

ORDINANCE NO. 8542
RESOLUTION NO. _____

JOINT ORDINANCE OF THE CITY OF LAWRENCE, KANSAS, AND RESOLUTION OF
THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS
AMENDING THE COMPREHENSIVE LAND USE PLAN "*HORIZON 2020*" BY
AMENDING CHAPTER 14 – SPECIFIC PLANS, PURPOSE.

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 and the Board of County Commissioners of Douglas County, Kansas has adopted a comprehensive land use plan labeled "*Horizon 2020*"; and

WHEREAS, after due and lawful notice and hearing the Lawrence-Douglas County Metropolitan Planning Commission on June 23, 2010, by Resolution No. PCR-6-3-10, recommended amendments to "Chapter 14 – Specific Plans"; and

WHEREAS, a certified copy of the Chapter 14– Specific Plans amendments contained in planning staff report CPA-4-2-10 adopted by the Planning Commission in Resolution No. PCR-6-3-10 on June 23, 2010 together with the written summaries of the public hearings thereon held by the Lawrence-Douglas County Metropolitan Planning Commission on June 23, 2010 has 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 has been fully complied with in consideration and 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, and adopting amendments to Chapter 14 – Specific Plans, Purpose, contained in Resolution No. PCR-6-3-10, adopted by the Planning Commission on June 23, 2010, and described in Section 4. below.

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

Purpose

Long-range planning in an area specific manner is an important aspect of the overall community planning process. Specific plans provide the focused guidance necessary for proper decision making regarding an area's future. Chapter 14 references adopted specific plans and provides guidance, through the Hierarchy of Plans, for completing the proper type of plan for an area.

The plans referenced below have been adopted through a Comprehensive Plan process, as described on pages ~~43~~17-8 and ~~43~~17-9. As such, these plans are considered Comprehensive Plan policy and are an element of *Horizon 2020*. The plans are separate documents from *Horizon 2020* and can be accessed online at <http://www.lawrenceks.org/pds> or copies can be obtained by contacting the Lawrence-Douglas County Planning Department.

Plans prepared for specific areas, whether they are areas within the City of Lawrence or areas within unincorporated Douglas County contain detailed policy guidance for those areas. The plans, when adopted through a Comprehensive Plan process, and referenced in this chapter, become the official Comprehensive Plan policy for the respective areas. The policy contained in the plans take precedence over other policy found in *Horizon 2020*, unless specifically stated otherwise in the Plans.

Section 5. Severability. If any section, clause, sentence, or phrase of this joint ordinance or 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 6. 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 October, 2010.

APPROVED:

Mike Amyx, Mayor.

ATTEST:

Jonathan M. Douglass, 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 November, 2010.

BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS

Nancy Thellman
Chair

Mike Gaughan
Commissioner

Jim Flory
Commissioner

ATTEST:

/s/ Jameson D. Shew
Jameson D. Shew
County Clerk