

ORDINANCE NO. 7131

AN ORDINANCE UPDATING, AMENDING AND SUPERSEDING THE CURRENT COMPREHENSIVE PLAN FOR THE DEVELOPMENT OR REDEVELOPMENT OF THE MANHATTAN URBAN AREA AND THE CITY OF MANHATTAN, KANSAS BY THE ADOPTION, BY REFERENCE, OF THAT CERTAIN DOCUMENT KNOWN AS THE “MANHATTAN URBAN AREA COMPREHENSIVE PLAN, DATED MARCH 2015”

WHEREAS, following a public hearing on April 21, 2003, the publication known as the “Manhattan Urban Area Comprehensive Plan, dated April 2003” (the “MUACP – April 2003”) was adopted as the current comprehensive plan for the development or redevelopment of the Manhattan Urban Area and the City of Manhattan, Kansas by the Manhattan Urban Area Planning Board with the adoption of MUAPB Resolution No. 042103-A; and

WHEREAS, the MUACP – April 2003 was a major amendment and update of the original comprehensive plan for the development or redevelopment of the Manhattan Urban Area and the City of Manhattan, Kansas which was originally adopted by the Manhattan Urban Area Planning Board on June 17, 1991, and

WHEREAS, the MUACP – April 2003 was approved and adopted pursuant to K.S.A. 12-747 by the Governing Body of the City of Manhattan, Kansas when it passed and adopted Ordinance No. 6350 on June 17, 2003; and

WHEREAS, the MUACP – April 2003, as originally approved and adopted by the Governing Body of the City and amended from time to time, currently consists of the base document, which is entitled the Manhattan Urban Area Comprehensive Plan, dated April 2003, and ten other separately bound documents which were incorporated into the base document that was approved and adopted by Ordinance No. 6350 or through subsequent amendments of the MUACP – April 2003 and which are entitled:

1. The Poyntz Avenue Corridor District Plan, as approved and adopted by City Ordinance No. 4839, on February 1, 1994;
2. The Grand Mere Community Master Plan, as approved and adopted by City Ordinance No. 6127, on April 4, 2000;
3. Downtown Tomorrow, A Redevelopment Plan For Downtown Manhattan, Kansas, as approved and adopted by City Ordinance No. 6132, on May 2, 2000;
4. The Manhattan Area Transportation Strategy: Connecting To 2020, as approved and adopted by City Ordinance No. 6128, on April 4, 2000;
5. The Aggieville – Campus Edge District Plan, as approved and adopted by City Ordinance No. 6498, on October 11, 2005;
6. The Eureka Valley – Highway K-18 Corridor Plan, as approved and adopted by City Ordinance No. 7003, on May 21, 2013;
7. The Gateway to Manhattan Plan, dated April 2011, as approved and adopted by City Ordinance No. 6893, on May 17, 2011;
8. The US-24 Corridor Management Plan, as approved and adopted by City Ordinance No. 6792, on November 3, 2009;

9. The Wildcat Creek Floodplain Management Plan, dated November 2013, as approved and adopted by City Ordinance No. 7047, on November 5, 2013;
10. Housing Manhattan: Planning For the Future, as approved and adopted by City Ordinance No. 6150, on August 1, 2000; and

WHEREAS, pursuant to the provisions of K.S.A. 12-747 and in conjunction with the Governing Body of the City of Manhattan, Kansas, the Manhattan Urban Area Planning Board has authorized and caused an update of the MUACP – April 2003 to be undertaken; and

WHEREAS, as part of the MUACP – April 2003 update process, a new Manhattan Area Transportation Strategy, dated March 2015, was developed to replace the Manhattan Area Transportation Strategy: Connecting To 2020 as a part of the new comprehensive plan; and

WHEREAS, as a result of the MUACP – April 2003 update process, it was determined that the document entitled Housing Manhattan: Planning For the Future, as adopted by City Ordinance No. 6150, on August 1, 2000 is no longer relevant as part of the comprehensive plan for the development or redevelopment of the Manhattan Urban Area and the City of Manhattan, Kansas and as such is not included in the new comprehensive plan; and

WHEREAS, following the conclusion of the MUACP – April 2003 update process, pursuant to the provisions of K.S.A. 12-747, the Manhattan Urban Area Planning Board gave proper notice in the official City newspaper and held a public hearing on Monday, March 2, 2015 to receive and consider comments and remarks relating to the amendment of the MUACP – April 2003 by the adoption of the Manhattan Urban Area Comprehensive Plan, dated March 2015 (“MUACP – March 2015”); and

WHEREAS, following said public hearing the Manhattan Urban Area Planning Board found that the MUACP – March 2015 has been developed and prepared using the comprehensive surveys and studies of past and present conditions and trends that are required by K.S.A. 12-747 to develop the Manhattan Urban Area Planning Board’s recommendations for the development or redevelopment of the Manhattan Urban Area and the City of Manhattan, Kansas. The Manhattan Urban Area Planning Board further finds that the MUACP – March 2015 shows the Manhattan Urban Area Planning Board’s recommendations for the development or redevelopment of the Manhattan Urban Area and the City of Manhattan, Kansas and, when taken in conjunction with the planning of the capital improvements programs and all other infrastructure and community planning undertaken by local governments within the Manhattan Urban Area, adequately addresses the items to be addressed in a comprehensive plan pursuant to K.S.A. 12-747; and

