ORDINANCE NO. 2188

AN ORDINANCE ADOPTING NEW ZONING REGULATIONS AND ZONING DISTRICT MAP FOR THE CITY OF BELOIT, KANSAS, REPLACING IN ITS ENTIRETY THE EXISTING ZONING REGULATIONS AND ZONING DISTRICT MAP FOR THE CITY OF BELOIT; INCORPORATING BY REFERENCE THE "**2016 ZONING REGULATIONS AND ZONING DISTRICT MAP OF THE CITY OF BELOIT**"; AND REPEALING ORDINANCE NO. 2049.

WHEREAS, the City of Beloit adopted a Comprehensive Plan titled City of Beloit Comprehensive Plan approved with Ordinance 2168 on July 21, 2015; and

WHEREAS, the Comprehensive Plan of the City of Beloit includes provisions for proposed planning and zoning within the two-mile extra-territorial jurisdiction outside the city limits of Beloit; and

WHEREAS, the Planning Commission has determined a need to adopt a new zoning district outside the city limits of the City of Beloit within the two-mile extra-territorial jurisdiction, adopt new zoning regulations and adopt a new zoning district map; and

WHEREAS, proper written notice was provided to Mitchell County at least sixty (60) days prior to the public hearing on the proposed new zoning district, the City of Beloit zoning district map and updated zoning regulations of the city's intention to adopt zoning regulations affecting an area outside the city limits; and

WHEREAS, proper notice was published on February 29, 2016 in the official City newspaper once at least twenty (20) days prior to the public hearing on the proposed new zoning district, the City of Beloit zoning district map and updated zoning regulations; and

WHEREAS, the Planning Commission held a public hearing on the proposed City of Beloit zoning district map, zoning regulations, and zoning district within the two-mile extraterritorial jurisdiction, on April 26, 2016 at 7:00 p.m. at which public comments were encouraged; and

WHEREAS, on April 26, 2016, the Planning Commission adopted Resolution PC-16-01, titled "A Resolution Adopting New Zoning Regulations and Zoning District Map for the City of Beloit, Kansas and Adopting a Zoning District within the Two-Mile Extra-Territorial Zoning Jurisdiction, Replacing in its Entirety the Existing Zoning Regulations and Zoning District Map for the City of Beloit."; and

WHEREAS, on May 17, 2016, pursuant to K.S.A. 12-756, the governing body voted to return the recommendations to the Planning Commission for further consideration, with a statement the governing body failed to approve the Planning Commission's recommendation of a two-mile extra-territorial zoning district; and

WHEREAS, on June 14, 2016, pursuant to K.S.A. 12-756 the Planning Commission adopted Resolution PC-16-02, submitting its original recommendations to the governing body, titled "A Resolution Adopting New Zoning Regulations and Zoning District Map for the City of Beloit, Kansas and Adopting a Zoning District within the Two-Mile Extra-Territorial Zoning Jurisdiction, Replacing in its Entirety the Existing Zoning Regulations and Zoning District Map for the City of Beloit."; and

WHEREAS, on June 21, 2016, upon receipt of the Planning Commission's original recommendations to adopt a new zoning district outside the city limits of the City of Beloit within the two-mile extra-territorial jurisdiction, adopt new zoning regulations and adopt a new zoning district map, the Governing Body of the City, by simple majority vote, pursuant to K.S.A. 12-756 voted to adopted the new zoning regulations and new zoning district map, but to exclude the two-mile extra-territorial jurisdiction district.

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

Section 1: The Governing Body of the City of Beloit, Kansas, hereby adopts the 2016 Zoning Regulations and corresponding Zoning District Map. Said Zoning Regulations and Zoning District Map shall be known as the "**2016 Zoning Regulations and Zoning District Map of the City of Beloit**."

Section 2: There is hereby incorporated herein by reference the City of Beloit 2016 Zoning Regulations and Zoning District Map, prepared, compiled, published and promulgated by Hanna:Keelan Associates, P.C., adopted by the Governing Body on June 21, 2016, in code form as that term is defined in K.S.A. 12-3301(c), such incorporation by reference being authorized by K.S.A. 12-3009 to and including 12-3012.

Not less than three (3) copies of this Ordinance No. 2188, to each of which shall be attached a copy of the **2016 Zoning Regulations and Zoning District Map of the City of Beloit**, marked or stamped as "**official copy as incorporated by Ordinance No. 2188,**" shall be filed with the City Clerk to be open to inspection and available to the public at all reasonable business hours. All departments of the City charged with enforcement of the Zoning Regulations and Zoning District Map shall be supplied at the cost of the City such number of official copies of such ordinance as may be deemed expedient.

Section 3: The 2016 Zoning Regulations and Zoning District Map of the City of Beloit replaces in its entirety the Zoning Regulations dated July 1, 2008 approved by Ordinance 2049, as amended. Ordinance 2049 is hereby repealed.

Section 4: This Ordinance shall take effect and be in full force from and after its passage and one publication in the official city newspaper.

PASSED and ADOPTED by the Governing Body and signed by the Mayor this 5th day of July, 2016.

Tom Naasz, Mayor

ATTEST:

Amanda J. Lomax, City Clerk