Metropolitan Planning Commission on February 27, 2008, April 23, 2008, and May 21, 2008 have been submitted to the Governing Bodies; and.

WHEREAS, pursuant to the provisions of K.S.A. Chapter 12, Article 7, K.S.A. 12-3009 to and including 12-3012, K.S.A. 12-3301 *et seq.*, the Home Rule Authority of the County as granted by K.S.A. 19-101a, and the Home Rule Authority of the City as granted by Article 12, § 5 of the Constitution of Kansas, the Board and the City are authorized to adopt and amend, by resolution and ordinance, respectively, and by incorporation by reference, planning and zoning laws and regulations.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LAWRENCE, KANSAS; AND

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS:

Section 1. The above recitals are incorporated by reference as if fully set forth herein and shall be as effective as if repeated verbatim.

Section 2. The Governing Bodies of the City of Lawrence, Kansas and Douglas County, Kansas hereby find that the provisions of K.S.A. 12-743 and K.S.A. 12-747 concerning the amendment of comprehensive plans have been fully complied with in consideration, approval, adoption of and amendment to "*Horizon 2020*".

Section 3. Pursuant to K.S.A. 12-747, the Governing Bodies of Douglas County, Kansas and the City of Lawrence, Kansas do hereby amend "*Horizon 2020*" by approving the recommendation of the Planning Commission, amending Chapter 14 – Specific Plans to add a reference to the Lawrence SmartCode Infill Plan and adopting and incorporating by reference "The Lawrence Smartcode Infill Plan, May 21, 2008 Edition" contained in planning staff report CPA-2007-07 and adopted by the Planning Commission in Resolution No. 2008-02 on May 21, 2008.

Section 4. Chapter 14 – Specific Plans in "*Horizon 2020*", is hereby amended to read as follows:

Specific Plans

- **6th and SLT Nodal Plan**
Location: The intersection of 6th Street (US Highway 40) and the SLT (South Lawrence Trafficway)
Adoption Date: November 11, 2003 by Lawrence City Commission
Review Date: 2009
- **6th and Wakarusa Area Plan**
Location: The intersection of 6th Street and Wakarusa Drive
Adoption Date: December 2, 2003 by Lawrence City Commission
Review Date: 2009
- **HOP District Plan**
Location: Bordered by W. 5th St. on the north, California St. on the west, W. 7th St. on the south and Alabama St. on the east.
Adoption Date: May 10, 2005 by Lawrence City Commission
Review Date: 2010
- **Burroughs Creek Corridor Plan**
Location: Area around the former BNSF railroad corridor between E. 9th St. and E 31st St.
Adoption Date: February 14, 2006 by Lawrence City Commission
Review Date: 2011
- **East Lawrence Neighborhood Revitalization Plan**
Location: Bordered by the Kansas River on the North; Rhode Island Street from the Kansas River to E. 9th Street, New Hampshire Street from E. 9th Street to approximately E. 11th Street, Massachusetts Street from approximately E. 11th Street to E. 15th Street on the west; E. 15th Street on the south; BNSF railroad on the east.
Adoption Date: November 21, 2000 by Lawrence City Commission
Review Date: 2010
- **Revised Southern Development Plan**
Location: Bounded roughly to the north by W. 31st Street and the properties nor of W. 31st Street between Ousdahl Road and Louisiana Street; to the west by E. 1150 Road extended (Kasold Drive); to the south by the north side of the Wakarusa River; and to the east by E. 1500 Road (Haskell Avenue).
Adoption Date: December 18, 2007 by Lawrence City Commission
January 7, 2008 by Douglas County Board of Commissioners

Review Date: 2017

- **Southeast Area Plan**

Location: Bounded roughly to the north by E. 23rd Street/K-10 Highway; to the west by O'Connell Road; to the south by the northern boundary of the FEMA designated floodplain for the Wakarusa River; and to the east by E. 1750 Road (Noria Road).

Adoption Date: January 8, 2008 by Lawrence City Commission
January 28, 2008 by Douglas County Board of Commissioners

Review Date: 2018

- **Farmland Industries Redevelopment Plan**

Location: The former Farmland Industries property is located east of Lawrence along K-10 Highway and just west of the East Hills Business Park. It is approximately one half mile south of the Kansas River.

Adoption Date: March 11, 2008 by Lawrence City Commission
March 31, 2008 by Douglas County Board of Commissioners

Review Date: 2013

- **Lawrence SmartCode Infill Plan**

Location: General areas are: 19th St. and Haskell Ave., 23rd St. and Louisiana St., 25th St. and Iowa St.

Section 5. That "The Lawrence Smartcode Infill Plan, May 21, 2008 Edition" approved by Section 3 above, prepared, compiled, published and promulgated by the Lawrence-Douglas County Metropolitan Planning Office is hereby adopted and incorporated by reference as if fully set forth herein, and shall be known as the "The Lawrence Smartcode Infill Plan, May 21, 2008 Edition" One copy of said comprehensive plan amendment shall be marked or stamped as "Official copy as Passed by Ordinance No. 8288 and Resolution 08-_____" and to which shall be attached a copy of this joint resolution and ordinance, and filed with each of the County Clerk and City Clerk, to be open to inspection and available to the public at all reasonable hours. The police department, municipal judge and, and all administrative offices of the City charged with enforcement of this ordinance shall be supplied, at the cost of the City, such number of official copies of such "The Lawrence Smartcode Infill Plan, May 21, 2008 Edition" marked as may be deemed expedient.

Section 6. The existing Chapter 14-Specific Plans section in "*Horizon 2020*" is hereby repealed, it being the intention of this ordinance and resolution that its provisions be substituted in place thereof.

Section 7. Severability. If any section, clause, sentence, or phrase of this Joint Ordinance and Resolution 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 Joint Ordinance and Resolution.

Section 8. This Joint Ordinance and Resolution shall be in full force and effect upon its adoption by the Governing Bodies of the City of Lawrence and Douglas County, Kansas and publication as provided by law.

Passed by the Governing Body of the City of Lawrence this ____ day of _____, 2009.

APPROVED:

Michael Dever, Mayor

ATTEST:

Frank S. Reeb, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Toni Ramirez Wheeler
Director of Legal Services

Adopted by the Board of County Commissioners of Douglas County, Kansas, this ____ day
of _____, 2009.

BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS

Bob Johnson, Chair

Jere McElhaney, Commissioner

Charles Jones, Commissioner

ATTEST:

Jameson D. Shew, County Clerk

NOTICE TO PUBLISHER

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