

ORDINANCE NO.8286

AN ORDINANCE ENACTING CHAPTER 21 OF THE CODE OF THE CITY OF LAWRENCE, KANSAS, 2008 EDITION, AND AMENDMENTS THERETO PERTAINING TO THE LAWRENCE SMARTCODE BY INCORPORATING BY REFERENCE "CHAPTER 21 - THE LAWRENCE SMARTCODE OF THE CITY OF LAWRENCE, KANSAS, JANUARY 20, 2009 EDITION" PREPARED BY THE LAWRENCE-DOUGLAS COUNTY METROPOLITAN PLANNING OFFICE OF THE CITY OF LAWRENCE, KANSAS.

WHEREAS, after due and lawful notice and hearing, the Lawrence-Douglas County Metropolitan Planning Commission, on May 21, 2008 recommended that the Lawrence Smart Code of the City of Lawrence, Kansas be adopted; and

WHEREAS, the Lawrence SmartCode is a parallel Traditional Neighborhood Design (TND) development code option for the City of Lawrence, Kansas; and

WHEREAS, pursuant to the provisions of K.S.A. Chapter 12, Article 7, and further pursuant to K.S.A. 12-753, K.S.A. 12-756, 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, Kansas is authorized to adopt by ordinance and by incorporation by reference, planning and zoning laws and regulations; and

WHEREAS, the recommendation of the Lawrence-Douglas County Metropolitan Planning Commission that the Lawrence Smart Code of the City of Lawrence, Kansas be adopted, came before the Governing Body of the City of Lawrence, Kansas and after due consideration and deliberation the recommendation on the adoption of the Lawrence Smart Code of the City of Lawrence, Kansas was approved by the Governing Body of the City of Lawrence, Kansas.

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

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

SECTION TWO: Chapter 21 of the Code of the City of Lawrence, Kansas, 2008 Edition, and amendments thereto is hereby enacted to read as follows:

JANUARY 20, 2009 EDITION OF CHAPTER 21 - THE LAWRENCE SMARTCODE OF THE CITY OF LAWRENCE, KANSAS

That "Chapter 21 – The Lawrence SmartCode of the City of Lawrence, Kansas, January 20, 2009 Edition" prepared compiled, published and promulgated by the Lawrence-Douglas County Metropolitan Planning Office of the City of Lawrence, Kansas is hereby adopted and incorporated by reference as if fully set forth herein, and shall be known as "Chapter 21 – The Lawrence SmartCode of the City of Lawrence, Kansas, January 20, 2009 Edition". At least one copy of "Chapter 21 - The Lawrence SmartCode of the City of Lawrence, Kansas, January 20, 2009 Edition" shall be marked or stamped as "Official Copy as Adopted by Ordinance No. 8286" 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 "Chapter 21 –The Lawrence SmartCode of the City of Lawrence, Kansas, January 20, 2009 Edition" marked as may be deemed expedient.

SECTION THREE: Severability. 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 FOUR: This ordinance shall take effect and be in force on and after July 1, 2009 and upon passage and publication as provided by law.

Passed by the Governing Body 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

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