

Ordinance Summary published in the Miami County Republic on March 20, 2019 and the full text of the Ordinance made available at www.cityofpaola.com for a minimum of 1 week from the date of publication.

Ordinance No. 3138 Summary

On March 12, 2019, the City of Paola, Kansas, adopted Ordinance No. 3138, repealing the following: ORDINANCE NO 2771 CONDITIONAL USE PERMIT (a.k.a. 01-CUP-04); ORDINANCE NO. 2927 CONDITIONAL USE PERMIT 06-CUP-07 AN ORDINANCE RELATING TO ZONING: AUTHORIZING A CONDITIONAL USE PERMIT FOR CERTAIN PROPERTY; ORDINANCE NO. 2987 RENEWAL OF CONDITIONAL USE PERMIT 06-CUP-07; ORDINANCE NO. 2992 APPROVAL OF CONDITIONAL USE PERMIT 09-CUP-06; ORDINANCE NO. 2996 CONDITIONAL USE PERMIT 09-CUP-09 AN ORDINANCE RELATING TO ZONING: AUTHORIZING A CONDITIONAL USE PERMIT FOR CERTAIN PROPERTY; ORDINANCE NO. 3047 AN ORDINANCE APPROVING CONDITIONAL USE PERMIT 12-CUP-01; ORDINANCE NO. 3065 AN ORDINANCE APPROVING CONDITIONAL USE PERMIT 13-CUP-02; ORDINANCE NO. 3061 AN ORDINANCE AMMENDING CONDITIONAL USE PERMIT 09-CUP-10 (a.k.a. 13-CUP-01); ORDINANCE NO. 3118 AN ORDINANCE APPROVING CONDITIONAL USE PERMIT 17-CUP-01. A complete copy of this ordinance may be obtained or viewed free of charge at the Office of the City Clerk at City Hall, 19 E Peoria Street or at www.cityofpaola.com. This summary is certified by Lee H. Tewiler, Paola City Attorney pursuant to K.S.A. 12-3001, et seq.

ORDINANCE NO. 3138

AN ORDINANCE REPEALING THE FOLLOWING: ORDINANCE NO 2771 CONDITIONAL USE PERMIT (a.k.a. 01-CUP-04); ORDINANCE NO. 2927 CONDITIONAL USE PERMIT 06-CUP-07 AN ORDINANCE RELATING TO ZONING: AUTHORIZING A CONDITIONAL USE PERMIT FOR CERTAIN PROPERTY; ORDINANCE NO. 2987 RENEWAL OF CONDITIONAL USE PERMIT 06-CUP-07; ORDINANCE NO. 2992 APPROVAL OF CONDITIONAL USE PERMIT 09-CUP-06; ORDINANCE NO. 2996 CONDITIONAL USE PERMIT 09-CUP-09 AN ORDINANCE RELATING TO ZONING: AUTHORIZING A CONDITIONAL USE PERMIT FOR CERTAIN PROPERTY; ORDINANCE NO. 3047 AN ORDINANCE APPROVING CONDITIONAL USE PERMIT 12-CUP-01; ORDINANCE NO. 3065 AN ORDINANCE APPROVING CONDITIONAL USE PERMIT 13-CUP-02; ORDINANCE NO. 3061 AN ORDINANCE AMMENDING CONDITIONAL USE PERMIT 09-CUP-10 (a.k.a. 13-CUP-01); ORDINANCE NO. 3118 AN ORDINANCE APPROVING CONDITIONAL USE PERMIT 17-CUP-01.

WHEREAS, The Planning Commission and Board of Zoning Appeals did meet on February 19, 2019 regarding the discontinuance of the Conditional Use Permits referred to in this Ordinance; and

WHEREAS, the Planning Commission and Board of Zoning Appeals has determined that the proposed discontinuance satisfies the regulations set forth in Section 21.226 of the Land Development Ordinance (LDO); and

WHEREAS, the Planning Commission and Board of Zoning Appeals has recommended the discontinuance of the Conditional Use Permits referred to in this Ordinance;

AND WHEREAS, the City Council has reviewed the recommendation of the Planning Commission and Board of Zoning Appeals and has determined that the Conditional Use Permits should be discontinued;

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

Section 1. Ordinance No. 2771 CONDITIONAL USE PERMIT (a.k.a. 01-CUP-04) that was duly adopted by the Governing Body of the City of Paola on the 27th day of February, 2001, is hereby repealed in its entirety, pursuant to the findings of the Paola Planning Commission and Board of Zoning Appeals on February 19, 2019 that the use permitted at 1006 N Pearl Street for heavy retail and services under said Conditional Use Permit has been discontinued for a period greater than six (6) months.

