

ORDINANCE NO. 2582

AN ORDINANCE ADOPTING AN AMENDMENT TO THE CITY OF GARDNER COMPREHENSIVE PLAN, CHAPTER 1 INTRODUCTION, CHAPTER 5 LAND USE & DEVELOPMENT, CHAPTER 11 IMPLEMENTATION AND ADOPTING BY REFERENCE THE I-35 & GARDNER ROAD INTERCHANGE SUBAREA PLAN.

WHEREAS, the City of Gardner has a duly constituted Planning Commission as provided within K.S.A 12-744; and

WHEREAS, pursuant to K.S.A. 12-747(a), the Gardner Planning Commission is authorized to make or cause to be made a comprehensive plan for the development of the City of Gardner and any unincorporated territory lying outside of the City but within the same County in which the City is located, which in the opinion of the Planning Commission, forms the total community of which the City is a part; and

WHEREAS, pursuant to K.S.A. 12-747(b), the Gardner Planning Commission is authorized to make recommendations to the Governing Body of the City relating to the adoption and amendment of a comprehensive plan by a single resolution or by successive resolutions and is further authorized to adopt or amend parts of the comprehensive plan for the City of Gardner; and

WHEREAS, the City of Gardner adopted a Comprehensive Plan titled "City of Gardner Comprehensive Plan", last approved with Ordinance 2574 on April 16, 2018, Gardner, Kansas"; and

WHEREAS, proper notice was published in the official City newspaper once at least twenty (20) days prior to the public hearing on the proposed City of Gardner Comprehensive Plan; and

WHEREAS, the Planning Commission held a public hearing on the amendments and subarea plan on May 22, 2018 at which public comments were received; and

WHEREAS, on May 22, 2018 the Planning Commission adopted Resolution No. PC-18-02, titled "A resolution adopting amendments to the comprehensive plan for the City of Gardner, Kansas adopting and incorporating by reference the I-35 & 175th Street Interchange Subarea Plan and amending Chapter 1 Introduction, Chapter 5 Land Use & Development and Chapter 11 Implementation", providing recommended amendments to the City of Gardner Comprehensive Plan to the Governing Body of the City for areas both within and outside of the City limits, and further found that those areas identified on the subarea plan outside of the City which are in unincorporated areas of the County form the total community of which the City is a part; and

WHEREAS, pursuant to K.S.A. 12-747(b), upon receipt of the Planning Commission's recommendation to adopt amendments to the City of Gardner Comprehensive Plan, the Governing Body of the City has considered the Planning Commission's recommendation and does hereby take the following action upon such recommendation;

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

SECTION ONE: The amendments to the Gardner Comprehensive Plan and the I-35 & Gardner Road Interchange Subarea Plan marked "Planning Commission Version" and the findings identified in Planning Commission Resolution PC-18-02 are approved and adopted.

SECTION TWO: The adopted amendment to Chapter 1, Chapter 5 and Chapter 11 of the City of Gardner Comprehensive Plan replaces the previously adopted sections in Ordinance 2574.

SECTION THREE: This Ordinance shall take effect and be in force from and after its publication in the Gardner News, the official City newspaper.

PASSED and APPROVED this 18th day of June, 2018.

_____/s/_____
Steve Shute, Mayor

ATTEST:

_____/s/_____
Amy Nasta, City Clerk

Approved as to form:

_____/s/_____
Ryan Denk, City Attorney