

(Published once in The Augusta Gazette on 11/17, 2012.)

ORDINANCE NO. 1524

AN ORDINANCE AMENDING THE ZONING REGULATIONS OF THE CITY OF ANDOVER, KANSAS, AS ORIGINALLY ADOPTED BY ORDINANCE NO. 740 AND AMENDED BY ORDINANCE NO. 899 AND ORDINANCE NO. 1100, AND INCORPORATING AS A PART THEREOF AN AMENDMENT TO DELETE AND REPLACE SECTION 3-105A PERTAINING TO APPLICABILITY OF SITE PLAN APPROVAL.

THAT WHEREAS on May 25, 1993 the City of Andover, Kansas enacted Ordinance No. 740, which Ordinance was duly published and which provided for the adoption of and incorporation therein of certain Zoning Regulations for said City, official copies of same being on file with the City Clerk; and

WHEREAS, on January 14, 1997 the City of Andover, Kansas enacted Ordinance No. 899, which Ordinance amended Ordinance No. 740, which was duly published and which provided for the adoption of and incorporation therein of certain Zoning Regulations amendments for said City, official copies of same being on file with the City Clerk; and

WHEREAS, on November 28, 2000 the City of Andover, Kansas enacted Ordinance No. 1100, which Ordinance amended Ordinance No. 740 and Ordinance No. 899, which was duly published and which provided for the adoption of an incorporation therein of certain Zoning Regulations amendments for said City, official copies of same being on file with the City Clerk; and

WHEREAS, the Planning Commission of the City of Andover, Kansas has prior hereto and after giving due notice, opened a public hearing on September 18, 2012, and made certain recommendations for an amendment as contained herein; and

WHEREAS, the Governing Body of the City of Andover, Kansas desires to approve such amendment of the Zoning Regulations in accordance therein;

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

SECTION 1. That Section 3-105A pertaining to the applicability of Site Plan Approval by removing and/or replacing the following wording:

- A. Applicability. The following construction activities shall be required to obtain site plan approval:

1. The following construction activities with an estimated cost of greater than \$10,000 shall be required to obtain site plan approval by the Site Plan review Committee:

- a. All nonresidential projects, including remodeling of existing nonresidential properties;
- b. All multiple-family dwellings, except three and four family dwellings, not arranged in a courtyard or grouped setting;
- c. All Planned Unit Development (P.U.D.) Districts shall be required to submit a preliminary landscape plan for review by the Site Plan Review Committee at the time of preliminary P.U.D. plan approval. Final landscape plans shall be submitted for Site Plan Review Committee approval as final P.U.D. plan approval for each phase is attained.

2. The following construction activities with an estimated cost under \$10,000 shall be required to apply for Site Plan approval by the Zoning Administrator under the following conditions:

- a. If the project meets one of the criteria under Section 3-105 A1 above, and has an estimated cost under \$10,000;
- b. The review and approval will be limited to the specific change in the building or site. For example, if the building is being resided, only the appearance of the siding can be reviewed;
- c. Routine maintenance such as new roofing and paint shall not be reviewed unless the base primary color(s) of the building is changing;
- d. A full application with site plans and other required drawings will not be required for projects with an estimated total project value under \$10,000. At the minimum, a drawing or a photograph with color samples of the proposed changes and material boards, if applicable, shall be submitted;
- e. If a property receives an approval for changes for a project with an estimated total project value under \$10,000 and then subsequently seeks another, the Zoning Administrator shall be authorized to require a full site plan review.

- f. Plans for landscaping projects will be submitted for review and approval as long as the project complies with the Streetscape Guidelines and Preferred Tree Species for South Central Kansas. Incomplete plans may be rejected by Zoning Administrator.
 - g. Any approval or disapproval of a Site Plan rendered by the Zoning Administrator may be appealed to the Site Plan Review Committee for reconsideration.
3. All permanent signage and monuments except those that are replacing an existing approved sign and are not changing the size, location, or lighting of the existing sign, shall require site plan approval by the Zoning Administrator. Landscaping around sign structures shall be designed in such a manner as to meet or exceed Guidelines established by the Site plan Review Committee.

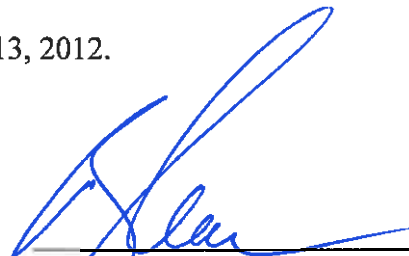
SECTION 2. Any provisions of this Ordinance which shall be declared to be unconstitutional or otherwise invalid shall not affect the validity and authority of the other sections of this Ordinance.

SECTION 3. This Ordinance shall take effect and be in force from and after its passage, approval and publication once in the official city newspaper.

PASSED BY THE GOVERNING BODY on November 13, 2012.

APPROVED BY THE MAYOR on November 13, 2012.

ATTEST:



 Ben Lawrence
 Mayor



 Susan B. [unclear]
 City Clerk

 (SEAL) SEAL
 CITY OF ANDOVER, KANSAS

I hereby certify that the foregoing is the original ordinance; that said ordinance was passed on the 13 day of November, 2012; that the record of the final vote on its passage is found on page 4 of the minutes from November 13, 2012; that it was published in the Augusta Daily Gazette on the 17 day of November, 2012.

City Clerk 