Section 2. Ordinance No. 2927 CONDITIONAL USE PERMIT 06-CUP-07 AN ORDINANCE RELATING TO ZONING: AUTHORIZING A CONDITIONAL USE PERMIT FOR CERTAIN PROPERTY that was duly adopted by the Governing Body of the City of Paola on the 26th day of September 2006, is hereby repealed in its entirety, pursuant to the findings of the Paola Planning Commission and Board of Zoning Appeals on February 19, 2019 that the use permitted at 7 S Agate Street for light industry under said Conditional Use Permit has been discontinued for a period greater than six (6) months.

Section 3. Ordinance No. 2987 RENEWAL OF CONDITIONAL USE PERMIT 06-CUP-07 that was duly adopted by the Governing Body of the City of Paola on the 26th day of May, 2009, is hereby repealed in its entirety, pursuant to the findings of the Paola Planning Commission and Board of Zoning Appeals on February 19, 2019 that the use permitted at 7 S Agate Street for light industry under said Conditional Use Permit has been discontinued for a period greater than six (6) months.

Section 4. Ordinance No. 2992 APPROVAL OF CONDITIONAL USE PERMIT 09-CUP-06 that was duly adopted by the Governing Body of the City of Paola on the 28th day of July, 2009, is hereby repealed in its entirety, pursuant to the findings of the Paola Planning Commission and Board of Zoning Appeals on February 19, 2019 that the use permitted at 812 S Silver Street for heavy retail and service under said Conditional Use Permit has been discontinued for a period greater than six (6) months.

Section 5. Ordinance No. 2996 CONDITIONAL USE PERMIT 09-CUP-09 AN ORDINANCE RELATING TO ZONING: AUTHORIZING A CONDITIONAL USE PERMIT FOR CERTAIN PROPERTY that was duly adopted by the Governing Body of the City of Paola on the 25th day of August 2009, is hereby repealed in its entirety, pursuant to the findings of the Paola Planning Commission and Board of Zoning Appeals on February 19, 2019 that the use

permitted at 103 N Pearl Street for pet grooming service under said Conditional Use Permit has been discontinued for a period greater than six (6) months.

Section 6. Ordinance No. 3047 AN ORDINANCE APPROVING CONDITIONAL USE PERMIT 12-CUP-01 that was duly adopted by the Governing Body of the City of Paola on the 26th day of June, 2012, is hereby repealed in its entirety, pursuant to the findings of the Paola Planning Commission and Board of Zoning Appeals on February 19, 2019 that the use permitted at 811 S Silver Street for light auto services under said Conditional Use Permit has been discontinued for a period greater than six (6) months.

Section 7. Ordinance No. 3065 AN ORDINANCE APPROVING CONDITIONAL USE PERMIT 13-CUP-02 that was duly adopted by the Governing Body of the City of Paola on the 7th day of January, 2013, is hereby repealed in its entirety, pursuant to the findings of the Paola Planning Commission and Board of Zoning Appeals on February 19, 2019 that the use permitted at 23 W Wea Street for pet grooming service under said Conditional Use Permit has been discontinued for a period greater than six (6) months.

Section 8. Ordinance No. 3061 AN ORDINANCE AMMENDING CONDITIONAL USE PERMIT 09-CUP-10 (a.k.a. 13-CUP-01) that was duly adopted by the Governing Body of the City of Paola on the 10th day of September, 2013, is hereby repealed in its entirety, pursuant to the findings of the Paola Planning Commission and Board of Zoning Appeals on February 19, 2019 that the use permitted at 410 N Silver Street for heavy retail and service under said Conditional Use Permit has been discontinued for a period greater than six (6) months.

Section 9. Ordinance No. 3118 AN ORDINANCE APPROVING CONDITIONAL USE PERMIT 17-CUP-01 that was duly adopted by the Governing Body of the City of Paola on the 8th day of August, 2017, is hereby repealed in its entirety, pursuant to the findings of the Paola Planning Commission and Board of Zoning Appeals on February 19, 2019 that the use permitted at 508 Baptiste Drive for heavy retail and service under said Conditional Use Permit has been discontinued for a period greater than six (6) months.

Section 10. That this ordinance shall become effective after its passage, approval, and publication in the official city newspaper pursuant to KSA 12-3001, et seq.

PASSED BY the Council this 12th day of March, 2019.

APPROVED BY the Mayor this 12th day of March, 2019.

Artie Stuterville, Mayor

ATTEST: (seal)

Daniel G. Droste, City Clerk