

ORDINANCE NO. 8592
RESOLUTION NO. 11-11

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*" TO ADD CHAPTER 16 - ENVIRONMENT; ADOPTING AND INCORPORATING BY REFERENCE "CHAPTER 16 - ENVIRONMENT, AUGUST 2010 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 August 23, 2010, by Resolution No. PCR-8-6-10, adopted and recommended the adoption of an amendment to add Chapter 16 - Environment in "*Horizon 2020*," contained in planning staff report CPA 2008-7; and

WHEREAS, a certified copy of the Chapter 16 – Environment amendment contained in planning staff report CPA 2008-7 and adopted by the Planning Commission in Resolution No. PCR-8-6-10 on August 23, 2010, together with the written summaries of the public hearings thereon held by the Lawrence-Douglas County Metropolitan Planning Commission on April 28, 2010, and August 23, 2010, 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 and incorporating by reference the amendment *Horizon 2020* to add "Chapter 16 – Environment, August 2010 Edition" contained in Resolution No. PCR-8-6-10 and adopted by the Planning Commission on August 23, 2010.

Section 4. That "Chapter 16 – Environment, August 2010 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 "Chapter 16 – Environment, August 2010 Edition". One copy of said comprehensive plan amendment shall be marked or stamped as "Official Copy" as Passed by Ordinance No. 8592 and Resolution No. ___ and to which shall be attached a copy of this 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 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 "Chapter 16 – Environment, December 14, 2010 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 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, Kansas this ____ day of _____, 20__.

APPROVED:

Aron E. Cromwell, 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
, 20__.

BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS

Jim Flory
Chair

Mike Gaughan
Commissioner

Nancy Thellman
Commissioner

ATTEST:

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

