

ORDINANCE NO. 8732

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" REVISING THE INVERNESS PARK DISTRICT PLAN; AND ADOPTING AND INCORPORATING BY REFERENCE "THE INVERNESS PARK DISTRICT PLAN, APRIL 2012 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 and the Board of County Commissioners of Douglas County, Kansas have adopted a comprehensive land use plan labeled "*Horizon 2020*"; and

WHEREAS, the Lawrence-Douglas County Metropolitan Planning Commission on April 23, 2012, by Resolution No. PCR-3-2-12, revised and updated the "Inverness Park District Plan" and approved an amendment to "*Horizon 2020*," the Comprehensive Plan contained in planning staff report CPA-2-1-12; and

WHEREAS, a certified copy of the *Horizon 2020* amendment and the revised "Inverness Park District Plan" contained in planning staff report CPA-2-1-12 and adopted by the Planning Commission in Resolution No. PCR-3-2-12 on April 23, 2012, together with the written summaries of the public hearings thereon held by the Lawrence-Douglas County Metropolitan Planning Commission on March 26, 2012 and April 23, 2012, have been submitted to the Governing Body; 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 and adopting the amendment to revise and update the Inverness Park District Plan and adopting and incorporating by reference "The Inverness Park District Plan, April 2012 Edition" as

contained in planning staff report CPA-2-1-12 and adopted by the Planning Commission on April 23, 2012.

Section 4. That "The Inverness Park District Plan, April 2012 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 incorporated into *Horizon 2020* and known as the "The Inverness Park District Plan, April 2012 Edition". One copy of said plan shall be marked or stamped as "Official Copy as Adopted by Ordinance No. 8732 and Resolution 12-____" 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 business hours. The police department, municipal judge, 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 Inverness Park District Plan, April 2012 Edition" marked as may be deemed expedient.

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 or 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, Kansas and Douglas County, Kansas and publication as provided by law.

Passed by the Governing Body of the City of Lawrence, Kansas this ____ day of _____, 2012.

APPROVED:

Robert J. Schumm, Mayor

ATTEST:

Jonathan M. Douglas, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Toni Ramirez Wheeler
City Attorney

Adopted by the Board of County Commissioners of Douglas County, Kansas, this ____ day of _____, 2012.

BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS

Mike Gaughan
Chair

Jim Flory
Commissioner

Nancy Thellman
Commissioner

ATTEST:

Jameson D. Shew, County Clerk