

**ORDINANCE NO. 8757**

**AN ORDINANCE OF THE CITY OF LAWRENCE, KANSAS, AMENDING *HORIZON 2020*, THE COMPREHENSIVE PLAN FOR THE CITY OF LAWRENCE AND UNINCORPORATED DOUGLAS COUNTY, CHAPTER 6 - COMMERCIAL, TO REVISE THE WESTERN BOUNDARY OF THE EXISTING "WEST 6TH STREET AND WAKARUSA DRIVE" COMMERCIAL CENTER, AND CHAPTER 14 - SPECIFIC PLANS, TO REVISE THEREIN THE "AREA PLAN FOR THE INTERSECTION OF WEST 6TH STREET & WAKARUSA DRIVE," BY ADOPTING AND INCORPORATING HEREIN BY REFERENCE "AREA PLAN FOR THE INTERSECTION OF WEST 6TH STREET & WAKARUSA DRIVE, JULY 10, 2012 EDITION," AS PREPARED AND PUBLISHED BY THE LAWRENCE-DOUGLAS COUNTY METROPOLITAN PLANNING OFFICE OF THE CITY OF LAWRENCE, KANSAS.**

**WHEREAS** the City of Lawrence, Kansas, and Douglas County, Kansas, in order to promote the public health, safety, morals, comfort, and general welfare and to conserve and to protect property values in the City and the County, are authorized by K.S.A. 12-741, *et seq.*, to prepare, adopt, amend, extend, and execute a comprehensive plan;

**WHEREAS** the City of Lawrence, Kansas, Douglas County, Kansas, and the Lawrence-Douglas County Metropolitan Planning Commission, in order to coordinate development in accordance with the present and future needs of the City and the County, to conserve the natural resources of the City and the County, to ensure efficient expenditures of public funds in the City and the County, and to promote the health safety, convenience, prosperity, and the general welfare of the residents of the City and the County, have adopted *Horizon 2020*, the Comprehensive Plan for the City of Lawrence and Unincorporated Douglas County;

**WHEREAS**, on June 25, 2012, after giving lawful notice by publication in the official City newspaper, the Lawrence-Douglas County Metropolitan Planning Commission conducted a public hearing regarding a proposed amendment of *Horizon 2020*, the Comprehensive Plan for the City of Lawrence and Unincorporated Douglas County, as set forth in Planning Staff Report, CPA-4-3-12, amending Chapter 6 - Commercial, to revise the western boundary of the existing "West 6th Street and Wakarusa Drive" Commercial Center, and amending Chapter 14 - Specific Plans to revise therein the "Area Plan for the Intersection of West 6th Street and Wakarusa Drive";

**WHEREAS**, on June 25, 2012, the Lawrence-Douglas County Metropolitan Planning Commission adopted Resolution No. PCR-12-00013, amending *Horizon 2020*, the Comprehensive Plan for the City of Lawrence and Unincorporated Douglas County, as set forth in Planning Staff Report, CPA-4-3-12, Chapter 6 - Commercial, to revise the western boundary of the existing "West 6th Street and Wakarusa Drive" Commercial Center, and Chapter 14 - Specific Plans to revise therein the "Area Plan for the Intersection of West 6th Street and Wakarusa Drive";

**WHEREAS**, a certified copy of the amendment to *Horizon 2020*, the Comprehensive Plan for the City of Lawrence and Unincorporated Douglas County, as set forth in Planning Staff Report CPA-4-3-12 and as adopted by the Lawrence-Douglas County Metropolitan Planning Commission in Resolution No. PCR-12-00013, together with a written summary of the public hearings held on June 25, 2012, and the Planning Commission's recommendation, have been forwarded to the Governing Body; and

**WHEREAS**, at its July 10, 2012, public meeting, the Governing Body considered the proposed amendments to *Horizon 2020*, the Comprehensive Plan for the City of Lawrence and Unincorporated Douglas County, Resolution No. PCR-12-00013, and the recommendation of the Lawrence-Douglas County Metropolitan Planning Commission.

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

**SECTION 1.** The above-stated recitals are incorporated herein by reference and shall be as effective as if set forth in full.

**SECTION 2.** Pursuant to K.S.A. 12-747, the Governing Body hereby approves the recommendation of the Lawrence-Douglas County Planning Commission and, in accordance with those amendments, as set forth in CPA-4-2-12, *Horizon 2020*, the Comprehensive Plan for the City of Lawrence and Unincorporated Douglas County, and amendments thereto, is amended as follows:

There is hereby adopted and incorporated herein by reference, as if fully set forth herein, for the purpose of amending *Horizon 2020*, the Comprehensive Plan for the City of Lawrence and Unincorporated Douglas County, Chapter 6 - Commercial and Chapter 14 - Specific Plans, "Area Plan for the Intersection of West 6th Street and Wakarusa Drive, July 10, 2012 Edition," as prepared and published by the Lawrence-Douglas County Metropolitan Planning Office of the City of Lawrence, Kansas.

**SECTION 3:** One copy of "Area Plan for the Intersection of West 6th Street and Wakarusa Drive, July 10, 2012 Edition," shall be marked "Official Copy as Adopted by Ordinance No. 8757" and shall be filed, together with one copy of this ordinance, with the City Clerk. The City Clerk shall make the "Official Copy as Adopted by Ordinance No. 8757" open to the public and available for inspection at all reasonable office hours. One additional copy of the "Official Copy as Adopted by Ordinance No. 8757" shall, at the cost of the City of Lawrence, Kansas, be made available to the Lawrence-Douglas County Metropolitan Planning Office of the City of Lawrence, Kansas.

**SECTION 4:** Existing Chapter 6 - Commercial and Chapter 14 - Specific Plans of *Horizon 2020*, the Comprehensive Plan for the City of Lawrence and Unincorporated Douglas County, are hereby repealed, it being the intent of the Governing Body that this ordinance, adopting and incorporating herein by reference "Area Plan for the Intersection of West 6th Street and Wakarusa Drive, July 10, 2012 Edition," supersede those provisions of the comprehensive plan.

**SECTION 5:** 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 6:** This ordinance shall take effect and be in force after its passage and publication as provided by law.

**ADOPTED** by the Governing Body of the City of Lawrence, Kansas, this \_\_\_\_ day of July, 2012.

**APPROVED:**

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Robert J. Schumm  
Mayor

**ATTEST:**

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Jonathan M. Douglass  
City Clerk

**APPROVED AS TO FORM AND LEGALITY:**

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Toni R. Wheeler  
City Attorney

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**NOTICE TO PUBLISHER**

Publish one time and return one Proof of Publication to the City Clerk and one to the City Attorney.