

**ORDINANCE NO. 2018-11-4474**

**AN ORDINANCE AMENDING ZONING REGULATIONS ARTICLE 2 (DEFINITIONS), ARTICLE 6 (RESIDENTIAL ZONED DISTRICTS), ARTICLE 9 (COMMERCIAL ZONED DISTRICTS) AND ARTICLE 22 (OFF-STREET PARKING), AND SUBDIVISION REGULATIONS ARTICLE 11 (LOT SPLITS), AND INCORPORATING SUCH REGULATIONS BY REFERENCE IN ARKANSAS CITY MUNICIPAL CODE PART III, TITLE 17, SEC. 17.1 AND TITLE 18, SEC. 18.1.**

**WHEREAS**, the Governing Body of the City of Arkansas City, Kansas, adopted Zoning and Subdivision Regulations on May 20, 2014, and since has amended both sets of regulations; and

**WHEREAS**, such regulations need to be reviewed and amended from time to time to keep them current; and

**WHEREAS**, on September 11, 2018, the City of Arkansas City Planning Commission held a public hearing after due public notice on the proposed amendments to Articles 2, 6, 9 and 22 of the Zoning Regulations, and the proposed amendments to Article 11 of the Subdivision Regulations; and

**WHEREAS**, on that date, the City of Arkansas City Planning Commission also recommended that the Governing Body of the City of Arkansas City, Kansas, adopt the amendments to the Zoning and Subdivision Regulations; and

**WHEREAS**, the Governing Body of the City of Arkansas City, Kansas, desires to accept the Arkansas City Planning Commission's recommendation and amend the stated Articles of the Zoning and Subdivision Regulations.

**NOW THEREFORE, IN CONSIDERATION OF THE AFORESTATED PREMISES, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ARKANSAS CITY, KANSAS:**

**SECTION ONE: AMENDMENTS TO MUNICIPAL CODE.**

The Governing Body of the City of Arkansas City, Kansas, desires to amend Articles 2, 6, 9 and 22 of the City of Arkansas City's Zoning Regulations regarding off-street parking and dwellings, and Article 11 of the City's Subdivision Regulations regarding lot splits. Said amended Articles are attached hereto and incorporated by reference as if fully set forth herein. The Governing Body therefore hereby amends Arkansas City Municipal Code Part III, Titles 17 and 18 to read as follows (new provisions in italics; deleted provisions struck through):

**PART III - LAND DEVELOPMENT CODE**

**Title 17 - SUBDIVISIONS**

**Sec. 17.1. - Adopted by reference.**

The City of Arkansas City Subdivision Regulations (hereafter "Subdivision Regulations"), as prepared in book form by the planning commission under date of ~~February 2016~~ *September 2018*, following a public hearing as required by state law, and the same is hereby declared to be approved and incorporated by reference as if set out fully herein pursuant to K.S.A. 12-3001 *et seq.*, K.S.A. 12-3009 *et seq.* and K.S.A. 12-3301 *et seq.*

**Title 18 - ZONING**

**Sec. 18.1. - Adopted by reference.**

The City of Arkansas City Zoning Regulations (hereafter "Zoning Regulations"), as prepared in book form by the Planning Commission under date of ~~December 2016~~ *September 2018*, following a public hearing as required by state law, and the same and new zoning map are hereby declared to be approved and incorporated by reference as if set out fully herein pursuant to K.S.A. 12-3001 *et seq.*, K.S.A. 12-3009 *et seq.* and K.S.A. 12-3301 *et seq.*

**SECTION TWO:** The Governing Body of the City of Arkansas City, Kansas, hereby authorizes the Mayor and/or City staff of the City of Arkansas City, Kansas, to take such further and other necessary actions that are required to effectuate the intent and purposes of this Legislative Enactment.

**SECTION THREE: PUBLICATION; EFFECTIVE DATE.** This ordinance, or a summary thereof, shall be published one time in the official City newspaper, and shall take effect and be in force from and after said publication.

**PASSED AND ORDAINED** by the Governing Body of the City of Arkansas City, Kansas, this 6th day of November, 2018.

Dan Jurkovich, Mayor

ATTEST:

Lesley Shook, City Clerk

DRAFTED AND APPROVED AS TO FORM:

Tamara L. Niles, City Attorney