WHEREAS, the Governing Body of the City concurs with these findings of the Manhattan Urban Area Planning Board; and

WHEREAS, following said public hearing a majority of all members of the Manhattan Urban Area Planning Board voted to adopt MUAPB Resolution No. 030215-A updating, amending and superseding the current comprehensive plan for the development or redevelopment of the Manhattan Urban Area and the City of Manhattan, Kansas by the adoption, by reference, of that certain document known as the “Manhattan Urban Area Comprehensive Plan, dated March, 2015” (“MUACP – March 2015”); and

WHEREAS, the Governing Body of the City of Manhattan, Kansas, desires to approve and adopt by ordinance the MUACP – March 2015 in accordance with the recommendation for its approval and adoption made by the adoption of MUAPB Resolution No. 030215-A by the vote of a majority of all members of the Manhattan Urban Area Planning Board.

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

SECTION 1. The update of the comprehensive plan for the development or redevelopment of the Manhattan Urban Area and the City of Manhattan, Kansas by the amendment and replacement of the MUACP – April 2003 with the MUACP – March 2015, including the documents incorporated therein by reference which are set forth in Section 2 of this Ordinance, is hereby approved and adopted. The provisions of the MUACP – March 2015 supersede the provisions of the MUACP – April 2003 and all other plans adopted by the Manhattan Urban Area Planning Board and approved by the Governing Body of the City of Manhattan, Kansas before the adoption of the MUACP – March 2015, except as herein provided.

SECTION 2. The publication known as the “Manhattan Urban Area Comprehensive Plan, dated March 2015,” (the “MUACP – March 2015”), as adopted and promulgated by the Manhattan Urban Area Planning Board, is hereby adopted by and incorporated by reference within this Ordinance in code form as that term is defined in K.S.A. 12-3301(c). The MUACP – March 2015 consists of the base document, entitled the Manhattan Urban Area Comprehensive Plan, dated March 2015, and nine other separately bound documents, which are incorporated into the base document, and which are entitled:

1. The Poyntz Avenue Corridor District Plan, as approved and adopted by City Ordinance No. 4839, on February 1, 1994.
2. The Grand Mere Community Master Plan, as approved and adopted by City Ordinance No. 6127, on April 4, 2000.
3. Downtown Tomorrow, A Redevelopment Plan For Downtown Manhattan, Kansas, as approved and adopted by City Ordinance No. 6132, on May 2, 2000.
4. The Manhattan Area Transportation Strategy, Dated March 2015, as approved and adopted by this Ordinance.
5. The Aggieville – Campus Edge District Plan, as approved and adopted by City Ordinance No. 6498, on October 11, 2005.
6. The Eureka Valley – Highway K-18 Corridor Plan, as approved and adopted by City Ordinance No. 7003, on May 21, 2013.
7. The Gateway to Manhattan Plan, dated April 2011, as approved and adopted by City Ordinance No. 6893, on May 17, 2011.
8. The US-24 Corridor Management Plan, as approved and adopted by City Ordinance No. 6792, on November 3, 2009.
9. The Wildcat Creek Floodplain Management Plan, dated November 2013, as approved and adopted by City Ordinance No. 7047, on November 5, 2013.

SECTION 3. At least one (1) copy of the MUACP – March 2015 shall be marked or stamped “Official Copy as Incorporated by Ordinance No. 7131”, and shall be attached to a copy of this Ordinance and filed with the City Clerk to be open to inspection and available to the public at all reasonable business hours. All administrative departments of the City charged with enforcement of this Ordinance shall be supplied, at the cost of the City, such number of official copies of this Ordinance with copies of the MUACP – March 2015 attached that are marked or stamped “Official Copy as Incorporated by Ordinance No. 7131” as may be deemed expedient.

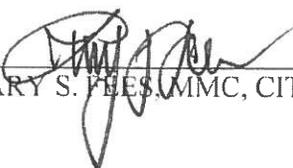
SECTION 4. City Ordinances No. 6128, 6150, 6350 and all other prior Ordinances in conflict herewith are hereby repealed; provided, however, that this repeal shall not interfere with, abrogate or annul the applicability of any previously approved and adopted comprehensive plan, comprehensive plan amendment or other plan during the period of time they were in force and effect.

SECTION 5. This Ordinance shall take effect and be in force from and after its passage and publication in The Manhattan Mercury.

PASSED AND ADOPTED THIS 7TH DAY OF APRIL, 2015, BY THE GOVERNING BODY OF THE CITY OF MANHATTAN, KANSAS.



ATTEST:



GARY S. FEES, MMC, CITY CLERK



WYNN BUTLER, MAYOR